



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

Tuesday, November 15, 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

Senator Rick Gray Acknowledgment

E. City Manager Report

Oath of Office - Fire Chief, Brenden Espie

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:

- | | | | |
|----|------------|--|---|
| 1. | Internal | Consideration and action to approve the Regular Council Meeting Minutes of November 1, 2022. | None

Sherry Aguilar
City Clerk |
| 2. | District 3 | Consideration and action accepting a Quit Claim Deed from Henry and Patricia Conklin for Rights-of-Way along Waddell near 143 rd Avenue. | Lloyd Abrams
Community
Development |
| 3. | District 1 | Consideration and action declaring the intention to establish the lighting improvement district known as City of Surprise, Arizona, SU-WINDSTERNCH205 pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution # 2022-75. | Kristin Tytler
Public Works |
| 4. | District 1 | Consideration and action declaring the intention to establish the lighting improvement district known as City of Surprise, Arizona, SU-BONITARNCH204 pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution # 2022-73. | Kristin Tytler
Public Works |
| 5. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Bonita Ranch" and received September 14, 2022, a property generally located south of Jomax Road and west of 147 th Avenue. | Chris Sexton
Community
Development |
| 6. | Internal | Consideration and action to approve the Council Meeting dates for 2023. | None

Sherry Aguilar
City Clerk |
| 7. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Heritage Asante – Parcel 8 and dated September 2022, a property generally located west of Asante Blvd. and south of Pat Tillman Blvd; Case FS22-0590. | LESLIE CARNIE
Community
Development |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|---|---|
| 8. | District 5 | Consideration and action pertaining to a zone change from Community Commercial (C-2) to Residential High Density (R-3) on an approximately 12.82 acre property generally located on the southwest corner of Mountain View Blvd. and White Horse Trail; Ordinance # 2022-24. | LESLIE CARNIE
Community
Development |
|----|------------|---|---|

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|-----|------------|---|--|
| 9. | District 1 | Consideration and action pertaining to approval of The Third Amendment to the Broadstone Ranch Pre-Annexation Development Agreement between the City of Surprise and Elliott Homes, Inc.; Resolution #2022-110. | Lloyd Abrams
Community
Development |
| 10. | Internal | Consideration and action pertaining to authorizing submission of the Request for Exemption from posting deposit to the Industrial Commission of Arizona. | Robert Wingo
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: November 10, 2022 at 10:20 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.