



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, March 21, 2023 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

Mayor Hall called the Regular Council Meeting of Tuesday, March 21, 2023 to order at 6:00 p.m., located at Surprise City Hall, 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

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.

Invocation led by Pastor, Kent Guyer

B. Roll Call

In attendance with Mayor Hall were Vice-Mayor Chris Judd, Councilmembers Jack Hastings, Ken Remley, Patrick Duffy, Aly Cline, and Nicholas Haney.

C. Pledge of Allegiance

Mayor Hall led the Pledge of Allegiance.

D. Proclamation and Community Acknowledgements

Fix a Leak Week Proclamation

Mayor Hall presented the proclamation to Sandra Hurlbut, Water Conservation Specialist.

Recognition of the Valley Vista High School Girls Basketball team's 2023 Arizona Interscholastic Association 6A State Championship

Mayor Hall recognized the Valley Vista High School Girls Basketball team, head coach Brooklyn Hinkins, and athletic director Pete Jillovic.

E. City Manager Report

City Manager Bob Wigenroth talked about the Bases and Brews Music Festival this Friday March 24th through Sunday March 26th. It celebrates the end of spring training. He asked citizens to visit the City website for more information.

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.

Alejandro Christ a Surprise resident, came to talk about BNSF. He talked about the presenters from the BNSF that were present at the last meeting. He then mentioned the March 16th derailment, and a Washington State incident. He expressed his concerns about BNSF moving into Surprise.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

Councilmember Duffy moved to approve the Consent Agenda Items, Councilmember Remely seconded the motion. The Motion to Approve passed unanimously.

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|----|------------|--|---|
| 1. | Internal | Consideration and action to approve minutes for the Regular Work Session and Regular Council Meeting of Tuesday, March 7, 2023. | None

Sherry Aguilar
City Clerk |
| 2. | District 6 | Consideration and action pertaining to approval of the Final Plat entitled, "Surprise Logistics Park" and received January 11, 2023, an approximately 28.42 acre property generally located on the southwest corner of Litchfield Rd. and Laurel Ln; Case FS22-1340. | None

Leslie Carnie
Community
Development |
| 3. | District 1 | Consideration and action to accept an Amendment to Right of Way from the Arizona State Land Department for 227 th Avenue between Sun Valley Parkway and Beardsley. | Lloyd Abrams
Community
Development |
| 4. | District 1 | Consideration and action to accept a Quit Claim Deed from The Goertzen Trust for Right of Way along Dale Lane near 165th Avenue. | Lloyd Abrams
Community
Development |
| 5. | District 1 | Consideration and action to accept a Quit Claim Deed from Eugene and Valerie Rollin for Right of Way along Dale Lane near 175th Avenue. | Lloyd Abrams
Community
Development |
| 6. | District 1 | Consideration and action to accept a Quit Claim Deed from HOH Land Holdings for Right of Way along Dale Lane at 163rd Avenue. | Lloyd Abrams
Community
Development |

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| 7. | District 1 | Consideration and action to accept a transfer of Right of Way from Arizona State Land Department for 163 rd Avenue between Dixileta and White Wing. | Lloyd Abrams
Community
Development |
| 8. | | Consideration and action to approve an amendment to the Fiscal Year 2023 budget moving budget authority within grant and capital projects to/from contingency or between projects to adjust amounts originally estimated during the FY2022 budget process, as required by grant stipulations and guidelines, or based on anticipated revenues; Resolution #2023-29. | Eric Boyles
Finance |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|---|--|
| 9. | District 1 | Consideration and action pertaining to approval of a Major Planned Area Development (PAD) Amendment to the Vistas Montanas PAD; Ordinance #2023-07. | Chris Sexton
Community
Development |
|----|------------|---|--|

Chris Sexton gave a presentation about Vista Montonas PAD. She talked about how this was a continuation of a previous presentation, then talked about the surrounding area impacted by the Ordinance. She went into further details about the amenities that the planed area would include.

Councilmember Duffy asked if the number of lots have changed? Chris said that they reduced the number to include a pool.

Councilmember Hastings appreciated the item coming back, stating he supports the project. Vice-Mayor Judd likes the project, commenting about different aspects of the project.

Councilmember Remley asked about the before and after site plans. He was curious about the 45 foot lots, and wanted to know about the clearance between homes. Jeff Bar, the applicant with RBI, said there were development standards that they have to adhere to. He said it was 13 feet. Remley asked how long the proposed driveways would be? Jeff said it would be 20 feet to the garage. Councilmember Remely thanked the applicant for coming in to listen to their comments from the last time.

