



CITY OF SURPRISE

City Council Meeting Minutes

125 West Bell Road, D-100

Surprise, AZ 85374

Thursday, February 26, 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, February 26, 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, Kathy Rice, 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 City Council commented on or attended:

Vice Mayor Johnson: retreat last weekend, Sands Chevrolet's assistance, attended RPTA Meeting, WESTMARC Luncheon with Governor Brewer and Arizona Transportation Association.

Council Member Williams: Welcome back Royals and Rangers, City Academy Class, retreat, sharing the same visions, Pride Day, Ashton Ranch and OTS, April 18th - Next City Pride Day, Neighborhood Watch, Monthly E-Mail blasts, attended GO Bond Committee Meeting - SC Grand, City website - Jobing.com.

Council Member Hall: welcome the Rangers and Royals, luncheon, Maricopa County Parks Strategic Plan, Memorial Day Committee Meeting, thanked Jimmy Dean of Dysart, Open House.

Council Member Longabaugh; attended Fire Awards Program, met with Police Chief regarding traffic issues.

Council Member Villanueva; attended retreat, meeting goals, recognized Council Member Williams for the Youth Leadership Class and Surprise Stimulus Package for Transportation.

Council Member Alton; Opportunity to do a new Council Conversation, Core Institute - specialty hip replacements in one day, teamed up with 3 organizations to bring jobs to Surprise - Partnership with Jobing.com., Business Forum - March 12th - Holiday Inn Express - 10:30 a.m. - noon. Chamber and City will be present.

Mayor Truitt; Steve Yamamori, Fighter Country Partnership - Thanked Council, hosted Mayor's Welcome Back Luncheon - Royals & Rangers, policing and public safety.

E. City Manager and Staff Reports:

#1. *Current Events

City Manager Oliver reported on: Stimulus Package, Grand Avenue/83rd to Loop 303 and Dysart to Verrado

CALL TO THE PUBLIC: NONE

- 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:

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

***#2. Consideration and action on Resolution No. 09-16, a resolution accepting maintenance of the sewer line improvements located in Reems Road for Greer Ranch South - APPROVED**

***#3. Consideration and action on Resolution No. 09-48, a resolution accepting maintenance of the streets and public water and sewer utilities located in Kenly Farms 1 - APPROVED**

***#4. Consideration and action on Resolution No. 09-47, a resolution accepting maintenance of the streets and public water and sewer utilities located in Sycamore Farms Parcel 13 - APPROVED**

***#5. Consideration and action on Resolution No. 09-46, a resolution accepting maintenance of the streets and public water and sewer utilities located in The Orchards Infrastructure - APPROVED**

***#6. Consideration and action on Resolution No. 09-27, a resolution accepting maintenance of the Cactus Road street improvements for Veramonte - APPROVED**

***#7. Consideration and action on liquor license application request for Brookside II located at 15170 W. Bell Road, Ste. 115, Surprise, Arizona 85374 for a Series 6 Person Transfer - APPROVED**

***#8. Consideration and action on liquor license application request for CVS Pharmacy #01743 located at 13870 W. Greenway Road, Surprise, Arizona 85374 for a Series 9 New License - APPROVED**

***#9. Consideration and action on the minutes for the Regular City Council Work Session and Regular City Council Meeting of February 12, 2009 - APPROVED**

***#10. Consideration and action on Resolution No. 09-45, a resolution of the City of Surprise directing the recording of a blank petition pursuant to A.R.S. §9-471, pertaining to all of U. S. Highway 60, also known as Grand Avenue, located within Section 3, Township 3 North, Range 1 West, and Sections 18, 19, 20, 28, 29, 33, 34, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona - APPROVED WITH EXHIBIT A**

***#11. District 1 Consideration and action on Resolution No. 09-41, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a one-time, six-month preliminary plat extension for Laizure Estates (case PP07-077). The subject preliminary plat will be extended to July 10, 2009 - APPROVED**

***#12. Consideration and action on appointing the following citizen to the City of Surprise Public Safety Personnel Retirement System Local Board, to serve a four-year term: Curtis James - APPROVED**

***#13. Consideration and action on Resolution No. 09-50, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the Intergovernmental Agreement between Flood Control District of Maricopa County (FCDMC) and the City of Surprise for a Candidate Assessment Report (CAR) of the Happy Valley Drainage Improvement Project. The study is at no cost to the city - APPROVED**

***#14. Consideration and action on Resolution No. 09-40 approving the Second Amendment to the Pre-Annexation Development and Services Agreement for Broadstone Ranch between The City of Surprise and Elliott Homes - APPROVED**

***#15. Consideration and action on Resolution No. 09-44, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the renewal of an Intergovernmental Agreement with the City of Glendale, Arizona for the provision of law enforcement/security at the University of Phoenix Stadium - APPROVED**

***#16. Consideration and action on the final reading of Ordinance No. 09-09, amending Chapter 46 of the Surprise Municipal Code (the Tax Code) to change the rental sales tax exemption from three (3) to two (2) - APPROVED FINAL READING**

***#17. Consideration and action on Resolution No. 09-52, 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) for construction on SR 303L at the interchanges of Cactus Road, Waddell Road and Bell Road. This will include design and construction of conduit for the City's future ITS Infrastructure and Pachina Lighting. This amount is not to exceed \$247,755.00, and includes modification of the Capital Improvements Plan and associated budget transfers - APPROVED

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#20. Consideration and action on the design of original art in the new City Hall. The art will be in the Mayor's Lobby - APPROVED

Kristi Miller reported on the project.

