



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

Tuesday, June 20, 2023 @ 6:00 PM
COUNCIL CHAMBERS

Amended Agenda (Item # 47 & 48) - June 16, 2023 @ 4:00 PM*

A. Call To Order

Mayor Hall called the Regular City Council Meeting of Tuesday June 20th, 2023 to order at 6:10 pm, located at Surprise City Hall, 16000 N.Civic Center Plaza, Surprise, AZ 85374.

1. Invocation

Mayor Hall led the Invocation

B. Roll Call

Present: Mayor Hall, Vice Mayor Judd, Councilmembers Haney, Cline, Duffy & Hastings.
Councilmember Remley - Excused

C. Pledge of Allegiance

Mayor Hall led the Pledge of Allegiance.

D. Proclamation and Community Acknowledgements

1. Juneteenth Proclamation

Mayor Hall Presented to Pastor Alan Shepherd

E. City Manager Report

1. Reports

1. Kingswood Elementary Sports Teams Recognition

Coach Renee - Kingswood Elementary

Boys and Girls Basketball and Girls Volleyball Teams won championship games

Coach Trey and Bryan, Principal and Manager

2. Recognition of community collective impact to help a Veteran in need.

Daniel Osborn - West Valley Veterans Success Center

Water Resources reported water leak and sought to provide assistance

Research costs with "Patriotic Plumbing" veterans support company

Allison Wisniewski and team did outreach to secure funding to support the repair cost estimated at \$3,250.00

Larry Layton; Keith Gray; Military Order of Purple Heart; Melani Ruiz Director of Charities.

F. City Clerk Report

1. Reports

3. The Ceremonial Oath of Office will be issued to newly appointed **City Clerk, Kristi Passarelli**

4. Consideration and action to reappoint the following Committee Members for the **Personnel Appeals Board** with a term expiration of June 30, 2027: LaCoya Shelton; Ted Grove and Mitchell Friedlander and newly appoint Timothy Tait.

Motion to Approve Councilmember Cline
2nd Councilmember Haney
Vote 6 YES/1 Excused (Remley)

5. Consideration and action to reappoint the following Committee Members for the **Veterans, Disabilities and Human Services Commission** with a term expiration of June 30, 2027: Shawna Daigle and Steffan Hanzel.
Councilmember Cline Motion to Approve
2nd Councilmember Haney
Vote: 6 YES/1 Excused (Remley)
6. Consideration and action to reappoint the following Committee Members for the **Parks and Recreation Commission** with a term expiration of June 30, 2027: Brent Bailey; Patricia Blaisdell and Wayne Turner and newly appointed member Matthew Ives.
Motion to Approve Councilmember Cline
2nd Councilmember Haney
Vote: 6 YES/1 Excused (Remley)
7. Consideration and action to reappoint the following Committee Members for the **Planning & Zoning Commission**, Matthew Keating, Ken Chapman, Dennis Bash and new appointment of Jay Leondard with a term expiration of June 30, 2027:
Motion to Approve Councilmember Cline
2nd Councilmember Haney
Vote: 6 YES/1 Excused (Remley)
8. Consideration and action to reappoint the following Committee Member Margaret Lieu for the **Arts & Cultural Advisory Commission** with term expiration of June 30, 2027, and new appointments for Crystal Kupper, Charlotte Pullins and Taylor Ingro with term expirations of June 30, 2027.
Motion to Approve Councilmember Cline
2nd Councilmember Haney
Vote: 6 YES/1 Excused (Remley)
9. Consideration and action to appoint the following Committee Members for the new **Library Commission** with a term expiration of June 30, 2027 for 4 members William Shields, Jill Thomsen, Lillian Nieto and Deborah Gentry and June 30, 2025 for 3 members Jamie Baker, Kady McCarthy and Kevin Perry.
Motion to Approve Councilmember Cline
2nd Councilmember Haney
Vote: 6 YES/1 Excused (Remley)
- G. Call To The Public
Mark Savage - Your Sure Foundation Non-Profit
Presentation to Mayor and Council
Thank you for support of their non-profit over the past few months
Thank you Human Vitality Department/Surprise Resource Center supporting one another
Invitation July 13- 11am-1pm - Ceremony at noon
- H. Regular City Council Meeting Agenda
1. CONSENT AGENDA:
Items Removed From Consent: 12, 16, 20, 29, 32, 36
Vice Mayor Judd Motion to approve all other items
2nd Councilmember Cline
Vote: 6 YES/1 Excused (Remley)

