



CITY OF SURPRISE
City Council Meeting Minutes
100 North Civic Center Plaza
Surprise, AZ 85374

Thursday, August 13, 2009 @ 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 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Thursday, August 13, 2009**. Also in attendance with Mayor Truitt were Vice Mayor Johnson, Council Member Longabaugh, Council Member Alton, Council Member Williams, Council Member Villanueva, and Council Member Hall.

Staff Present: City Manager, Randy Oliver, Assistant City Manager, Doug Sandstrom, City Attorney, Michael Bailey, City Clerk, Sherry Aguilar, and Deputy City Clerk, Linda Stevens.

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:

Council Member Villanueva: Village One work shop, Quality of Life Commission Meeting and Community Development Block Grant Commission interviews.

Vice Mayor Johnson: RPTA and school is in session be cautious.

Council Member Hall: Parks and Recreation, Community Development and the Chamber Meeting, Chamber Mixer, Village One Planning Community Meeting, Tourism Board Meeting and Teen Mixer, acknowledged the Churches and Craig Scartozzi.

Council Member Alton: Chamber of Commerce and meeting to discuss small businesses.

Council Member Williams: welcome back to school, traffic concerns, small businesses, met with Dr. Alan Hoffman, Ashton Ranch PTA-recycling program, Beat the Heat and coffee on Saturday.

Council Member Longabaugh: Northwest Valley Citizen's Meeting, Chamber of Commerce, Community Development Block Grant interviews and announced that the Heard Museum is leaving Surprise.

Mayor Truitt: Chamber Mixer, Dysart School District, 8th Grade field trip, Swedish Council, Mayors/Managers Meeting, Beat the Heat and the State of the Arts.

E. City Manager and Staff Reports:

#1. *Current Events

City Manager Oliver reported on League of Cities finalists, Rio Salado, Interfaith and the City of Surprise and 2009 City Employee Dependant Scholarship winners -Westin Bowers and Jacob Peterson.

CALL TO THE PUBLIC:

None

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.

##2. Consideration and action on Resolution No. 09-126, a resolution accepting maintenance of the streets and public water and sewer utilities located in Desert Oasis Parcel L14A- APPROVED

Council Member Longabaugh inquired about item #2 regarding Desert Oasis.

##3. Consideration and action on Resolution No. 09-125, a resolution accepting maintenance of the streets and public water and sewer utilities located in Desert Oasis Parcel L5A - APPROVED

##4. Consideration and action on Resolution No. 09-124, a resolution accepting maintenance of the streets and public sewer utilities located in Sierra Montana Parcel 14 - APPROVED

##5. Consideration and action on Resolution No 09-81, a resolution accepting maintenance of the streets and public water and sewer utilities located in Surprise Pointe - APPROVED

##6. Consideration and action on Resolution No. 09-119, a resolution accepting the Rancho Gabriela Water Supply Facility Arsenic Treatment System improvements - APPROVED

***#7. Consideration and action on liquor license application request for Picazzo's Gourmet Pizza Salads and Pasta located at 11340 W. Bell Road, Ste 118A, Surprise, Arizona 85374 for a Series #12 New License - APPROVED**

***#8. Consideration and action on a request by Turf Paradise to renew its Off-track Parimutuel Wagering at Coyote Alley, located at 16846 W. Bell Road, Surprise, Arizona 85374 for the following dates: September 9, 2009 through May 31, 2012 - APPROVED**

***#9. Consideration and action on a request by Turf Paradise to renew Off-track Parimutuel Wagering at Runner's Sports Bar located at 12751 W. Bell Road, Surprise, Arizona 85374 for the following dates: September 9, 2009 through May 31, 2012 - APPROVED**

***#10. Consideration and action on the minutes of July 23, 2009 Regular City Council Work Session and Regular City Council Meeting.**

***#11. Consideration and action on granting Arizona Public Service (APS) an easement located at Dysart and U.S. 60 - APPROVED**

***#12. Consideration and action on granting Arizona American Water an easement located at the Surprise Farms Park - APPROVED**

***#13. Consideration and action on a transfer of \$70,000 from Grants to the Congregate Meal Program for two grants awarded thru the Area Agency on Aging. A grant of \$20,000 was received from an American Reinvestment and Recovery Act Stimulus Award facilitated by the Area Agency on Aging, and a renewal grant of \$50,000 was awarded by the Area Agency on Aging for 2010 - APPROVED**

***#14. Consideration and action to deny the application made April 12, 2006 by Fulton Homes Corporation for a Community Facilities District (CFD) for Prasada residential development - APPROVED**

Vice Mayor Johnson asked for clarification regarding item #14.

