



CITY OF SURPRISE

City Council Meeting Minutes

125 West Bell Road, D-100

Surprise, AZ 85374

Thursday, June 11, 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 12425 West Bell Road, D-100 Surprise, Arizona 85374 , on **Thursday, June 11, 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, and City Clerk, Sherry Aguilar.

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 commented and/or attended the following:

Council Member Alton: Dale Hall passed away last Friday night, we are here for you if you need anything. He further commented on: Businesses coming to Surprise - Hope they consider coming to Surprise, Grand Marketplace - Shortcut from Sun City Grand to Albertson's and Coffee's the first Monday of each month - tremendous turnout.

Vice Mayor Johnson: extend condolences to the Hall Family. He further commented on: Moses Anshell, Marketing Consultant - Honest and true evaluation and this is the last Council Meeting at the old city hall.

Council Member Williams: Neighborhood Watch Program, Coffee the second Saturday of each month - 9:00 a.m. at Over Coffee, door to door in a section of Sierra Montana - does not have a SLID, E-Mail

blast - educate residents on certain issues such as GO Bond, Speed World - Beat the Heat and recognize the Deaf community tonight - recognized CRS Staff.

Council Member Longabaugh: honored to represent a presentation at Sun City Grand - Life Long Learning Program.

Council Member Villanueva; Rio Salado College, Visionary Meeting, Original Townsite on Tuesday, June 23, 2009 - 6:00 p.m. and last meeting here at the old City Hall.

E. City Manager and Staff Reports:

City Manager, Randy Oliver reported on: Kiwanis Club, Maintain corridor on Bell Road.

Presentations:

Director of Human Resources, James Bowers recognized Maria Alas and Darcie Lewis for Program for Performance Management System.

Margaret Perez - an 8 year employee who completed the Certified Public Manager Program @ ASU.

Chief Hughes was selected Chief of the Year.

Michelle Kelly - President of the Deaf Community - Special Presentation to the Mayor and Council. Michelle Kelly is here to thank the Council for the support of the deaf community in Surprise and gave an overview of accomplishments and staff assistance including police and fire. An appreciation award was given to Mayor Truitt for support and dedication.

#1. *Current Events

CALL TO THE PUBLIC:

Sharon Wolcott commented on the following: Impact Fees, District 1, adoption fees of the Tischler Executive Report and corridor approach.

John Furbush, Operations Manager of Kokopelli (Marketway Place) commented on: economic impact and safety issues with golf carts.

James Collis (Desert Oasis - District 1) commented: presenting signatures with residents that are upset with Impact Fees, the possibility for businesses to come into the City in our area, Council was wrong to adopt this and stop discriminating against us.

Loretta Duryea of Desert Oasis commented on the impact fees.

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.

ouncil Member Hall made the motion to approve consent agenda Vice Mayor Johnson seconded the motion.
ven yes votes. Motion carried.

***#2. Consideration and action on liquor license application request for Fuzzy's Southwest Sports Grill located at 18795 N. Reems Road, Ste 107-109, Surprise, Arizona 85374 for a Series #12 New License -APPROVED**

***#3. Consideration and action on a Special Event License requested by the Surprise Regional Chamber of Commerce located at 19753 N. Remington Drive, Surprise, Arizona 85374 for the following event: July 31, 2009 - Fundraiser - APPROVED**

***#4. Consideration and action on a special event liquor license request by West Valley Art Museum located at 17420 N. Avenue of the Arts, Surprise, Arizona 85374 for an event to be held on November 7, 2009 - Fundraiser - APPROVED**

***#5. Consideration and action on the minutes for the Regular City Council Meeting of May 28, 2009 - APPROVED**

***#6. Consideration and action on construction contract COS09-026 with Talis Construction for Dysart Road and Grand Avenue Intersection Improvements in the amount of \$1,040,363.36 plus a contingency of \$200,000 for a total amount not to exceed \$1,240,363.36 - APPROVED**

***#7. Consideration and action on Resolution No. 09-106, a resolution of the Mayor and Council of the City of Surprise, Arizona, to enter into an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) to share the cost of a widening and improvement project at the intersection of Dysart and Grand Avenue - APPROVED**

***#8. Consideration and action on Resolution No. 09-107 an IGA with ADOT for construction and realignment of both Water, Sewer and Irrigation lines in conjunction with the improvements associated with the Loop 303 in an amount not to exceed \$290,000 (\$242,439.55 Resolution 09-107 with an owners contingency of \$47,560.45) and associated transfers - APPROVED**