10. Consideration and action to approve the June 6, 2023 Special City Council Minutes and Regular Council Meeting Minutes.
Approved
11. Consideration and action pertaining to the approval of an Intergovernmental Agreement with Maricopa County Library District to allow the City to receive library materials; Resolution #2023-80.
Approved
12. Consideration and action pertaining to approval of the Final Plat entitled, “Dignity Prasada” and dated May 9, 2023, a property generally located at the southwest corner of Greenway Road and Loop 303; Resolution #2023-92.
Motion to Continue Indefinitely made by Councilmember Duffy, seconded by Councilmember Hastings.
Vote: 6 YES/1 Excused (Remley)
13. Consideration and action pertaining to approval of the Final Plat entitled, “Putman Dixileta” and dated April 7, 2023, a property located at the southeast corner of Dixileta Drive and 166th Avenue; Case FS22-1261.
Approved
14. Consideration and action pertaining to the approval of an Intergovernmental Agreement with Maricopa County for Workforce Development Services and amending the Fiscal Year 2024 budget by moving budget authority of \$167,200 within the General Fund from Economic Development Contingency to project N51010 Workforce Development Services and revising the Contract Awarding Authority List; Resolution #2023-84
Approved
15. Consideration and action pertaining to approval of the Final Plat entitled, “Re-plat For A Portion Of Beardsley Townsite – Tract O” and dated February 13, 2023, a property generally located west of the intersection of Yorkshire Drive and Grand Avenue. Case FS22-1387
Approved
16. Consideration and action pertaining to approval of the Fourth Amendment to the Intergovernmental Agreement (IGA) between the City of Surprise and Regional Public Transit Authority (RPTA) for Fiscal Year 2024 Transit Services; Resolution #2023-78.

Kristin Taylor, Transportation, gave a PowerPoint Presentation. She talked about: Route 571 funding - We Ride is separate contract - total cost over 2 mil, Net 1.4 mil.

Councilmember Cline commented about para transit. The City is not required to have service, she said this is something we have chosen to do and absorb costs.

Motion to Approve Councilmember Cline, seconded by Councilmember Duffy
Vote: 6 YES/1 Excused(Remley)

17. Consideration and action pertaining to the approval of an amendment to the Intergovernmental Agreement with Maricopa County to provide Community Action Program Services, authorizing the City to accept grant funding in the amount of \$482,700, and amending the Fiscal Year 2024 budget by moving budget authority of \$482,700 from general contingency to project G51594; Resolution #2023-87
Approved

18. Consideration and action pertaining to approval of an amendment to the fiscal year 2024 budget by moving budget authority in the amount of \$60,400 within contingency to a grant project for the acceptance of a grant from the Gila River Indian Community; Resolution #2023-94.
Approved
19. Consideration and action pertaining to approval of an amendment to the fiscal year 2024 budget by moving budget authority in the amount of \$375,000 within the Grants Fund for the acceptance of a grant from the Arizona Department of Administration; Resolution #2023-95.
Approved
20. Consideration and action pertaining to approval of the Final Plat entitled, "Cactus & Perryville Park" and dated May 22, 2023, a property located at the northeast corner of Cactus Road and Perryville Road; Case FS23-0434.

Motion to Continue Indefinitely Councilmember Duffy, seconded by Councilmember Cline.

