



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

Tuesday, February 21, 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

Black History Month Proclamation

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:

1. Internal Consideration and action to approve the Regular Council Meeting Minutes of February 7, 2023.

Sherry Aguilar
City Clerk

- | | | | |
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| 2. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "Final Re-Plat Toll at Prasada, Unit N – Phase 2" and dated December 16, 2022, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS22-1301. | None

Jessica Brinton
Community
Development |
| 3. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Williams 219" and dated January 6, 2023, a property generally located on the southwest corner of 219th Avenue and Williams Road; Case FS22-1403. | None

Jessica Brinton
Community
Development |
| 4. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "Fulton Homes at Prasada – Phase 2" and dated January 4, 2023, a property general located at the southwest corner of Waddell Road and Reems Road; Case FS21-1024. | None

Trevor Fleetham
Community
Development |
| 5. | District 6 | Consideration and action pertaining to approval of the Map of Dedication entitled, "Surprise Industrial" and received October 24, 2022, a property generally located west of the northwest corner of Sweetwater Rd. and Dysart Rd; Case FS22-0975. | None

Leslie Carnie
Community
Development |
| 6. | District 1 | Consideration and action pertaining to acceptance of a Special Warranty Deed for a Fire Station site near Deer Valley and 235th Avenue from Surprise Foothills Master LLC, SLF II Arizona-Deer Valley & 243rd LLC, Deer Valley/243rd Avenue investors LLC, VVL Investors I LLC, BOS Sorte Limited Partnership, 317 Surprise LLC, 317 Acres Partners LLC, The Jeito Foundation and SMT Investors Limited Partnership. | Lloyd Abrams
Community
Development |
| 7. | Internal | Consideration and action pertaining to approval of an amendment to the Intergovernmental Agreement with Maricopa County to facilitate temporary emergency shelter services, to accept additional grant funding, and to amend the Fiscal Year 2023 budget by moving budget authority of \$55,000 within the Grants Fund; Resolution #2023-25. | Seth Dyson
Human Svcs and
Comm Vitality |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|--|--|
| 8. | District 1 | Consideration and action pertaining to a rezone of approximately 4.94 acres of real property generally located on the south side of Grand Avenue, west of 163rd Avenue, from split zoning of Community Commercial (C-2)/Rural Residential (RR) to exclusively Community Commercial (C-2);Case FS22-0207; Ordinance #2023-01. | Chris Sexton
Community
Development |
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REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 9. | Citywide | Presentation and discussion pertaining to proposed updates to the Comprehensive Citywide Fee Schedule. | None

Andrea Davis
Finance |
|----|----------|--|-------------------------------------|

- I. Other Business and Future Agenda Items
- J. City Council Reports
- K. Executive Session

Consideration and action to recess into executive session for discussion and consultation with the City's attorneys for legal advice, and to consider and instruct the City's attorneys regarding the City Council's position pertaining to opioid litigation pursuant to A.R.S. 38-431.03 (A)(3) and (4).

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, February 16, 2023 @ 3:45 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.