***#15. Consideration and action on Resolution No. 09-135, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat, for a proposed project (FS09-138) known as "A Final Plat Map of Dedication for Palo Cristi Commerce Park," and an approval of a five-year preliminary plat extension, for a project known as "Preliminary Subdivision Plat for Palo Cristi Commerce Park" - APPROVED**

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

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#16. Consideration and action on the design of original art to be located in the atrium lobby of City Hall - APPROVED PAYING THE ARTIST FOR WORK ALREADY COMPLETED

Mayor Truitt made the following recommendation: we pay the artist for the work that they have done on the piece of art and that we place the remaining funds/set it aside for possible tenant improvements providing we can come to some agreement with one of the museums.

Council Member Hall made the motion to approve paying the artist for the work already completed and placing remainder of funds aside for future projects. Vice Mayor Johnson seconded the motion. Seven yes votes. Motion carried.

#17. Discussion, Consideration and action on Resolution No. 09-140 modifying the global Intergovernmental Agreement between the City of Surprise and the Dysart Unified School District #89 - APPROVED

Assistant City Manager, Doug Sandstrom reported on the Intergovernmental Agreement.

Council Member Williams commented on: collaboration, stewards of the taxpayers and supporting school.

Vice Mayor Johnson commented on: partnership agreement, balance of partnership and development fees.

Mayor Truitt stated that we have been consistent.

Council Member Williams made the motion to approve Resolution No. 09-140 modifying the global Intergovernmental Agreement between the City of Surprise and the Dysart Unified School District #89. Council Member Longabaugh seconded the motion. Seven yes votes. Motion carried.

#18. Consideration and action on agreement with Greater Phoenix Economic Council (GPEC) for FY2010, in an amount not to exceed \$40,265 for national and international economic development marketing services - APPROVED

Economic Development Director, John Hagen reported on the agreement with Greater Phoenix Economic Council.

Council Member Hall inquired about TechCelerator.

Council Member Alton commented on relationship and referrals.

Vice Mayor Johnson made the motion to approve agreement with Greater Phoenix Economic Council (GPEC) for FY2010, in an amount not to exceed \$40,265 for national and international economic development marketing services. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#19. Consideration and action on the final reading of Ordinance No. 09-29 - planned area development amendment for Sun City Grand, Case PADA09-050 - APPROVED FINAL READING

City Planner, Hobart Wingard reported on PADA09-050 and FPA09-049.

No public comments were made.

Vice Mayor Johnson made the motion to approve the final reading of Ordinance No. 09-29, an ordinance of the Mayor and Council of the City of Surprise, Arizona approving a planned area development amendment for Sun City Grand, Case PADA09-050. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#20. Consideration and action on Resolution No. 09-133, a resolution of the Mayor and Council of the City of Surprise, Arizona approving a final plat amendment for Reems and Mountain View Commercial, Case FPA09-049 - APPROVED

No public comments were made.

Council Member Hall made the motion to approve Resolution No. 09-133, a resolution of the Mayor and Council of the City of Surprise, Arizona approving a final plat amendment for Reems and Mountain View Commercial, Case FPA09-049. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#21. Consideration and action on Ordinance 09-25 - amending Article V of Section 34 of the Surprise City Code, Offenses and Miscellaneous Provisions - APPROVED FINAL READING

Director of Community Development, Jeff Mihelich reported on Ordinance No. 09-25.

No public comments were made.

Council Member Hall made the motion to approve the final reading of Ordinance 09-25 - amending Article V of Section 34 of the Surprise City Code, Offenses and Miscellaneous Provisions - APPROVED FINAL READING Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#22. Rio Salado College, the lead institution of the Communiversity @ Surprise, West-MEC (Western Maricopa Education Center) and the City of Surprise want to partner to offer increased educational opportunities in the West Valley through the construction by West-Mec of a building to provide a Fab Lab and wet lab space on City property for the use by the various parties - APPROVED

City Manager Oliver stated that this item authorizes them to negotiate with the partners.

Council Member Hall made the motion to approve authorizing the City Manager to enter into negotiations for a partnership between Rio Salado College, West-Mec and the City of Surprise for the use of approximately 3 acres of land on city property. Vice Mayor Johnson seconded the motion. Seven yes votes. Motion carried.

OTHER BUSINESS:

#23. Consideration and action on items to be placed on future agendas. - NONE

EXECUTIVE SESSION:

Vice Mayor Johnson made the motion to approve entering in to Executive Session. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

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

#25. Consideration and action on executive session items.

ADJOURNMENT:

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, August 13, 2009.**

Sherry Ann Aguilar, City Clerk,