Vote: 6 YES/1 Excused (Remley)

21. Consideration and action pertaining to approval of the Final Plat entitled, "Asante Unit 4.10" and dated May 5, 2023, a property generally located near West Gray Fox Trail and Happy Valley Road; Case FS23-0086.
Approved
22. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at west Dynamite Boulevard and north 171st Avenue; Resolution # 2023-61.
Approved
23. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at west Dynamite Boulevard and north 175th Lane; Resolution # 2023-62.
Approved
24. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at west Dynamite Boulevard and north 175th Lane; Resolution # 2023-69.
Approved
25. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at west Oberlin Way and north 175th Lane; Resolution # 2023-68.
Approved
26. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at west Dynamite Boulevard and north 177th Avenue; Resolution # 2023-70.
Approved
27. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 budget by reallocating appropriations of \$4,000 within the Grants Fund from Contingency to Salaries in Project G54102 in order to accept a distribution from the Michael Phelps Foundation for the reimbursement of expenses related to implementing the Michael Phelps IM program; Resolution #2023-81.
Approved

28. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at west Pinnacle Peak Road and north 183rd Avenue; Resolution # 2023-86.

Approved

29. Consideration and action approving an amendment extending the existing Intergovernmental Agreement with the Arizona Game and Fish Commission to continue the Community Fishing Program at Surprise Lake located within the Surprise Community Park; Resolution #2023-71.

Holly Osborn, Director of Parks and Recreation, gave a presentation. She talked about the \$5900/year to stock Surprise Lake.

Vice Mayor Judd commented that this is a great program.

Councilmember Cline said that this is a great class for kids to learn about fishing.

Vice Mayor Judd Motion to Approve, seconded by Councilmember Cline

Vote: 6 YES/1 Excused (Remley)

30. Consideration and action appointing a Chief Fiscal Officer pursuant to A.R.S. § 41-1279.07(E) for the purpose of submitting the annual AELR report for fiscal years 2023 and 2024; Resolutions #2023-90 and #2023-91.

Approved

31. Consideration and action pertaining to approval of the Contract for Services between the City of Surprise and Area Agency on Aging, authorizing the City to accept grant funding in the amount of \$92,000, and amending the Fiscal Year 2024 budget by moving budget authority of \$92,000 from general contingency to projects G51507 and G51517; Resolution #2023-89.

Approved

32. Consideration and action pertaining to the approval of an amendment to the Comprehensive Citywide Fee Schedule by revising and adding library printing fees; Resolution 2023-96.

Kathryn Smithyman, City Librarian gave a PowerPoint Presentation about Library Print Fees. Councilmember Cline wanted to thank staff for providing simple resources; amazing and honorable service at actual cost and saving residents money.

Vice Mayor Judd Motion to Approve, Seconded by Councilmember Haney

Vote: 6 YES/1 Excused (Remley)

33. Consideration and action pertaining to approval of the 2023 Intentionally Created Surplus (ICS) agreement with the Central Arizona Project; Resolution #2023-93.

Approved

34. Consideration and action to designate the City of Surprise Sports and Tourism Department as the designated official Destination Marketing Organization (DMO) for the purpose of coordinating tourism promotion with the Arizona Office of Tourism (AOT); Resolution #2023-67.

Approved

35. Consideration and action pertaining to approval of an Intergovernmental Agreement between the City of Surprise and City of Buckeye for the purpose of Records Management System (RMS) Sharing; Resolution #2023-62.

Approved

36. Consideration and action pertaining to acceptance of the Dedication of Public Right-of-Way With Conditions from High Desert Development, Inc. for right of way along Waddell near Cotton Lane.

Motion to Continued to August 1 2023 made by Councilmember Duffy, seconded by Councilmember Cline.

Vote: 6 YES/1 Excused (Remley)

37. Consideration and action pertaining to approval of a funding agreement between the City of Surprise and the West-MEC Alliance in the amount of \$100,000 for the Surprise Career Development Scholarship Fund.

Approved

2. REGULAR AGENDA ITEM - PUBLIC HEARING:

38. Consideration and action pertaining to a rezone of an approximately 2.42 acre property, generally located west of the intersection of Yorkshire Drive and Grand Avenue and consisting of six vacant parcels, from Rural Residential (RR) to Community Commercial (C-2) (Case FS22-1387); Ordinance #2023-17.

