

CALL TO ORDER.

A. Roll Call

Roll Call

Present: Mayor Truitt; Vice Mayor Villanueva; Council Member Longabaugh; Council Member Alton; Council Member Johnson; Council Member Hall; City Manager, Randy Oliver; Assistant City Manager, Kathy Rice; Assistant City Manager, Doug Sandstrom; Deputy City Manager, Sintra Hoffman; City Attorney, Michael Bailey; City Clerk, Sherry Aguilar

Absent/Excused: Council Member Williams

B. Pledge of Allegiance

C. Invocation

D. Current Events and Reports by Mayor and City Council - Pursuant to A.R.S. §38-431.02(k) the chief administrator, presiding officer or a member of a public body may present a brief summary of current events without listing the agenda the specific matters to be summarized, provided that 1) The summary is listed on the agenda; and 2) The public body does not propose, discuss, deliberate or take legal action at that meeting on any matter in the summary unless the specific matter is properly noticed for legal action.

Mayor and Council attended and/or commented on the following events/meetings:

Council Member Alton; Ribbon Cutting for SPA 1, taping with SC Grand taping 22, jobing.com for upcoming project, Chamber of Commerce, District 2 meetings, JB's Restaurant, served on committees, reviewed the RFPs for the old City Hall building, we will be moving in June to new City Hall, participated on both days of the Surprise Party, participated this morning in a meeting for the Southwest Valley Mayors on foreclosure with Councilmember Johnson and attended 1st meeting of the GO Bond Committee.

Vice-Mayor Villanueva; attended Bond Committee Meeting - congratulations to staff and Surprise Party - on Friday, OTS striping on the streets looks great.

Council Member Hall; attended SPA1 Ribbon Cutting, Coyote Lakes Homeowners Association Meeting, talked about 222-CARE line for the city, GP Update at Rio Salado College, tree lighting ceremony @ Surprise Party, Grand Avenue Expansion on Highway 60, and GO Bond Committee Meeting.

Council Member Johnson; Council has made a conscious effort to get involved regionally. Attended Southwest Foreclosure Meeting - We are in this together and solve as a nation, www.hopenow.com - offers free counseling for people in foreclosure, Legislative Review - reaching out to our region, Light Rail - Went on tour and it surprised me how quiet and quick that they are. Happy Holidays to everyone!

Council Member Longabaugh; Wheelchair Basketball Tournament, Round Robin, Recreation Staff Paul Frie and Ken Hill, firefighter academy graduation ceremony. Use only approved lighting, inspect for damage and turn off lights when you leave or go to bed. Check water level everyday for the tree. In case of fire, call 911, funded a smoke detector program last year, watch out for thieves while you are shopping - Safe Shopping Program. Thanked Public Works staff for completing a sidewalk on Cotton Lane, behind Happy Trails. Happy Holidays to everyone!

Mayor Truitt; Bond Committee to welcome members and charging them with a mission, Legislative Breakfast was a success, Senator Burns was not in favor of the State Shared Revenues, but now he sees how cities and towns are working together due to the economy. Governor selected to the office of Homeland Security and thanked Surprise for all that we are

doing. We all wish you a Merry Christmas and Happy New Year.

E. City Manager and Staff Reports:

#1. *Current Events

CALL TO THE PUBLIC:

Ken Wright - Complimented Council on following ethics policy.

CONSENT AGENDA:

G. 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.

Motion: Approve consent agenda

Moved by Council Member Johnson, seconded by Council Member Longabaugh.

*#2. Consideration and action on the minutes of the November 13, 2008 Regular City Council Work Session and Regular City Council Meeting - APPROVED

*#3. Consideration and action on a request by MesaCAN for a Class C Bingo License at Riverboat located at 18300 W. Bell Road, Surprise, Arizona 85374 - APPROVED

*#4. Consideration and action on liquor license application request for Crescent Crown Distributing located at 13430 W. Sweetwater, Surprise, Arizona 85379 for a Series #04 New License - APPROVED.