Councilmember Haney thanked his fellow councilmembers for the discussion. He talked about how a community meeting was held by the applicant at his suggestion. He was concerned about the infrastructure in the area being taxed, stating that he wants the growth to be smart. He said the infrastructure issues are a public safety concern. Councilmember Haney said he would stand by the current citizen concerns for this item at this time.

Councilmember Cline was pleased about a pool being on that side of town and appreciated that they listened about the issues. She talked about traffic being a concern and how a traffic light was suggested. Mayor Hall appreciated the changes to the plan.

Alejandro Christ, a Surprise resident, came up to ask about the location of the BNSF project in relation to this plan. Lloyd Abrams said they were a few miles apart. Alejandro asked for clarification about the number of residents who would live there.

Councilmember Hastings motioned to approve the amendment, Councilmember Cline seconded the motion. The Motion to Approve passed with 5 yes votes, and 2 no votes from Councilmembers Duffy, and Haney.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

10. District 4 Consideration and action pertaining to a Ground Lease between the City of Surprise and the Housing Authority of Maricopa County for affordable senior housing in Surprise; Resolution #2023-35. Seth Dyson
Human Svcs and
Comm Vitality

Seth Dyson presented the item and asked for a motion to move this to the following council meeting on April 4, 2023.

Vice-Mayor Judd motioned to move this item to the next meeting, Councilmember Hastings seconded the motion. The Motion to continue passed unanimously.

11. Citywide Consideration and action pertaining to the approval of an Intergovernmental Agreement with the Housing Authority of Maricopa County for affordable senior housing in Surprise; Resolution #2023-36. Seth Dyson
Human Svcs and
Comm Vitality

Seth Dyson gave a presentation about the Intergovernmental Agreement with the Housing Authority of Maricopa County. Heritage Senior will be 99 units of affordable senior housing in the Original Town Site.

CM Cline thanked Seth for his work. She thought it was a great project and liked that it was looking out for our community.

CM Remley said this is a proud moment. He said that the project is setting the bar for the west valley. He further talked about the impact on the citizens. He thanked Seth for his work.

Councilmember Remley motioned to approve the agreement, Councilmember Cline seconded the motion. The motion passed unanimously.

I. Other Business and Future Agenda Items

Councilmember Remley would like to have a work session item about Finance coming out to talk about the bond issues and what was accomplished with that. Councilmember Cline seconded the suggestion.

J. City Council Reports

Councilmember Haney talked about his community meeting at Asanta library. He said how he was able to go to some spring training and got to meet a few business leaders.

Councilmember Cline said the library would be closed on the weekend. She wanted to congratulate everyone who worked on the project. She also wanted to mention the Falls Restaurant will be open by the end of the month. She said that she has two meetings this month: the Grand meeting on the 28th at 6:00 PM in the Pima Room, and the AZ Tradition meeting on the 31st at 10:00 AM.

Vice-Mayor Judd said that there would be a Joint meet and greet with Councilmember Duffy on the second Saturday of the month. His last meet and greet was last Wednesday which had to be delayed. He also met with the Maricopa County District Attorney and asked how they could help with sober living homes.

Councilmember Hastings talked about signature events and how they had been delayed until this weekend with Bases & Brews. He thanked his colleagues for the investment put into this project. He talked about recycling and how it has come back.

Councilmember Remley wanted to thank everyone for their support. Arizona is a unique state with tax credits for schools. He talked about organizations that help the working poor and how tax credits could be applied to those.

Councilmember Duffy said his next meet and greet is the second Saturday. He said they would be doing a parks tour. He also state that this Friday is the opening of Fat Cats.

Mayor Hall talked about the first ever Bases and Brews Music Festival this weekend at Mark

Coronado Park. He also mentioned that this Thursday March 30, 6-8 PM for the State of the City Event.

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.

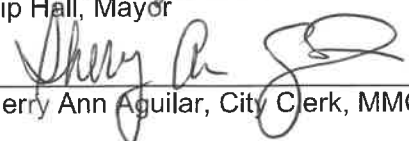
The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

L. Adjournment

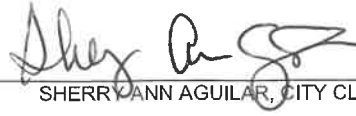
Councilmember Cline motioned to adjourn, Councilmember Haney seconded. The motion passed unanimously and the meeting adjourned at 6:55 PM.

ATTEST:


Skip Hall, Mayor


Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION: I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of March 21, 2023.



SHERRYANN AGUILAR, CITY CLERK, MMC

POSTED: Thursday, March 16, 2023 @ 2:00 PM

Amended Agenda (Added Item 11 Attachments) - March 20, 2023 @ 3:30 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.