Leslie Carnie, Planner, gave a PowerPoint Presentation.

Councilmember Cline commented that only adding 1 person to staff. she thanked staff for the presentation and said it was a great addition to the area

Public Hearing - No speaker

Motion to Approve made by Councilmember Cline, seconded by Vice-Mayor Judd

Vote: 6 YES/1 Excused (Remley)

39. Consideration and action pertaining to a rezone of an approximately 2.66 acre vacant property, generally located southwest of the intersection of 163rd Avenue and Grand Avenue, from split zoning of Community Commercial (C-2)/Rural Residential (RR) to exclusively Community Commercial (C-2) (Case FS21-552); Ordinance #2023-19.

Leslie Carnie, Planner, gave a PowerPoint Presentation about the Site Plan for the Zoning of the Maverik Gas Station. She further talked about outreach and the Neighborhood meeting - no attendees; working with county parks and rec re: public comment received after public meeting.

Councilmember Haney had a question regarding residents concerns impact on lanes/ADOT is there coordination with ADOT? Leslie deferred to applicant for response. Paul Gilbert can to reply, he said we have to drill underground so we will definitely coordinate and will not interfere with current plans.

Public Hearing - No Speakers

Motion to Approve made by Councilmember Haney, Seconded by Councilmember Hastings.

Vote: 6 YES/1 Excused (Remley)

40. Consideration and action pertaining to a rezone of approximately 12.9 acres on the northwest corner of Cactus Road and Cotton Lane from Regional Commercial (CR/C-3 and CR/PUD) to Residential High Density (R-3); Ordinance #2023-16.

Trever Fleetham, Planner, gave a PowerPoint Presentation regarding: Market Study / Site Plan / Bungalow style units (108 max); Outreach at 2 neighborhood meetings / Virtual / no opposition to project.

The Applicant, Brenan Ray, gave a presentation on behalf of NexMetro. He talked about: Avila Foothills located at Cactus and Cotton Lane; and coordination with Legacy Schools - They are supportive of plan.

Public Hearing - Speaker - Paul Gilbert - Representing property owner Mr. Gary Davidson
He said that this is not a good property area for commercial development - Mr. Davidson is an experienced developer for commercial - access points are limited; not good for both partners.
Recommend council to approve this rezone.

Councilmember Duffy asked about why there is no entrance and exit on Cotton? Why Not?
Trevor said the frequency of driveway entries 600 ft closest point for intersection on both sides - distance from intersection and driveway impacts and median exists; items of concern have been addressed; perfect example of why to change; no more than 108 units.

Vice Mayor Judd echoed Councilmember Duffy on his points; we do not like to give up commercial property; this is not a good spot for commercial development.

Councilmember Haney said he appreciated the consideration for the school; said that he likes the plan.

Councilmember Cline said there was a lot of effort that went into this plan; she likes the pool included; drainage considerations; makes sense for benefit of community; glad parents provided input; flooding consideration.

Motion to Approve made by Councilmember Duffy, seconded by Vice-Mayor Judd

Vote: 6 YES/1 Excused (Remley)

41. Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to revise standards for active single-family residential signs and model home complex signs; Ordinance #2023-14.

Tanner Wessel, planner, gave a PowerPoint Presentation, he said there was no opposition at meetings. He gave his recommendation.

Councilmember Cline asked about the temporary signs When are they required to remove them?
Tanner said the timeframe included within the ordinance (when 90 % are sold or the sale office closed whichever is first).

Vice Mayor Judd asked if there are any restriction for offsite signage requiring that it be in city limits? Tanner said the signage is tied to model home complex within city.

Public Hearing - Speaker Jackson Mall - CEO Homebuilders Association. He said that builders speak highly of city - best practices for other municipalities - support the item and consideration of this request.

Councilmember Hastings asked if they support the amendment? Jackson said the amendment addresses the issues that have been presented.