*#5. Consideration and action on liquor license application request for Ohana Sushi & Hawaiian Grill located at 13621 N. Litchfield Road, Surprise, Arizona 85379 for a Series #12 New License - APPROVED

*#6. Consideration and action on the Arizona Mutual Aid Compact (AZMAC) that memorializes the terms and procedures for requesting emergency response outside a political subdivision in times of emergencies - APPROVED

*#7. Consideration and action on the final reading of Ordinance No. 08-55, an Ordinance increasing and extending the corporate limits of the City of Surprise by annexing thereto certain territory located within the southwest quarter of Section 15, Township 4 North and Range 2 West of the Gila and Salt River Base and Meridian and generally located along 187th Avenue between Deer Valley Road and Williams Road. (ANX06-471 - Austin Ranch ROW) - APPROVED FINAL READING

*#8. Consideration and action on Resolution No. 08-211, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a Commercial Subdivision, CS08-042, for a proposed project known as "Prasada Phase 2B South," consisting of platting 4 lots and one tract on approximately 215 gross acres. The subject site is located southeast of Waddell Road and Loop 303 - APPROVED

*#9. Consideration and action on Resolution No. 08-212, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment, FPA08-122, for a proposed project known as "Sun City West Commerce Park-Lot 5A," consisting of platting two lots on approximately 5.5 acres. Lot one is proposed to be two acres and lot two approximately 3.5 acres. The subject site is located adjacent to and south of Foxfire Drive within the Sun City West Commerce Park - APPROVED

*#10. Consideration and action on Resolution No. 08-194, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment, FPA08-149, for a proposed project known as "Shoppes at Surprise Pointe," consisting of platting three lots on approximately 2.9 acres. The subject site is located on the southeast corner of Litchfield and Waddell Roads - APPROVED

*#11. Consideration and action on Resolution No. 08-210, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment for Stadium Village 3rd Amended Condo Plat, case FPA08-244. The subject site is generally located on the southeast corner of Bell Road and Parkview Place - APPROVED

*#12. Consideration and action on entering into a contract with Kimley - Horn and Associates in the

amount of \$181,033 to provide design services for a new Intelligent Transportation Systems (ITS) corridor involving new fiber optic cable, ITS equipment and interconnect to traffic signals on Peoria Avenue from Litchfield Road to Jackrabbit Road (approximately 4 miles). The project is 40% federally funded - APPROVED

*#13. Consideration and action to accept the Quit Claim Deed for dedication of sidewalk improvement area from the Kim A. Oviatt Family Trust and the Ray R. Grace I. Sence Trust (Tutor Time) for Bell Road improvements located at Reems and Bell - APPROVED

*#14. Consideration and action to accept the right of way dedication from the Allen's on 167th Avenue and Dixeleita - APPROVED

*#15. Consideration and action to accept the right of way dedication from the Sun City Lions Recycling on 187th avenue south of Deer Valley - APPROVED

*#16. Consideration and action on an easement agreement granting DCO Realty Surprise LLC, an easement for communication wires between two buildings separated by Stadium Way at Stadium Village - APPROVED

*#17. Consideration and action on the final reading of Ordinance 08-54; an Ordinance of the Mayor and Council of the City of Surprise approving an amendment of Municipal Code 34-73, Restrictions on the use of Bows and Arrows within the City of Surprise Corporate limits - APPROVED FINAL READING

*#18. Consideration and action on a budget transfer of \$20,000 from the Unforeseen Grants Fund to the Operations Equipment Account for reimbursement of costs/equipment - APPROVED

*#19. Consideration and action on a request to approve a contract amendment to the Construction Manager at Risk contract for City Hall project with DL Withers for the construction of Rio Salado tenant improvements in an amount not to exceed \$4,095,216 and transferring \$2,000,000 from General Capital Fund to the City Hall project budget - APPROVED

City Manager Oliver reported on the project.

*#20. Consideration and action on the final reading of Ordinance No. 08-41; an ordinance of the Mayor and Council of the City of Surprise, Arizona, amending Chapter 26 of the Surprise Municipal Code, modifying the residential rental business license requirements - APPROVED FINAL READING

*#21. Consideration and action on the final reading of Ordinance 08-56 regarding the appointment process for the Vice Mayor and filling of vacant council seats - APPROVED FINAL READING
REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#23. Consideration and action on accepting the June 30, 2008 Comprehensive Annual Financial Report - APPROVED

Finance Director, Robert Nilles introduced auditors to give brief presentation for Fiscal Year ended June 30, 2008.