Council Member Longabaugh made the motion to approve on the design of original art in the new City Hall, which will be in the Mayor's Lobby. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#24. Consideration and action on appointing the following members to the Tourism Committee: Robert Pasley and Charles Klar (Hotel Industry), Susan Thompson and Roman Yasinsky (Restaurant Industry), Marianne Archibald (Western Trails), Kendra Amburgey (Arts/Tourism interest), David Lewis and Jeanne Blackman (Chamber) and Lise Rodgers (White Tanks) - APPROVED

Council Member Longabaugh reported on the Selection Committee's recommendation.

Council Member Longabaugh made the motion to approve appointing the following members to the Tourism Committee: Robert Pasley and Charles Klar (Hotel Industry), Susan Thompson and Roman Yasinsky (Restaurant Industry), Marianne Archibald (Western Trails), Kendra Amburgey (Arts/Tourism interest), David Lewis and Jeanne Blackman (Chamber) and Lise Rodgers (White Tanks). Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#18. Consideration and action on appointing Kathie L. Morgan to the Arts and Cultural Advisory Board - with term expiring on July 1, 2012 - APPROVED

Council Member Longabaugh reported on the Selection Committee's recommendation.

Council Member Longabaugh made the motion to approve appointing Kathie L. Morgan to the Arts and Cultural Advisory Board - with term expiring on July 1, 2012. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#19. Consideration and action on appointing Melissa Sturtevant to the Community and Recreation Services Advisory Board - with term expiring on July 1, 2010 - APPROVED

Council Member Longabaugh reported on the Selection Committee's recommendation.

Council Member Longabaugh made the motion to approve appointing Melissa Sturtevant to the Community and Recreation Services Advisory Board. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#21. Consideration and action on FY 2010-2011 Federal Agenda. If approved by the Mayor and Council, the agenda will define the City's federal legislative priorities and guide the City's lobbying activities at the federal level. The current national economic and political environment presents significant new challenges and opportunities for the City - APPROVED

Kevin Kraushaar of Tri-Advocates gave a brief overview of the Legislative Agenda.

Director of Intergovernmental Relations, Michael Celaya gave an overview of requests included in the Stimulus Package.

Mayor/Council Comments:

Mayor Truitt: proud of Intergovernmental Department staff for their efforts. Johnson heading to DC on Monday to represent Surprise.

Vice Mayor Johnson: thanked staff for their support.

Council Member Hall - Complimented staff. Appreciate Johnson's efforts.

Vice Mayor Johnson made the motion to approve the FY 2010-2011 Federal Agenda. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#22. Discussion, Consideration and Action on Resolution No. 09-29 suspending the annual set-aside of 10% of primary property tax dedicated for revitalization efforts for FY2009 and FY2010 and action on Sweeping remaining funds in all set-aside accounts including the 10% Set-Aside, Arts Commission and ADA Enhancement Funds in the amount of \$1,330,000 and authorizing associated transfers - APPROVED

City Manager Oliver reported on; part of the budgetary planning process, gave updates to Council which includes sweep of funds to balance our budget.

Council Member Villanueva reported on the background of the 10% set-a-side.

Council Member Alton: monies are necessary to balance through this fiscal year and putting these monies back in the 10% set a side.

Mayor Truitt: he supports the recommendation of the City Manager.

Vice Mayor Johnson: appreciates Council Member Villanueva's comments and other areas can use some revitalization.

Council Member Longabaugh: is going along with this because of budgetary concerns, not happy with the funding being removed from ADA Fund.

Council Member Williams made the motion to approve Resolution No. 09-29; a resolution of the Mayor and Council of the City of Surprise, Arizona, suspending the annual set-aside of 10% of primary property tax dedicated for revitalization efforts for FY2009 and FY2010 and action on Sweeping remaining funds in all set-aside accounts including the 10% Set-Aside, Arts Commission and ADA Enhancement Funds in the amount of \$1,330,000 and authorizing associated transfers. Council

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

#23. Consideration and action on the first reading of Ordinance No. 09-10 amending Section 2-304 of the Surprise Municipal Code to provide for an additional ex-officio member for the Tourism Committee to assist the City in promoting and marketing tourism - APPROVED FIRST READING

Vice Mayor Johnson made the motion to approve the first reading of Ordinance No. 09-10; an ordinance of the Mayor and Council of the City of Surprise, Arizona, amending Section 2-304 of the Surprise Municipal Code to provide for an additional ex-officio member for the Tourism Committee to assist the City in promoting and marketing tourism. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

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

Vice Mayor Johnson - requested that staff provide all varieties of educational opportunities for developers/builders - add to Issues Update. He requested that Conditional Use Permits come before City Council. He also requested placing Fighter Country Partnership to future council meeting agenda.

Council Member Villanueva requested: a memorial of past Mayors and Council - referred to Arts Commission.

EXECUTIVE SESSION:

#26. 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.

#27. Consideration and action on executive session items.

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of February 26, 2009 @ 7:04 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, February 26, 2009.**

Sherry Ann Aguilar, City Clerk,