



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

Tuesday, December 20, 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

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 to approve the Regular Council Work Session and Regular Council Meeting Minutes of Tuesday, December 6, 2022. | None
Sherry Aguilar |
|----|----------|--|------------------------|

			City Clerk
2.	District 3	Consideration and action to approve a request by Applicant, Fernando Gonzales Ruiz for a Series 12 (New Application - Restaurant #209950) liquor license for BURROS & FRIES located at 13455 N. Prasada Parkway, Surprise, AZ. 85388.	None Sherry Aguilar City Clerk
3.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Windstone Ranch Phase 1" and received on September 19, 2022, a property generally located at the northeast corner of Happy Valley Road and 151 st Avenue; Case FS21-1007.	Chris Sexton Community Development
4.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Graceland" and dated October 6, 2022, a property generally located north of Pinnacle Peak Road and west of 211 th Avenue; Case FS22-0867.	Jessica Brinton Community Development
5.	District 6	Consideration and action pertaining to approval of the Final Plat entitled, "Skyway Business Park" and dated October 17, 2022, a property generally located north of Peoria Avenue, west of 132 nd Avenue and south of Desert Cove Road; Case FS22-1189.	Chris Sexton Community Development
6.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Re-plat of Mesquite Mountain Ranch, Phase 1-Lots 45, 46, and Tract D" and dated November 2022, a property generally located on the northeast corner 227 th Ave. and Beardsley Rd; Case FS22-1215.	Leslie Carnie Community Development
7.	District 3	Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Christopher Todd at Rancho Trugold located at 17180 West Sweetwater Avenue; Resolution # 2022-109.	Kristin Tytler Public Works
8.	District 1	Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public improvements at the East to North East corner of 163 rd Avenue and Pinnacle Peak Road; Resolution # 2022-111.	Kristin Tytler Public Works
9.	District 5	Consideration and action enlarging an existing lighting improvement district known as "City of Surprise, Arizona, SU-Hilton Garden Inn" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution #2022-101.	Kristin Tytler Public Works
10.	Citywide	Consideration and action pertaining to approval of a Fiscal Year 2023 budget amendment moving budget authority in the amount of \$90,000 from the Contingency Fund to the Arizona Office of Tourism Fund in association with an anticipated increase in Prop 302 Maricopa County Marketing funding; Resolution #2022-115.	None Kendra Pettis Sports and Tourism
11.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 budget by moving budget authority of \$120,000 within the	None Kendra Pettis

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| | | Grants/Contingency Fund from Contingency to Services in project G59010 and \$24,000 within the Sports and Tourism Fund from Services to Services in project G59010 to account for acceptance of a grant award from the Arizona Office of Tourism; Resolution #2022-119. | Sports and Tourism |
| 12. | Citywide | Consideration and action pertaining to the approval of Amendment No. 2 to the Intergovernmental Agreement with Maricopa County for 2022 Home Program Funds; amending the Fiscal Year 2023 Budget by moving budget authority in the amount of \$200,800 from the Grants/Contingency Fund to the Neighborhood Revitalization Fund, Project G51565; and accepting grant funding from Maricopa County via the Department of Housing and Urban Development for 2022 Home Program Funds; Resolution #2022-116. | Seth Dyson
Human Svcs and
Comm Vitality |
| 13. | District 1 | Consideration and action ratifying the December 6, 2022 conditional acceptance and maintenance of certain streets and public utility improvements at Bell Pointe II North and correcting a scrivener's error; Resolution # 2022-108. | Robert Wingo
Legal |

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 14. | District 1 | Consideration and action pertaining to approval of the Second Amendment to the Rancho Mercado Supplemental Development Agreement between the City of Surprise and William Lyon Homes, Inc.; Resolution #2022-118. | Lloyd Abrams
Community
Development |
| 15. | Citywide | Consideration and action pertaining to the approval of a Facility Use Agreement for a Signature Music Festival at Mark Coronado Park March 25-26, 2023; Resolution #2022-76. | None

Kendra Pettis
Sports and Tourism |

- 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, December 15, 2022 @ 9:10 a.m. Amended on Friday, December 16, 2022 @ 10:30 a.m. (Item #12 - Amended Resolution and attachments).

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.