



CITY OF SURPRISE

City Council Meeting Minutes

125 West Bell Road, D-100

Surprise, AZ 85374

Thursday, July 24, 2008 @ 06:00 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the **Regular City Council Meeting** to order at 06:00 p.m. Surprise City Hall Council Chamber 12425 West Bell Road, D-100 Surprise, Arizona 85374 , on **Thursday, July 24, 2008**. Also in attendance with Mayor Truitt were Vice-Mayor Villanueva, Councilmember Longabaugh, Councilmember Alton, Councilmember Williams, Councilmember Johnson, and Councilmember Hall.

Staff Present: None.

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.

E. City Manager and Staff Reports:

Donna Miller, Recreation Services Manager, gave a report on pool safety issues.

#1. District Citywide Current Events

CALL TO THE PUBLIC:

Mike Woodard - Update on new Council. Had questions related to Agenda items 21 & 23. Pleased to see on agenda. Complimented staff on bringing forward Granicus.

#2. 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.

- 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.**

CONSENT AGENDA:

Council Member Johnson made the motion to approve consent agenda Council Member Williams seconded the motion. Seven yes votes. Motion carried.

***#3. Consideration and action on Resolution #08-114; a resolution of the City of Surprise directing the recording of a blank petition pursuant to A.R.S. §9-471, pertaining to certain property located within the west 55 feet of the southwest quarter of Section 15, Township 4 North, Range 2 West of the Gila and Salt River Base and meridian, Maricopa County, Arizona and generally located along 187th Avenue between Deer Valley Road and Williams Road. (ANX06-471-Austin Ranch ROW) -APPROVED**

***#4. Consideration and action on liquor license application request for QuikTrip #410 located at the Northwest Corner of Grand Avenue and Mountain View, Surprise, Arizona 85374 for a Series #10. New License - APPROVED**

***#5. Consideration and action on liquor license application request for Valero Corner Store #1712 located at 14559 W. Grand Avenue, Surprise, Arizona 85374 for a Series #10. New License - APPROVED**

***#6. Consideration and action on Resolution No. 08-117; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a Commercial Subdivision, CS07-284, for a proposed project known as "Marley Park Promenade," consisting of platting 7 lots on approximately 15 gross acres. The subject site is located northeast of Cactus and Reems Roads - APPROVED**

***#7. Consideration and action on Resolution 08-112; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a Commercial Subdivision, CS08-006, for a proposed project known as "Prasada Lot 5," consisting of platting 4 lots on approximately 30 gross acres. The subject site is located southeast of Sweetwater Avenue and Autoshow Avenue - APPROVED**

***#8. Consideration and action on Resolution No. 08-104; a resolution of the Mayor and Council of the City of Surprise, approving GPA08-019, entitled "Cotton Lane North and South"; a major General Plan Amendment to the City of Surprise General Plan 2020. The subject property is located at the southwest corner of Cotton Lane and Waddell Road - APPROVED**

***#9. Consideration and action on Resolution No. 08-106; a resolution of the Mayor and Council of the City of Surprise approving GPA08-033, entitled "Grand Oasis"; a Major General Plan Amendment to the City of Surprise General Plan 2020, pertaining to property generally located north of Dove Valley Road and west of Grand Avenue - APPROVED**

***#10. Consideration and action on Resolution No. 08-107; a resolution of the Mayor and Council of the City of Surprise approving GPA08-036, entitled "General Plan Update"; a Major Text Amendment to the City of Surprise General Plan 2020 - APPROVED**

***#11. District 1 Consideration and action on Resolution No. 08-108; a resolution of the Mayor and Council of the City of Surprise approving GPA08-041, entitled "Lake Pleasant 5000"; a major general Plan Amendment to the City of Surprise 2020 General Plan, pertaining to property generally located north of SR-74 and bounded by 187th and 211th Avenues and consisting of approximately 4,900 acres - APPROVED**

***#12. Consideration and action on the minutes for the Regular City Council Work Session and Regular City Council Meeting of July 10, 2008 - APPROVED**

***#13. Consideration and action on the final reading of Ordinance No. 08-30; an Ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a Planned Area Development for a project known as "Sierra Verde Parcel 8" (PADA08-044), consisting of changing the existing land use from medium/high density residential to mixed-use. The subject site consists of approximately 17.48 acres located on the southwest corner of Greenway Road and Litchfield Road - APPROVED FINAL READING**