***#9. Consideration and action on Resolution No. 09-108 Relating to City of Surprise Membership on the Greater Maricopa Foreign Trade Zone Advisory Board and Approval of a Foreign Trade Zone Property Tax Reclassification Policy - APPROVED**

***#10. Consideration and action on removing Kathy Rice from the Surprise Municipal Property Corporation (MPC) Board of Directors and approving the appointment of Charles R. Oliver to fill the vacancy on the MPC Board of Directors - APPROVED**

***#11. Consideration and action on the acceptance of a sewer line easement from Lomas Land Company AZ, Inc. and the Cathy Sue Lomas Revocable Trust, near Greasewood and Cottonwood Lane - APPROVED**

***#12. Consideration and action on Resolution No. 09-109, a Resolution of the Mayor and Council of the City of Surprise, Arizona, to accept right of way from the Arizona State Land Department (R/W No. 16-111628, located near 155th avenue and Pinnacle Peak Road - APPROVED**

***#13. Consideration and action to accept the easement for an irrigation line from Surprise Village Company, LLC, located in the vicinity Bell Road and Citrus - APPROVED**

***#14. Consideration and action on Resolution No. 09-96, a resolution accepting maintenance of the streets and public sewer utilities located in Desert Oasis Parcel L5B - APPROVED**

***#15. Consideration and action on Resolution No. 09-78, a resolution accepting maintenance of the Cactus Road street improvement located in Greer Ranch PH II - APPROVED**

***#16. Consideration and action on Resolution No 09-95, a resolution accepting maintenance of the streets and public sewer utilities located in Sierra Montana Parcel 15 - APPROVED**

***#17. Consideration and action on allocating \$15,000. from Council Contingency for the 4th of July Celebration for outside entertainment - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#18. Consideration and action on appointing Lee Askern (Alternate) to the Personnel Appeals Board - with term expiring on July 1, 2012 - APPROVED

Council Member Longabaugh reported on the recommendation of the Selection Committee.

Council Member Longabaugh made the motion to approve appointing Lee Askern (Alternate) to the Personnel Appeals Board - with term expiring on July 1, 2012. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#19. Consideration and action on the re-appointment of Steven Somers to the Planning and Zoning Board - with the term expiring on July 1, 2012 - APPROVED

Council Member Longabaugh reported on the recommendation of the Selection Committee.

Council Member Longabaugh made the motion to approve on the re-appointment of Steven Somers to the Planning and Zoning Board - with the term expiring on July 1, 2012. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#20. Update on Blockwatch within the neighborhoods of Surprise - NO ACTION

Chief Hughes gave an overview of the Neighborhood Watch Program.

Sgt. Mark Ortega and Block Watch Captain for Northwest Ranch Development reported on the program.

#21. Consideration and action on Resolution No. 09-105 - levying upon the assessed valuation of property within the city a certain sum of money for fiscal year 2010 to be assessed against the valuation of real property for primary and secondary tax purposes - APPROVED

Council Member Longabaugh made the motion to approve Resolution No. 09-105, a resolution levying upon the assessed valuation of property within the city a certain sum of money for fiscal year 2010 to be assessed against the valuation of real property for primary and secondary tax purposes. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

Budget Manager, Jared Askelson gave a brief presentation regarding this item.

#22. Consideration and action on authorizing staff to submit a competitive application to HUD for Neighborhood Stabilization Program 2 funding in conjunction with Neighborhood Housing Services of Southwest Maricopa County to continue NSP activities. Furthermore, authorizing the City Manager to execute a grant agreement with the Department of Housing and Urban Development upon the acceptance of such application - APPROVED

Neighborhood Manager, Christina Ramirez gave an overview of the program.

Vice Mayor Johnson made the motion to approve authorizing staff to submit a competitive application to HUD for Neighborhood Stabilization Program 2 funding in conjunction with Neighborhood Housing Services of Southwest Maricopa County to continue NSP activities. Furthermore, authorizing the City Manager to execute a grant agreement with the Department of Housing and Urban Development upon the acceptance of such application. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#23. Consideration and action on sponsoring Western Trails Association's Partnership with National Geographic to develop and publish a map guide - APPROVED

Director of Community and Recreation, Mark Coronado presented the item.