Motion: Approve accepting the June 30, 2008 Comprehensive Annual Financial Report.

Moved by Council Member Longabaugh, seconded by Council Member Hall.

Vote: Motion carried 6-0.

Yes: Mayor Truitt; Vice Mayor Villanueva; Council Member Longabaugh; Council Member Alton; Council Member Johnson; Council Member Hall

Absent: Council Member Williams

#31.Consideration and action on the first reading of Ordinance 08-50 , an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a rezone for a project known as "Happy Trails" to Planned Area Development case PAD08-130. The subject site consists of approximately 396 acres and is located on the northwest corner of Cotton Lane and Bell Road - CONTINUED TO MARCH 12, 2008 - REGULAR CITY COUNCIL MEETING

#22. Presentation and Discussion on budget information and cost saving initiatives implemented to address current economic condition - NO ACTION

City Manager Oliver gave a brief overview relating to budget information and cost savings initiatives, he further stated that he has held several meetings with employees to discuss this issue.

Council Member Hall commented on 8.2 million projected deficit.

#24. Consideration and action on of Arts and Cultural grants for FY 2009, in the amount not to exceed \$20,000. - APPROVED

Assistant City Manager Rice reported on 7 grants submitted and recommending 4 this year.

Council Member Alton inquired about the remaining balance \$371,000 and commented on the following; forgo the portion that is unused and there is not a spending frenzy.

Motion: Approve the Arts and Cultural grants for FY 2009, in the amount not to exceed \$20,000.

Moved by Council Member Hall, seconded by Council Member Johnson.

#25. Consideration and action on the recommendation from the Revitalization Advisory Board to construct flood drainage at site #5 on Jerry Street within the Original Town Site in the amount of \$640,000 to be paid from the 10% set aside fund, a modification of the Capital Improvement Plan, and associated budget transfer - APPROVED

Council Member Hall commented on: being critical, flooding, asking for assistance and we dont need to spend it just because its there from three years ago.

Motion: Approve the recommendation from the Revitalization Advisory Board to construct flood drainage at site #5 on Jerry Street within the Original Town Site in the amount of \$640,000 to be paid from the 10% set aside fund, a modification of the Capital Improvement Plan, and associated budget transfer.

Moved by Vice Mayor Villanueva, seconded by Council Member Longabaugh.

Vote: Motion carried 6-0.

Yes: Mayor Truitt; Vice Mayor Villanueva; Council Member Longabaugh; Council Member Alton; Council Member Johnson; Council Member Hall

Absent: Council Member Williams

#26. Consideration and action on amending Ordinance No. 08-52 - amending the City Ordinance on Boards and Commissions to include the Tourism Committee as approved by City Council - APPROVED FIRST READING

Motion: Approve amending Ordinance No. 08-52; an ordinance of the Mayor and Council of the City of Surprise, amending the City Ordinance on Boards and Commissions to include the Tourism Committee as approved by City Council.

Moved by Council Member Johnson, seconded by Vice Mayor Villanueva.

Vote: Motion carried 6-0.

Yes: Mayor Truitt; Vice Mayor Villanueva; Council Member Longabaugh; Council Member Alton; Council Member Johnson; Council Member Hall

Absent: Council Member Williams

#27. Consideration and action for staff to obtain bids on automatic doors throughout the City; Option A - 21 doors or Option B - 41 doors - APPROVED OPTIONS A AND B

Presentation conducted by Nanette Bowles.

Council Member Longabaugh stated; the family restrooms are not on the list and I have an issue with this, we need all 41 doors, and think we should seek a bid for all of them.

Council Member Johnson inquired about going out to bid with both options.

Council Member Alton - Last meeting this was denied. The person asking that it came back is not here.

Motion: Approve Option A and Option B

Moved by Council Member Longabaugh, seconded by Council Member Johnson.

