



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, May 16, 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

Building Safety Month Proclamation

E. City Manager Report

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| 1. | Citywide | Celebratory swearing in of new youth council members. | None |
| | | | City Manager Office |

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:

2.	Internal	Consideration and action to approve the Regular Council Work Session and Regular Council Meeting Minutes of May 2, 2023.	None Sherry Aguilar City Clerk
3.	Citywide	Consideration and action approving amendments to the FY2024 Comprehensive Financial Management Policies; Resolution #2023-48.	None Andrea Davis Finance
4.	Citywide	Consideration and action pertaining to approval of the updated Budget Amendment Policies and Procedures; Resolution #2023-49.	None Andrea Davis Eric Boyles Finance
5.	Citywide	Consideration and action pertaining to approval of an amendment to Chapter 26 of the Surprise Municipal Code correcting an omission in the business license exemption list; Ordinance #2023-12.	Andrea Davis Finance
6.	District 5	Consideration and action pertaining to approval of the Final Plat entitled, "Orange on Bell" and dated March 14, 2023, a property general located near the southeast corner of Bell Road and Reems Road; Case FS21-697.	None Chris Sexton Community Development
7.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Asante Unit 3.10B" and dated April 7, 2023, a property generally located near 166 th Drive and West Chama Drive; Case FS22-1614.	None Jessica Brinton Community Development
8.	District 6	Consideration and action declaring the intent to enlarge an existing lighting improvement district known as City of Surprise, Arizona, SU-SummitPkwy206 pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution #2023-45.	Kristin Tytler Public Works
9.	District 1	Consideration and action declaring the intent to enlarge an existing lighting improvement district known as City of Surprise, Arizona, Asante Phase 1 pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution #2023-46.	Kristin Tytler Public Works
10.	District 1	Consideration and action declaring the intent to enlarge an existing lighting improvement district known as City of Surprise, Arizona, Asante Phase 1 pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets; Resolution #2023-47.	Kristin Tytler Public Works
11.	District 3	Consideration and action pertaining to approval of the Final Plat entitled, "Toll at Prasada – Cactus Road – Phase 2" and dated December, 13, 2021, a property generally located on Cactus Road, between Cotton Lane and Perryville Road; Case FS21-237.	Trever Fleetham Community Development
12.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Asante – Unit 4.9" and dated February 21, 2023, a property generally located	Leslie Carnie

		northeast of Asante Boulevard and Pat Tillman Boulevard; Case FS22-1541.	Community Development
13.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Asante – Unit 4.11A" and dated March 22, 2023, a property generally located northeast of Asante Boulevard and Pat Tillman Boulevard; Case FS22-1544.	Leslie Carnie Community Development
14.	District 1	Consideration and action pertaining to approval of the Final Plat entitled, "Asante – Unit 4.11B" and dated March 10, 2023, a property generally located northeast of Asante Boulevard and Pat Tillman Boulevard; Case FS22-1517.	Leslie Carnie Community Development
15.	Citywide	Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 budget by moving budget authority in the amount of \$4,000 from Contingency within the Grants fund to grant project G31385 FFY23 Governor's Office of Highway Safety (GOHS) to cover overtime expenses associated with the participation of one Surprise Police Officer in the "Buckle Up Arizona...It's the Law!" campaign from May 22, 2023 to June 04, 2023; Resolution #2023-52.	None Benny Pina Police
16.	District 6	Consideration and action to grant a no-build easement to Evergreen-Desert Cove & Litchfield Land LLC.	Tanner Wessel Community Development
17.	District 6	Consideration and action to approve an access easement for Evergreen-Desert Cove & Litchfield Land LLC.	None Tanner Wessel Community Development
REGULAR AGENDA ITEM - PUBLIC HEARING:			
18.	District 3	Consideration and action pertaining to a Major Planned Area Development ("PAD") Amendment to the Prasada PAD to revise the roadway circulation network between Greenway Road and Waddell Road, from Loop 303 to Sarival Avenue; Ordinance #2023-15.	Trever Fleetham Community Development
REGULAR AGENDA ITEM - NON-PUBLIC HEARING:			
19.	Citywide	Presentation and discussion pertaining to a Maricopa Association of Governments update on Air Quality.	None Jodi Tas City Manager Office
20.	Citywide	Consideration and action pertaining to authorizing the execution of a loan agreement with the Water Infrastructure Finance Authority of Arizona from its clean water revolving fund program for the capital project improvements associated with the SPA 1 Capacity Enhancements project, P71490 in an amount not to exceed \$34,980,000; delegating the determination of certain matters relating thereto; authorizing the taking of all other action necessary to the consummation of the transaction contemplated by the loan documents; and declaring an emergency; Resolution #2023-51.	Michael Boule Water Resource Management

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| 21. | Citywide | Consideration and action pertaining to approval of a Facilities Use Agreement and utilizing \$50,000 annually in reimbursements for the next 5 years, a maximum of \$250,000 total, from the Tourism Fund to continue the City's partnership with Perfect Game through a 5-year facility use agreement; Resolution #2023-66. | None

Kendra Pettis
Sports and Tourism |
| 22. | Citywide | Consideration and action pertaining to the ordering and calling of a special election to be held on November 7, 2023, in and for the City of Surprise, Arizona, to submit to the qualified electors thereof two questions with respect to selling and issuing bonds payable from secondary (Ad Valorem) property taxes and setting the deadline for submission of arguments "for" or "against" the authorization to issue bonds as July 28, 2023 at 5:00 p.m.; Resolution #2023-59. | None

Andrea Davis
Finance |
- I. Other Business and Future Agenda Items
- J. City Council Reports
- K. Executive Session
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| 1. | Internal | Consideration and action to recess into executive session for discussion and consultation for legal advice with the City Attorney pertaining to rezoning and major Planned Area Development amendments pursuant to A.R.S. 38-431.03(A)(3). | None

Robert Wingo
Legal |
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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, May 11, 2023 @ 10:00 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.