Council Member Hall made the motion to approve sponsoring Western Trails Association's Partnership with National Geographic and that the requirement for payment be that the mapguide of Fiscal Year 2010 depicting Surprise and Highway 89 be published in National Geographic. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#24. Consideration and action on Ordinance No. 09-23 - amending Chapter 58, Article III Solid Waste, to provide a revised Solid Waste Ordinance and providing for penalties - APPROVED FINAL READING

Council Member Alton commented on timing issues with bulk trash.

Vice Mayor Johnson commented on commercial hauler changes.

Vice Mayor Johnson made the motion to approve Ordinance No. 09-23; an ordinance of the Mayor and Council of the City of Surprise, Arizona amending Chapter 58, Article III Solid Waste, to provide a revised Solid Waste Ordinance and providing for penalties Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#25. Consideration and action on amending the FY2009 Agreement with the Surprise Regional Chamber of Commerce in an amount not to exceed \$50,000 for one-time expenses related to Chamber office relocation and tenant improvements and for recruitment and hiring expenses for a new Chamber executive - APPROVED

Council Member Alton made the motion to approve amending the FY2009 Agreement with the Surprise Regional Chamber of Commerce in an amount not to exceed \$50,000 for one-time expenses related to Chamber office relocation and tenant improvements and for recruitment and hiring expenses for a new Chamber executive. Vice Mayor Johnson seconded the motion. Seven yes votes. Motion carried.

#26. Consideration and action to direct staff to research and identify the number of Street Light Improvement Districts that the city is currently paying for and to bring back recommendations for areas that are not being paid by city funds - APPROVED

Council Member Williams stated the following: he brought this item forward and that Parcel 14 in Sierra Montana has 64 street lights that have gone unpaid.

Council Member Alton is concerned with the problem and commented on District 4 in the amount of \$58,000. per year.

City Manager Oliver explained the SLID process.

Council Member Williams made the motion to approve directing staff to research and identify the number of Street Light Improvement Districts that the city is currently paying for and to bring back recommendations for areas that are not being paid by city funds. Council Member Villanueva seconded the motion. Six yes votes, one no vote. Motion carried.

c Sullivan commented on: considering a short term solution to keep the lights on and starting a group to opt A Light.

#27. Consideration and action on the Transfer of \$100,000 from Council Contingency Funds, and Authorize the City Manager to enter into a Contract for Renovation of Bell Road Monument Sign at Old City Hall - APPROVED

Vice Mayor Johnson commented on: making this a Tech Center, demographics and disagrees with the purchase a sign for \$100,000.00 and laying employees off.

Council Member Hall stated that it's not a lot of money.

Council Member Hall made the motion to approve the Transfer of \$100,000 from Council Contingency Funds, and Authorize the City Manager to enter into a Contract for Renovation of Bell Road Monument Sign at Old City Hall. Council Member Longabaugh seconded the motion. Four yes votes, three no votes. Motion carried.

#28. Consideration and action on the 2009-2010 Community Development Block Grant Action Plan Amendment - APPROVED

Neighborhood Services Manager, Christina Ramirez reported on the CDBG Action Plan Amendment.

Council Member Williams made the motion to approve the 2009-2010 Community Development Block Grant Action Plan Amendment. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#29. Consideration and action to enter into a contract with Habitat for Humanity to complete the construction of three new homes, under the Neighborhood Stabilization

Program (NSP), for an amount not to exceed \$450,000.00 - APPROVED

Neighborhood Services Manager, Christina Ramirez reported on the program.

Council Member Longabaugh made the motion to approve entering into a contract with Habitat for Humanity to complete the construction of three new homes, under the Neighborhood Stabilization Program (NSP), for an amount not to exceed \$450,000.00. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#30. Consideration and action on Resolution No. 09-71 - GPA09-005, a major amendment to the general plan - APPROVED

Senior Planner, Janice See reported on the amendment to the General Plan.

Vice Mayor Johnson made the motion to approve Resolution No. 09-71, a resolution of the Mayor and City Council, approving GPA09-005, a major amendment to the general plan. Council Member Longabaugh seconded the motion. Seven yes votes. Motion carried.

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

Council Member Longabaugh requested bringing the issue of Impact Fees to future Work Session or Regular Council Meeting.

EXECUTIVE SESSION:

The Executive Session of June 11, 2009 was not held due to a posting issue.

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of June 11, 2009 at 7:36 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, June 11, 2009.**

Sherry Ann Aguilar, City Clerk,