***#14. Consideration and action on the final reading of Ordinance No. 08-29; an ordinance of the Mayor and City Council of the City of Surprise, Arizona, approving a rezone, RZ07-432, for a project known as Grand Avenue and Deer Valley Road, consisting of changing the zoning on a parcel from C-2 (Community Commercial) and R1-43 (Single-Family Residential) to C-2 (Community Commercial). Subject site is generally located northwest of the intersection of Grand Avenue and Deer Valley Road - APPROVED FINAL READING**

***#15. District 1 Consideration and action on the final reading of Ordinance No. 08-27, an Ordinance of the Mayor and City Council of the City of Surprise, Arizona, approving the rezone RZ08-010 for a project to be known as "Grand Avenue and 193rd Avenue," consisting of changing the zoning of approximately 33 acres from R1-43 to C-3 (General Commercial) . The subject site is located on the southwest corner of Gordon Way and 191st Avenue - APPROVED FINAL READING**

***#16. District 3 Consideration and action authorizing the City Manager to approve the Guaranteed Maximum Price (GMP) number seven (7) for the Construction Manager @ Risk (CM@R) contract, with Archer Western Contractors, Ltd. for five (5) recharge wells associated with the expansion of the Special Planning Area (SPA) one (1) South Water Reclamation Facility, in the amount not to exceed \$3,400,000.00 - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#17. Consideration and action on the first reading of Ordinance No. 08-33 - amending the Surprise City Code Section 125-68, the Board of Adjustment Officers allowing the board to elect officers - APPROVED FIRST READING

Assistant City Manager, Kathy Rice reported on Ordinance No. 08-33.

Council Member Alton made the motion to approve the first reading of Ordinance No. 08-33; an

ordinance of the Mayor and City Council of the City of Surprise, Arizona amending the Surprise City Code Section 125-68, the Board of Adjustment Officers allowing the board to elect officers. Council Member Longabaugh seconded the motion. Seven yes votes. Motion carried.

#18. Consideration and action on the first reading of Ordinance No. 08-31 - increasing and extending the corporate limits of the City of Surprise by annexing thereto certain territory located within a portion of the northeast quarter of Section 14, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and generally located at the southwest corner of Cotton Lane and Waddell Road. (ANX08-013 - Cotton Lane North & South) - APPROVED FIRST READING

Council Member Hall made the motion to approve Ordinance No. 08-31; an ordinance of the Mayor and Council of the City of Surprise, Arizona, increasing and extending the corporate limits of the City of Surprise by annexing thereto certain territory located within a portion of the northeast quarter of Section 14, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and generally located at the southwest corner of Cotton Lane and Waddell Road. (ANX08-013-Cotton Lane North and South). Council Member Johnson seconded the motion. Seven yes votes. Motion carried.

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City Planner Vineetha Kartha, reported on the project.

#19. The Surprise Foreclosure Ad Hoc Committee voted to approve a recommendation to council to conduct a Home Preservation Seminar. This seminar will include city partnerships with Credit Union West and Radiant Church. Seminar will include bringing housing counselors during the week to answer questions called in, emails and will be covered on channel 11 for a period of 45 days. Counselors will stay through the weekend and set up at Radiant Church for one on one foreclosure counseling, with no out of pocket cost to the City - APPROVED

Council Member Alton introduced Chair, Monica Davis.

Council Member Johnson made the motion to approve a recommendation to council to conduct a Home Preservation Seminar, which will include city partnerships with Credit Union West and Radiant Church. Seminar will include bringing housing counselors during the week to answer questions called in, emails and will be covered on channel 11 for a period of 45 days. Counselors will stay through the weekend and set up at Radiant Church for one on one foreclosure counseling, with no out of pocket cost to the city. Vice Mayor Villanueva seconded the motion. Seven yes votes. Motion carried.

#20. Consideration and action on Resolution No. 08-113; Intergovernmental agreement between the Regional Public Transportation Authority/Valley Metro and the City of Surprise for Route 571 Express Bus Service and all associated budget transfers - APPROVED

Director of Community Initiatives, Dan Lundberg gave a report regarding the Intergovernmental Agreement.

Council Member Williams made the motion to approve Resolution No. 08-113; a resolution approving

an Intergovernmental agreement between the Regional Public Transportation Authority/Valley Metro and the City of Surprise for Route 571 Express Bus Service and all associated budget transfers. Council Member Longabaugh seconded the motion. Seven yes votes. Motion carried.

