



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

Monday, November 6, 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

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. You may also [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.

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:

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| 1. | Internal | Consideration and action to approve the October 17, 2023 Regular Council Meeting Minutes and Regular City Council Workshop Minutes. | Kristi Passarelli
City Clerk |
| 2. | Citywide | Consideration and action pertaining to approval of an Intergovernmental Agreement (IGA) between the cities of Goodyear, Peoria, and Surprise to develop a | Brenden Espie
Fire - Medical |

community paramedicine program and an amendment to the fiscal year 2024 budget by reallocating appropriations of \$25,000 within the Grants Fund; Resolution #2023-154.

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| 3. | District 5 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at The Fountains at Surprise Center, generally located east of Bullard Avenue between West Greenway Road and West Tierra Buena Lane; Resolution # 2023-162. | Kristin Tytler
Public Works |
| 4. | District 1 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Sunrise ROW Improvements on 171 st Avenue, generally located at 171 st Avenue between Jomax Road and West Bajada Road. Case FS19-599; Resolution # 2023-156. | Kristin Tytler
Public Works |
| 5. | District 1 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Sunrise ROW Improvements on Jomax Road, generally located at Jomax Road between 171 st Avenue and North 163 rd Avenue. Case FS19-601; Resolution # 2023-157. | Kristin Tytler
Public Works |
| 6. | District 3 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Toll at Prasada Unit G, generally located at the northwest corner of West Peoria Road and Cotton Road; Resolution # 2023-158. | Kristin Tytler
Public Works |
| 7. | District 1 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Bungalows at Asante, generally located at the northwest corner of West Pat Tillman Boulevard and North 163 rd Avenue; Resolution # 2023-159. | Kristin Tytler
Public Works |
| 8. | District 3 | Consideration and action to accept the Dedication of Public Right-of-Way With Conditions from High Desert Development, Inc. for right of way along Waddell near Cotton Lane. | Lloyd Abrams
Community Development |
| 9. | Citywide | Consideration and action to grant FirstDigital Communications of Arizona, LLC the non-exclusive revocable license to use public streets, roads and alleys for installation, operation, and maintenance of fiber optic cable; Resolution # 2023-166. | Kristin Tytler
Public Works |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 10. | Citywide | Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to revise standards to update and clarify lighting provisions; Ordinance #2023-25. | Trever Fleetham
Community Development |
| 11. | District 1 | Consideration and action pertaining to an amendment to the Windstone Ranch PUD by modifying the rear yard setback from 20-feet to 15-feet, a property generally located at the northeast corner of Happy Valley Road and 151 st Avenue; Ordinance #2023-28. | Chris Sexton
Community Development |

12.	District 3	Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 260017, requested by Jared Michael Repinski, for Trapper's Sushi Co, for Series 12 Liquor License. Trapper's Sushi Co is located at 17200 W Peoria Ave #100, Surprise, AZ 85355.	Kristi Passarelli City Clerk
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13.	District 3	Consideration and action pertaining to a recommendation to the Arizona Department of Liquor Licenses and Control (DLLC) on Application No. 260017, requested by Lauren Kay Merrett , for Firebirds Wood Fired Grill, for Series 12 Liquor License. Firebirds Wood Fired Grill is located at 13388 Prasada Parkway, Surprise, AZ 85379.	Kristi Passarelli City Clerk
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REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

14.	Citywide	Consideration and action pertaining to the Neighborhood Grant Program Awards for Fiscal Year 2024 as recommended by the sub-committee on Community Outreach, Partnerships and Grants.	Jodi Tas Human Svcs and Comm Vitality
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15.	Citywide	Consideration and action pertaining to an amendment to the comprehensive citywide fee schedule by adopting a police department video recording fee, and moving budget authority in the amount of \$37,500 within the General Fund Contingency to police records department charges for service; Resolution #2023-169.	Benny Pina Police
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I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

1.	Citywide	Consideration and action to recess into executive session for discussion and consultation with the city attorney for legal advice and to consider the city council's position and instruct the city attorney pertaining to the 3M and Dupont PFAS public water provider settlements pursuant to A.R.S. 38-431.03A.3. and 4.	Water Resource Management
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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

KRISTI PASSARELLI, CITY CLERK

POSTED: Thursday, November 2nd, 2023 @ 11:00 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.