



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

Tuesday, September 6, 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

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|----|----------|---|---------------------|
| 1. | Citywide | Hispanic Heritage Month Proclamation | None |
| | | | City Manager Office |

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. | Internal | Consideration and action on the Regular City Council Work Session, Regular Council Meeting and Executive Session minutes of August 16, 2022. | None

Sherry Aguilar
City Clerk |
| 2. | District 5 | Consideration and action to approve a new application for a Series 12 (Restaurant) liquor license for Quench Taps and Tapas located at 14010 N. Litchfield Road, #212, Surprise, AZ 85379. | None

Sherry Aguilar
City Clerk |
| 3. | District 1 | Consideration and action to approve a liquor license request for a series 12 (Restaurant) for Good Fortune located at 17014 W. Bell Road, #106 & #107, Surprise, AZ 85374. | None

Sherry Aguilar
City Clerk |
| 4. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled "Kunz Estates Rural Subdivision" and dated June 28, 2022, a property generally located northwest of Jomax Road and 155 th Avenue; Case FS22-0693. | None

Tanner Wessel
Community
Development |
| 5. | District 1 | Consideration and action pertaining to acceptance of a Sewer Line Easement from Kent Xander and Wittrock Land 4 LLC, near San Ysidro and 156 th Avenue. | None

Lloyd Abrams
Community
Development |
| 6. | Internal | Consideration and action pertaining to amending the compensation eligibility for Presiding Judge Louis Dominguez; Resolution #2022-89. | None

Donna Meuse
Human Resources |
| 7. | Internal | Consideration and action pertaining to amending the compensation eligibility for Associate Judge Catherine Gaudreau; Resolution #2022-90. | None

Donna Meuse
Human Resources |

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|-----|----------|---|---|
| 8. | Citywide | Consideration and action pertaining to approval of the Agreement Between the Greater Phoenix Economic Council and the City of Surprise for participation and support of regional economic development programs, in the amount of \$73,313 for Fiscal Year 2023. | None

Economic
Development |
| 9. | Citywide | Consideration and action pertaining to the approval of an amendment to Fiscal Year 2023 Budget by moving budget authority of \$30,000 within the Tourism fund from contingency to services to support expanding The Patriot All-America Golf Invitational to include a tournament field that would be located in the City of Surprise; Resolution #2022-91. | None

Kendra Pettis
Sports and Tourism |
| 10. | Internal | Presentation and discussion pertaining to the FY2022 Financial Status Report through June 2022. | None

Andrea Davis
Finance |
| 11. | Citywide | Consideration and action pertaining to a recommendation of a preferred location for the new City of Surprise Pool. | Parks and
Recreation |

I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

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|-----|----------|---|-----------------------------------|
| 12. | Internal | Consideration and action to recess into executive session for discussion and consultation for legal advice with the City Attorney pertaining to <i>City of Surprise v. Circle City Water Company LLC</i> pursuant to A.R.S. 38-431.03(A)(3). | None

Robert Wingo
Legal |
| 13. | Internal | Consideration and action to recess into executive session to discuss and consider end of year personnel evaluations and Fiscal Year 2023 goals for the City Manager, City Clerk, City Auditor, and City Attorney pursuant to A.R.S. 38--431.03 (A)(1). | None
Human Resources |
| 14. | Internal | Consideration and action to recess into executive session for discussion and consultation for legal advice with the City Attorney pertaining to the City's administrative and legal obligations under Arizona Revised Statutes Title 19 pursuant to A.R.S. 38-431.03(A)(3). | None

Robert Wingo
Legal |

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: September 01, 2022 at 12:30 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.