#21. Consideration and action on the first reading of Ordinance 08-35 - amending the Surprise City Code, Chapter 2, Article II, Section 2-92, placement of items on the agenda - FAILED

Council Member Longabaugh made the motion to approve first reading of Ordinance 08-35, an ordinance of the Mayor and Council of the City of Surprise amending the Surprise City Code, Chapter 2, Article II, Section 2-92, placement of items on the agenda. Council Member Johnson seconded the motion. Two yes votes, five no votes. Motion failed.

#22. Consideration and action on the first reading of Ordinance No. 08-32 - to amend city code section 2-299 (Arts and Cultural Advisory Board) from seven voting members to eight and to add a fourth ex-officio member category - APPROVED FIRST READING

Vice Mayor Villanueva made the motion to approve the first reading of Ordinance No. 08-32; an ordinance of the Mayor and Council of the City of Surprise, Arizona, to amend city code section 2-299 (Arts and Cultural Advisory Board) from seven voting members to eight and to add a fourth ex-officio member category. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

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#23. Consideration and action on the first reading of Ordinance No.08-36; an ordinance of the Mayor and Council of the City of Surprise amending the Surprise City Code Chapter 2, Article III, Section 2-148, noninterference by Council. (First Reading) - APPROVED FIRST READING

Council Member Williams made the motion to approve the first reading of Ordinance No.08-36; an ordinance of the Mayor and Council of the City of Surprise amending the Surprise City Code Chapter 2, Article III, Section 2-148, noninterference by Council. Vice Mayor Villanueva seconded the motion. Seven yes votes. Motion carried.

Public Comments:

Mike Woodard commented on Ordinance No. 08-36.

Ken Wright commented on Ordinance No. 08-36.

City Attorney, Michael Bailey reported on Ordinance No. 08-36

#24. Consideration and action on Resolution 08-126; intergovernmental agreement with Valley Metro to locate, acquire land, design and construct a regional Park and Ride facility in the City of Surprise- APPROVED

Council Member Williams made the motion to approve Resolution 08-126; a Resolution of the Mayor and Council of the City of Surprise, Arizona, to enter into an intergovernmental agreement with Valley Metro to locate, acquire land, design and construct a regional Park and Ride facility in the City of Surprise Council Member Johnson seconded the motion. Seven yes votes. Motion carried.

Special Assistant to the City Manager, Stephanie Wilson reported on the Intergovernmental Agreement.

#25 Consideration and action on liquor license application request for Circle K Store - Bell located at 16247 W. Bell Road, Surprise, Arizona 85374 for a Series #09 Location Transfer License - APPLICANT WITHDREW THE APPLICATION

Application withdrawn by applicant.

#26. Consideration and action on the first reading of Ordinance No. 08-26-rezoning, RZ07-275, for a project known as the Southwest Corner of Bell Road and 115th Avenue, consisting of changing the zoning on a parcel from C-2 (Community Commercial) to C-3 (General Commercial). Subject site is generally located on the southwest corner of Bell Road and 115th Avenue. (First Reading) - APPROVED FIRST READING

Council Member Longabaugh made the motion to approve the first reading of Ordinance No. 08-26; an ordinance of the Mayor and City Council of the City of Surprise, Arizona, approving rezoning, RZ07-275, for a project known as the Southwest Corner of Bell Road and 115th Avenue, consisting of changing the zoning on a parcel from C-2 (Community Commercial) to C-3 (General Commercial). Subject site is generally located on the southwest corner of Bell Road and 115th Avenue.

Council Member Johnson seconded the motion. Six yes votes, one no vote. Motion carried.

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

Council Member Johnson: visit the Conditional Use Permit Process and schedule a work session for a report from RPTA Valley Metro Bus Fares, gas cost, etc.

Council Member Alton: bring back Travel Policy in 60 days.

Council Member Hall: Work Session on Tourism Council in September.

EXECUTIVE SESSION:

Council Member Johnson made the motion to approve EXECUTIVE SESSION: Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#28. District Citywide 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.

#29. Consideration and action on executive session items - NO ACTION

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting at 7:50 p.m.

L.E. Truitt, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk,

CERTIFICATION:

I, Sherry Ann Aguilar, 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 **Thursday, July 24, 2008.**

Sherry Ann Aguilar, City Clerk,