



CITY OF SURPRISE

City Council Meeting Minutes

125 West Bell Road, D-100
Surprise, AZ 85374

Thursday, February 12, 2009 @ 06:00 PM

#1. *Current Events

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 12, 2009**. Also in attendance with Mayor Truitt were Vice Mayor Johnson, Council Member Longabaugh, Council Member Alton, Council Member Williams, 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 Council commented on or attended:

Council Member Johnson: Sam's Club opening, RPTA Meeting, tennis match in Surprise, thanked Surprise Police Department and Pro Circuit Tournament coming up.

Council Member Williams: Donald Clark veteran IRAQ - school kids wrote letters to vets, Youth Leadership Program went really well. Next week will be the education component, stripped homes - foreclosures, Call 222-CARE - Foreclosures, next Neighborhood meeting will be coming up soon.

Council Member Hall: get well to Roy Villanueva, busy couple of weeks. West Valley Forecast Meeting,

Sam's Preview Opening, Memorial Day Citizens Committee Meeting, Sun City Grand Meetings, Breakfast at Rose Garden and coffee at Quilceda Apts. and Sun Village, FED Cup Ceremony, attended Surprise Chamber of Commerce presentation - very well received. Thanked Jimmy Dean - Dysart School District and thanked the principals.

Attended GOB Committee Meeting - positive feedback.

Council Member Longabaugh: Community Outreach Meeting (Happy Trails Resort) - more than 500 residents. Broke into several groups and it went very well, Fire Dept., Disability database, 911 calls answered within 10 seconds, attended Saguaro View meeting - 130 homesites built.

Council Member Alton: Continue to meet Monday morning at JB's, attended both events - Sam's Club, several meetings with Surprise Chamber - interfaith new facility, went to FED Cup official dinner - very impressed, raised \$800.00 for Charity - Police Association BBQ, attended 1st Citizens Bond Committee Meeting and announced that the Chamber of Commerce and Surprise Partnering presentation - March 10th - 10:00 a.m. - Hire Surprise residents.

Mayor Truitt: Compassionate Surprise - Difficult times right now - Council is compassionate. Recognized Alton for organizing a fund raiser for an employee due to tragedy. The outreach in the community has been terrific.

E. City Manager and Staff Reports:

Mayor - FED Cup - exciting tennis and broadcast live. Surprise received a lot of attention. New energy bill - bring businesses to Arizona. Credit rating of Surprise to AA.

CALL TO THE PUBLIC:

Rick Molera - Quick update for paving in Saguaro View. Reported that 80% of the neighborhood that has cooperated with the City for the project.

Gave handout to Council - Front page of their website.

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.

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

***#2. Consideration and action on Resolution No. 09-21, a resolution accepting maintenance of the streets and public water and sewer utilities located in Surprise Farms Phase 3 Parcel 4 -APPROVED**

***#3. Consideration and action on Resolution No. 09-13, a resolution accepting maintenance of the sewer located in Arizona Traditions Parcel 14 - APPROVED**

***#4. Consideration and action on Resolution No. 09-15, a resolution accepting maintenance of the off site Sewer Improvements located in Greer Ranch South - APPROVED**

***#5. Consideration and action on Resolution No. 09-31, a resolution accepting maintenance of the streets and public water and sewer utilities located in Marley Park, Old Oak Lane Phase II - APPROVED**

***#6. Consideration and action on Resolution No. 09-34, a resolution accepting maintenance of the streets and public water and sewer utilities located in Marley Park Parcel 11 - APPROVED**

***#7. Consideration and action on Resolution No. 09-23, a resolution accepting maintenance of the street and public water and sewer utility improvements located in Marley Park Parcel 5 - APPROVED**

***#8. Consideration and action on Resolution No. 09-24, a resolution accepting maintenance of the street and public water and sewer utility improvements located in Marley Park Parcel 7 - APPROVED**

***#9. Consideration and action on Resolution No. 09-33, a resolution accepting maintenance of the streets and public water and sewer utilities located in Marley Park Parcel 9 - APPROVED**

***#10. Consideration and action on Resolution No. 09-32, a resolution accepting maintenance of the off site sewer utility improvements located in Marley Park Parcel 5 and 6 - APPROVED**

***#11. Consideration and action on Resolution No. 09-30, a resolution accepting maintenance of the streets and public water and sewer utility improvements located in Marley Park Collectors A&B (Founders Park Blvd & Old Oak Lane) - APPROVED**

***#12. Consideration and action on Resolution No. 09-18, a resolution accepting maintenance of the sewer located in Mountain Gate Phase 5 - APPROVED**

***#13. Consideration and action on Resolution No. 09-35, a resolution accepting maintenance of the streets and public water and sewer utility improvements located in Sun City Grand PH IV- Estancia - APPROVED**

***#14. Consideration and action on Resolution No. 09-20, a resolution accepting maintenance of the sewer lines improvements located in Sun City Grand Santa Fe Phase 1 - APPROVED**

***#15. Consideration and action on Resolution No. 09-25, a resolution accepting maintenance of the street and public water and sewer utility improvements located in Surprise Farms Phase 3 Parcel 3 - APPROVED**

***#16. Consideration and action on Resolution No. 09-26, a resolution accepting maintenance of the street and public water and sewer utility improvements located in Surprise Farms Phase 3 Parcel 5 - APPROVED**