Robert Wingo, City Attorney, said confirming the items are in the "amended packet"; Ordinance showing plan Alt A or Alt B

Vice-Mayour Judd made the Motion to Approve with Option B, Councilmember Haney Seconded the motion.

Vote: 6 YES/1 Excused (Remley)

3. REGULAR AGENDA ITEM - NON-PUBLIC HEARING:
42. Consideration and action levying primary property taxes at a rate of \$0.7591 per hundred dollars (\$100) of assessed valuation and secondary property taxes at a rate of \$0.3880 per one hundred

dollars (\$100) of assessed valuation for Fiscal Year 2024 within the City of Surprise; Resolution #2023-77.

Andrea Davis, Chief Financial Officer, thanked Eric Boyles; she introduced the item.

Eric Boyles then gave a PowerPoint Presentation. He talked about: Final Action for adoption of FY24 budget; Notice and Publications May 23 & May 30; Rate stays same as FY23.

Councilmember Hastings made the Motion to Approve, it was seconded by Vice-Mayor Judd.

Vote: 6 YES / 1 Excused (Remley)

43. Consideration and action levying an amount not to exceed the maximum rate of \$1.20 per one-hundred dollars of assessed valuation for each Street Light Improvement District (SLID) within the City of Surprise during the Fiscal Year 2024; Resolution #2023-75.

Eric Boyles gave a PowerPoint Presentation about: Special Taxing Districts, 134 Street Light Improvement District.

Councilmember Hastings made a Motion to Approve, it was seconded by Vice-Mayor Judd

Vote: 6 YES / 1 Excused (Remley)

44. Consideration and action pertaining to the Fiscal Year 2024 grant award for the Surprise Community Outreach Program.

Jodi Tas, Government Relations Program Direction, gave a PowerPoint Presentation about: Community Grant Program; May 30th Review Applications; 34 applications presented and considered; 23 received funding; 1 non- profit removed themselves from consideration (\$6,500).

Vice-Mayor Judd commented thanking the committee; he recommended that \$6500 be given to AASK Kinship.

Councilmember Haney said it was great to be on the committee.

Councilmember Hastings agreed that it was great to be on the committee.

Vice-Mayor Judd made a Motion to Approve with stipulation to add \$6,500 to AASK Kinship and Remove \$6500 from Surprise Rotary Club; Seconded by Councilmember Hastings.

Vote: 6 YES / 1 Excused (Remley)

45. Consideration and action ordering the recording of a blank petition for the proposed annexation of approximately 4.97 acres generally located east of 163rd Avenue and South of Planada Lane (Case FS23-0138); Resolution #2023-60.

Chris Sexton, Planner, gave a PowerPoint Presentation. She talked about: Annexation from County to Rural Residential; Next Steps - Approve Resolution to annex; July 17 File Blank Petition; 30 day waiting period (received public comment); obtain signatures for annexation; Public hearing required tentative date August 15 2023; 1 year to collect signatures; estimated date September 19, 2023; Concurrent Case FS23-0138.

Councilmember Haney asked for clarification if this is not approval of rezone correct? He asked if this moves forward where will the concurrent case be? When is the next opportunity for residents to voice input? Chris said that August 15 public hearing and public comment during the 30 day waiting period; signage with all applicable dates posted.

Councilmember Haney asked if right now the county could also rezone? Chris said yes; we know 163rd/Grand is a major problem area, not our fault but our problem. She said she wants to be

clear this is only a step to begin the process for annexation and the public has the opportunity to voice concerns.

Councilmember Cline asked if this is this part of the tree farm? Chris said yes, it was part of Sunrise Nursery

Councilmember Hastings asked about reviewing the timeline; he would like to see results of bond election prior to voting on this as a development. Bond contains improvements to 163rd.

Motion to Approve made by Councilmember Hastings, second by Councilmember Haney

Vote: 6 YES/1 Excused (Remley)

46. Consideration and action pertaining to the Fiscal Year 2024 award of the Arts and Cultural Advisory Commission's Grant Program.

