



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

Tuesday, February 7, 2023 @ 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

Teen Dating Violence Prevention Awareness Month Proclamation

E. City Manager Report

F. City Clerk Report

- | | | | |
|----|----------|---|--------------------------------------|
| 1. | Internal | Consideration and action to appoint Appellate Judge, the Honorable Brian Y. Furuya, to the Judicial Selection Advisory Commission to replace retiring Appellate Judge, the Honorable Peter Swann, for the term of December 1, 2022 to December 1, 2025. | None
Sherry Aguilar
City Clerk |
|----|----------|---|--------------------------------------|

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 Work Session and Regular Council Meeting Minutes of January 17, 2023. | None

Sherry Aguilar
City Clerk |
| 2. | District 3 | Consideration and action to approve a request by Lauren Kay Merritt for a Series 006 (Bar) Liquor License for FAT CATS ENTERTAINMENT CENTER located at 13100 N. Prasada Parkway, Surprise, AZ. 85388. | None

Sherry Aguilar
City Clerk |
| 3. | District 3 | Consideration and action to approve a request by Perry Charles Huellmantel for a Series 010(Beer and Wine Store) Liquor License for QUIKTRIP #415 located at 16821 W. Bell Road, Surprise, AZ. 85388. | None

Sherry Aguilar
City Clerk |
| 4. | District 3 | Consideration and action to approve a request by Jeffrey Craig Miller for a Series 012 (Restaurant) Liquor License for Cooper's Hawk Winery & Restaurant located at 16470 W Alexandria Way, Surprise, AZ. 85388. | None

Sherry Aguilar
City Clerk |
| 5. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Morgan-Harris Estates", and dated December 14, 2022, a property located at the southeast corner of 163 rd Avenue and Dale Lane; Case FS22-1061. | None

Tanner Wessel
Community
Development |
| 6. | District 1 | Consideration and action pertaining to approval of the Rancho Vista Alternative Assurance Agreement. |

Kristin Tytler
Public Works |
| 7. | District 3 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Zanjero Trails Phase 2 Parcel 11A, B, and C; Resolution # 2023-09. |

Kristin Tytler
Public Works |
| 8. | Citywide | Consideration and action pertaining to acceptance of the City's Arizona Lottery Fund (ALF) allotment for FY2023 in the amount of \$364,134; Resolution #2023-11. |

Kristin Tytler
Public Works |
| 9. | Citywide | Consideration and action pertaining to approval of an amendment to the Comprehensive Citywide Fee Schedule by revising and adding new parks and recreation fees; Resolution #2023-13. |

Holly Osborn
Parks and
Recreation |
| 10. | Citywide | Consideration and action pertaining to approval of an amendment to the FY2023 Budget by moving budget authority of \$12,800 from the General Contingency to Project G31061 to account for acceptance of Justice Assistance Grant (JAG) funding distributed pursuant to an Intergovernmental Agreement with the City of Phoenix; Resolution #2023-15. | None

Benny Pina
Police |
| 11. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 budget by moving budget authority in the amount of \$18,000 from Contingency within the Grants Fund to grant project G31365 FFY23 Joint Law Enforcement Operations (JLEO) and authorizing acceptance of a grant award from U.S. Department of Justice (DOJ), U.S. Marshals Service, to cover overtime expenses associated with the | None

Benny Pina
Police |

participation of one Surprise Police Officer in the JLEO Task Force from October 2, 2022 to September 30, 2023; Resolution #2023-16.

- | | | | |
|-----|----------|---|-----------------------|
| 12. | Citywide | Consideration and action pertaining to adoption of the proposed amendments to the City of Surprise [City Council] Policies & Procedures Manual and Boards & Commissions Handbook. | Robert Wingo
Legal |
|-----|----------|---|-----------------------|

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|-----|----------|---|--|
| 13. | Citywide | Presentation and discussion pertaining to the City of Surprise Public Libraries | None

Kelsey Lamphier
Arts, Culture &
Library Department |
| 14. | Citywide | Presentation and discussion pertaining to Arizona's Open Meeting Law. | 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

POSTED: Thursday, February 2nd, 2023 @ 12:00 p.m.

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.