REGULAR AGENDA ITEMS - PUBLIC HEARING:

#28. Consideration and action on the first reading of Ordinance No. 08-49 - increasing and

extending the corporate limits of the City of Surprise by annexing thereto certain territory located within all of Section 18, Township 5 North, Range 2 West and portions of Section 13, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and generally located at the southeast corner of Dove Valley Road and 211th Avenue. (ANX07-382 - Cielo Crossing) - APPROVED FIRST READING

City Planner, Vineetha Kartha reported on the project.

Motion: Approve the first reading of Ordinance No. 08-49, an Ordinance increasing and extending the corporate limits of the City of Surprise by annexing thereto certain territory located within all of Section 18, Township 5 North, Range 2 West and portions of Section 13, Township 5 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and generally located at the southeast corner of Dove Valley Road and 211th Avenue. (ANX07-382 - Cielo Crossing).

Moved by Council Member Hall, seconded by Council Member Johnson.

Vote: Motion carried 6-0.

Yes: Mayor Truitt; Vice Mayor Villanueva; Council Member Longabaugh; Council Member Alton; Council Member Johnson; Council Member Hall

Absent: Council Member Williams

#29. Consideration and action on Resolution No. 08-189 - Cielo Crossings Development Agreement between the City of Surprise and Nothing Left to Prove, LLC, Saratoga Land Group, LLC and FRS-LB#1, LLC - APPROVED

Council Member Hall commented on roads of regional significance.

Motion: Approve on Resolution No. 08-189 a resolution approving the Cielo Crossings Development Agreement between the City of Surprise and Nothing Left to Prove, LLC, Saratoga Land Group, LLC and FRS-LB#1, LLC.

Moved by Council Member Johnson, seconded by Council Member Hall.

#30. Consideration and action on the first reading of Ordinance No. 08-46 - Planned Area Development consisting of approximately 617 gross acres for PAD07-369, Cielo Crossing. The project is generally bound by Dove Valley Road to the north, 211th Avenue to the west, Lone Mountain Road to the south, and 203rd Avenue to the east - APPROVED FIRST READING

Council Member Alton commented on; density, dwelling units per acre and traffic.

Attorney Jeff Blilie reported on; density issue, CAP and shared costs with other developments.

Vice Mayor Villanueva commented on; industrial acreage and parcels along Grand Avenue.

Motion: Approve the first reading of Ordinance No. 08-46, an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a Planned Area Development consisting of approximately 617 gross acres for PAD07-369, Cielo Crossing. The project is generally bound by Dove Valley Road to the north, 211th Avenue to the west, Lone Mountain Road to the south, and 203rd Avenue to the east.

Moved by Vice Mayor Villanueva, seconded by Council Member Longabaugh.

#32. Consideration and action on the first reading of Ordinance No. 08-57 - adoption of Local Court rules governing proceedings involving the adjudication and penalties of civil violations of the Surprise City Code - APPROVED FIRST READING

Council Member Alton commented on; time frame of repeat offenders, temporary signs, issuance of citations.

Motion: Approve the first reading of Ordinance No. 08-57, an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving the adoption of Local Court rules governing proceedings involving the adjudication and penalties of civil violations of the Surprise City Code.

Moved by Council Member Longabaugh, seconded by Council Member Hall.

Vote: Motion carried 6-0.

Yes: Mayor Truitt; Vice Mayor Villanueva; Council Member Longabaugh; Council Member Alton; Council Member Johnson; Council Member Hall

Absent: Council Member Williams

#33. Consideration and action on the first reading of Ordinance 08-12 - amending Chapter 105, Article II, Division II, Provisions for a Building and Construction Board of Appeals, to establish a Building and Construction Review Board - APPROVED FIRST READING

Motion: Approve the first reading of Ordinance 08-12; an ordinance amending Chapter 105, Article II, Division II, Provisions for a Building and Construction Board of Appeals, to establish a Building and Construction Review Board.

Moved by Council Member Hall, seconded by Council Member Johnson.

#34. Consideration and action on items to be placed on future agendas.

*Bank owned property ordinance possibilities - by Council Member Williams through Council Member Alton.

EXECUTIVE SESSION:

#35. Pursuant to A.R.S. § 38-431.03(A)(3), City Council may go into executive session with the City Attorney for legal advice on any item listed on the agenda.

#36. Consideration and action on executive session items.

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of December 11, 2008 at 7:55 p.m.