Julie Akerly, Arts & Culture Manager gave a Presentation PowerPoint. She talked about: Activities must take place in Surprise; 9 applications; \$96,240 requested; continuously growing program.

Councilmember Hastings asked if there was a request and noted minimum; is is correct they must provide what the project funds used for? Julie said yes.

Motion to Approve made by Councilmember Hastings; Seconded by Councilmember Cline.

47. *Consideration and action pertaining to approval of the Final Plat entitled "Final Plat of Prasada North", dated June 15, 2023, a property located at the northwest corner of Waddell Road and Sarival Avenue. Case FS22-1422.

Trever Fleetham gave a PowerPoint Presentation; Final Plat Prasada North.

Motion to Approve made by Councilmember Duffy, seconded by Councilmember Haney.

Vote: 6 YES / 1 Excused (Remley)

48. *Consideration and action pertaining to a City Center Infrastructure Improvement Agreement between the City of Surprise and Surprise Center Development Company and City Center Simon Surprise for improvements to Elm Street.

Mike Hoover, Assistant Director, gave a PowerPoint Presentation. He talked about: City Center Development; Restaurant Retail Space; Scott with Simon CRE talked about commitment to project - joint partnership; Elm ST & Luke Parkway.

Councilmember Hastings said it was exciting to be a part of the plan and was happy to support.

Councilmember Cline said it was great to provide community we have been talking about since 2002; she appreciates working together for viable things coming to the area; she thanked staff for hard work.

Vice-Mayor Judd asked if the city 6.5 mil for improvement and return get land? Mike said 9 acres and design of project as urban design; what can be done with the easement; received as open space city decides what can be done no requirement for anything. Vice-Mayor Judd asked if parks are expensive and maintain it maybe not extremely useful and flexible to choose? Mike said it will be coordinated effort for use of the space.

Councilmember Hastings made a Motion to approve; Councilmember Cline seconded.

Vote: 6 YES/1 Excused (Remley)

I. Other Business and Future Agenda Items

NONE

J. City Council Reports

Councilmember Haney said there would be community meetings 6/28 - update meeting with Dale Lane residents at Asante Prep; 6/29 - Asante Library 6 month community meeting in office. He said he met with Michelle and Kimberly about concerns about rural areas and keeping community interest. He wanted to congratulate Kristi, and thanked Sherry.

Councilmember Cline said she met the mayors at 6/6 AZ Broadway Theater. On 6/7 Salvation Army check and on 6/8 Surprise Youth Council. On 6/15 Police Retirement Event, and on 6/16 Citizen Patrol Award Banquet. She said she has 2 meetings coming up 6/23 AZ Traditions 6/27 6-8 PM Last Evening Meeting in SC Grand moving to day time.

Vice-Mayor Judd - Thanked Sherry for being the face of Surprise and Historian. On 6/21 at the Tap House Community Meeting.

Councilmember Hastings said he had 1 person not from his district talked about Sycamore Farms, he thanked her for coming; council try to make the best decisions for the city even when they disagree. He thanked Sherry for her service.

Councilmember Duffy said he had no meetings in July. He said he would miss Sherry.

Mayor said on July 4 there would be fireworks and free baseball game 5pm - staff collecting canned foods; Red White and Pool Party - Music Food Trucks etc June 20 ticket sales; Fireworks begin at 8:45 PM. Surprise Day of Service on July 12 St Marys Food Bank event. He said that there would be an event for Sherry tomorrow at 2:30 PM.

K. Executive Session

NONE

1. Executive Session Items

2. Executive Disclaimer - Part 1

3. Executive Disclaimer - Part 2

4. Executive Disclaimer - Part 3

L. Adjournment

Motion Adjourn made by Vice-Mayor Judd; Seconded by Councilmember Duffy.

Vote: 6 YES / 1 Excused (Remley)

Meeting adjourned at 8:37 PM

Skip Hall, Mayor

ATTEST:

Kristi Passarelli, City Clerk

CERTIFICATION:

I, Kristi Passarelli, 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 **Tuesday, June 20, 2023.**

Kristi Passarelli, City Clerk