***#17. Consideration and action on granting Arizona Public Service (APS) an easement located at the South Plant (Water Treatment Facility SPA - 1) - APPROVED**

***#18. Consideration and action the Arizona State Land Department Amendment to right of way # 16-110818 for right of way associated with the Broadstone development along Dove Valley Road - APPROVED**

***#19. Consideration and action on the final reading of Ordinance 09-06, an ordinance of the Mayor and Council of the City of Surprise, Arizona, creating two new advisory bodies - the Quality of Life Commission and the Community Development Block Grant Commission. (Existing Revitalization Advisory Board to become new Quality of Life Commission) - APPROVED FINAL READING**

***#20. Consideration and action on Resolution No. 09-11, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment entitled "Lots 4 & 5 of Grand Avenue Professional Plaza," case FPA08-295. The subject site is located on the northwest corner of Grand Avenue and Mountain View Boulevard - APPROVED WITH STIPULATION B**

Stipulation B - a SLID application shall be submitted to the city and approved by the city prior to civil and building permit approval

***#21. Consideration and action on the Lawrence settlement and release agreement - APPROVED**

***#22. Consideration and action on the Regular City Council Work Session and Regular City Council Meeting of January 22, 2009 - APPROVED**

***#23. Consideration and action on making a budget transfer of \$27,500 for the purchase of electronic citation equipment to support the self funding legislative mandated vehicle impound program - APPROVED**

***#24. Consideration and action on Resolution No. 09-39 on the First Amendment to the SPA 3 North Sewer Interceptor between the City of Surprise and Buena Vista Holdings, LLC, Surprise Foothills Master, LLC, Taylor Woodrow/Arizona, Inc and H.E. Capital Fox Trails, LLC - APPROVED**

LIQUOR LICENSE:

#25. Consideration and action on a request by the Community and Recreation Services Department on behalf of the Arizona Major League Baseball Alumni Association for a Special Event Liquor License to benefit the Arizona Major League Baseball Alumni Association's Youth Charities. The liquor license will be utilized during a post game reception on February 22 as part of the City co-sponsored Spring Training 2009 "Fan Fest" at Surprise Stadium, 15960 N. Bullard, Surprise, AZ 85374 - APPROVED

Council Member Hall made the motion to approve a request by the Community and Recreation Services Department on behalf of the Arizona Major League Baseball Alumni Association for a Special Event Liquor License to benefit the Arizona Major League Baseball Alumni Association's Youth Charities. The liquor license will be utilized during a post game reception on February 22 as part of

the City co-sponsored Spring Training 2009 "Fan Fest" at Surprise Stadium, 15960 N. Bullard, Surprise, AZ 85374. Vice Mayor Johnson seconded the motion. Six yes votes. Motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#26. Consideration and action on Resolution No. 09-53, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving amendments to the Fiscal Year 2009 Budget and all associated transfers - APPROVED

City Manager Randy Oliver gave a brief overview of Resolution No. 09-53.

Mayor Truitt inquired if any sweeping funds for tonight's action and if any other funds beside 10% that are wanting to sweep.

Arts Disability
10% set aside

Council Member Hall made the motion to approve Resolution No. 09-53, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving amendments to the Fiscal Year 2009 Budget and all associated transfers. Council Member Alton seconded the motion. Six yes votes. Motion carried.

#27. Consideration and action on appointing Michelle Hernandez to the Disability Advisory Board -with term expiring July 1, 2012 - APPROVED

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

Council Member Longabaugh made the motion to approve appointing Michelle Hernandez to the Disability Advisory Board -with term expiring July 1, 2012. Council Member Hall seconded the motion. Six yes votes. Motion carried.

#28. Consideration and action on the City of Surprise's proposed state legislative agenda for the First Regular session of the 49th Arizona State Legislature - APPROVED

Intergovernmental Director, Michael Celaya gave a brief overview of the state legislative agenda for the 49th Arizona State Legislature.

Council Member Hall made the motion to approve the City of Surprise's proposed state legislative agenda for the First Regular session of the 49th Arizona State Legislature. Vice Mayor Johnson seconded the motion. Six yes votes. Motion carried.

#29. Consideration and action on allowing the City of Surprise to enter into a contract with Motorola to provide new communication equipment and services to the Surprise Police Department to complete the transition to the Regional Wireless Cooperative in the amount of \$1,031,730.35 and increase the project budget for FY2010 - APPROVED

Vice Mayor Johnson made the motion to approve allowing the City of Surprise to enter into a contract with Motorola to provide new communication equipment and services to the Surprise Police Department to complete the transition to the Regional Wireless Cooperative in the amount of \$1,031,730.35 and increase the project budget for FY2010. Council Member Longabaugh seconded the motion. Six yes votes. Motion carried.

#30. Consideration and action on the first 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 FIRST READING

Council Member Alton made the motion to approve the first 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). Vice Mayor Johnson seconded the motion. Six yes votes. Motion carried.

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

Council Member Williams – Bring back discussion regarding a position for credit counseling for the City.

Mayor Truitt – Bring back to discuss requirements for future Directors to live in Surprise.

EXECUTIVE SESSION:

#32. 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.

#33. Consideration and action on executive session items.

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of February 12, 2009 at 7:01 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 12, 2009.**

Sherry Ann Aguilar, City Clerk,