



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

Tuesday, December 5, 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 November 21, 2023 City Council Work Session Minutes, Regular City Council Meeting Minutes. | Kristi Passarelli
City Clerk |
| 2. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2024 budget by moving budget authority from contingency in the amount of | Benny Pina
Police |

\$279,464 within the Grants Fund and authorizing acceptance of seven (7) grant awards from the Arizona Governor's Office of Highway Safety (GOHS) to support impaired driving enforcement overtime, education, travel, materials, and supplies and approving the Grant Agreements; Resolution #2023-168.

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| 3. | District 5 | Consideration and action pertaining to approval of a Quit Claim Deed to Brightland Homes of Arizona, LLC, for the purpose of releasing certain deed restrictions on a seven acre property located near Bell and Litchfield Roads. | Lloyd Abrams
Community
Development |
| 4. | District 5 | Consideration and action pertaining to approval of the Final Plat entitled, "Gehan At Surprise Center" date received October 2, 2023, located at the southwest corner of Luke Parkway and Litchfield Road; Case FS22-1295. | Chris Sexton
Community
Development |
| 5. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled "Replat Sycamore Farms Towne Center" and dated November 17, 2023, a property located at the southeast corner of Cactus Road and Loop 303; Case FS23-0333. | Jani Wertin
Community
Development |
| 6. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2023 budget by moving budget authority between funds, projects, inter-fund cash transfers, and loans in order to close out the Fiscal Year; Resolution #2023-177. | Andrea Davis
Finance |
| 7. | Citywide | Consideration and action to approve an amendment to the Fiscal Year 2024 budget moving budget authority within grant and capital projects to/from contingency or between projects to adjust amounts originally estimated during the FY2023 budget process, as required by grant stipulations and guidelines, or based on anticipated revenues and amending the FY2024 Contract Awarding Authority List; Resolution #2023-178. | Jennifer Medina
Finance |
| 8. | Citywide | Consideration and action pertaining to approval of an amendment to the Fiscal Year 2024 budget by moving budget authority of \$827,400 from Contingency within the Water Utility Capital Fund and \$1,172,900 from project P71390 within the Water Resources Dev Fee 2020 fund to project P71390 Rancho Mercado Well No.2 within the Water System SPA 2 Dev Fee 2014 Law Fund; Resolution 2023-164. | Michael Boule
Water Resource
Management |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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| 9. | District 4 | Consideration and action pertaining to approval of a residential density transfer, pursuant to Section 104-1.11 of the City of Surprise Municipal Code, for the Heritage Senior Apartments, generally located on the northeast corner of Nash Street and Santa Fe Boulevard; Ordinance #2023-31. | Seth Dyson
Community
Development |
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REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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| 10. | District 4 | Consideration and action pertaining to approval of a Ground Lease Agreement between the City of Surprise and the Housing Authority of Maricopa County (HAMC) | Seth Dyson
Human Svcs and
Comm Vitality |
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in support of the Heritage affordable Senior housing development; Resolution # 2023-35.

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| 11. | District 4 | Consideration and action pertaining to approval of a Subaward/Funding Agreement between the City of Surprise and the Housing Authority of Maricopa County (HAMC) in support of the Heritage at Surprise Affordable Senior Housing Development; Resolution #2023-179. | Seth Dyson
Human Svcs and
Comm Vitality |
| 12. | District 4 | Consideration and action pertaining to approval of the form of the shared parking agreement between the City of Surprise and the Housing Authority of Maricopa County (HAMC) for affordable senior housing in Surprise; Resolution #2023-180. | Seth Dyson
Human Svcs and
Comm Vitality |
| 13. | District 4 | Consideration and action pertaining to approval of the Declaration of Restrictions for the real property being leased for an affordable senior housing project in Surprise; Resolution #2023-181. | Seth Dyson
Human Svcs and
Comm Vitality |
| 14. | Citywide | Consideration and action pertaining to approval of the 2024 Legislative Agenda. | Jodi Tas
City Manager Office |
| 15. | Citywide | Consideration and action pertaining to an amendment to Surprise Municipal Code establishing a maximum dollar amount for individual job orders under the job order contracting delivery method; Ordinance #2023-27. | Robert Wingo
Legal |
- I. Other Business and Future Agenda Items
- J. City Council Reports
- K. Executive Session
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| 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 water storage matters pursuant to A.R.S. 38-431.03A.3. and 4. | 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

KRISTI PASSARELLI, CITY CLERK

POSTED: Thursday, November 30th, 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.