



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

Thursday, October 14, 2010 @ 06:00 PM

CALL TO ORDER.

A. Roll Call

Vice Mayor Alton 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, October 14, 2010**. Also in attendance with Vice Mayor Alton were Council Member Williams, Council Member Villanueva, Council Member Woodard, and Council Member Hall.

Staff Present: Interim City Manager, Mark Coronado, 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.

Vice Mayor and Council commented on and/or attended the following:

Council Member Hall: Westmarc, Compassionate Surprise Meeting, Hotel Association Temporary Use Permit.

Council Member Woodard: Suntech, Solar Company, Sierra Verde Development, Litchfield and Greenway, Susan B. Coleman Walk and Surprise Historical Society.

Council Member Williams: Education with Dysart Recruitment Video and Strategic Plan.

Council Member Villanueva: Chamber of Commerce Breakfast, Benavilla Event and athletic programs.

Vice Mayor Alton: surgery.

E. City Manager and Staff Reports:

#1. *Current Events

Interim City Manager, Mark Coronado gave a brief report regarding Police Chief Recruitment.

Melissa Miller reported on Cancer Treatment Centers of American Tennis Championship October 20-24.

CALL TO THE PUBLIC:

Public Comments:

Paula Forster commented on: Techcelerator, Communiversity Buildings income.

- 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 Williams removed item #11 from the consent agenda. Council Member Woodard inquired about item #12.

Council Member Hall made the motion to approve the consent agenda excluding item #11. Council Member Villanueva seconded the motion. Five yes votes. Motion carried.

***#2. Consideration and action on a liquor license application submitted by Kierstin Mor for Amuse Bouche, 17058 W. Bell Road #104, Surprise, Arizona 85374 for a Series 12 New License/LLC - APPROVED**

***#3. Consideration and action on an application for Liquor Store (Series 9) Sampling Privileges submitted by Clare H. Able for Sam's Club #4955 at 16573 W. Bell Road, Surprise, Arizona - APPROVED**

***#4. Consideration and action on the Regular City Council Work Session and Regular City Council Meeting Minutes of September 23, 2010 - APPROVED**

***#5. Consideration and action on Ordinance #2010-24, an Ordinance of the Mayor and Council of the City of Surprise, Arizona, Amending City Code Chapter 30, Article I, Section 30-4(e) Reducing the Term of the Presiding Judge to Two Years - APPROVED**

***#6. Consideration and action on Resolution No 2010-107, a resolution accepting maintenance of the public reclaimed water line associated with Prasada Lake Village - APPROVED**

***#7. Consideration and action on COS09-040A a design contract with Jacobs Engineering for the Multi-Use path along Bell Road east of Grand Ave in the amount of \$197,000**

(Contract \$174,683 with an owners contingency of \$22,317) - APPROVED

***#8. Consideration and action on Resolution No. 2010-103 a resolution of the Mayor and Council of the City of Surprise, Arizona, ordering the work for the proposed street lighting improvement as described in Resolution No. 2010-102 to establish the City of Surprise, Arizona Kingswood Parke Parcel 16 #105 Lighting Improvement District - APPROVED**

***#9. Consideration and action on Resolution 2010-114 a resolution authorizing a transfer of \$10,500 from fund balance to project 21109, and authorizing the payment of funds to the City of El Mirage - APPROVED**

***#10. Consideration and action on Resolution 2010-111 and Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) for the construction and installation of fiber optic and ITS devices on Litchfield Road and Peoria Avenue in the amount of \$100,000. - APPROVED**

***#11. Consideration and action on Resolution 2010-90 -amended final plat, case FS09-337, entitled "Storage West Final Plat Amendment," located generally on the northeast corner of Bullard Avenue and Bell Road - APPROVED**

Council Member Williams inquired about fitting in the plan.

Council Member Hall made the motion to approve Resolution 2010-90, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat, case FS09-337, entitled "Storage West Final Plat Amendment," located generally on the northeast corner of Bullard Avenue and Bell Road. Council Member Woodard seconded the motion. Four yes votes, one no vote. Motion carried.

***#12. Consideration and action on Ordinance 2010-23, an ordinance of the Mayor and Council of the City of Surprise, Arizona, deleting Section 5 of Ordinance 07-49 for the Acoma Court Planned Area Development - APPROVED**

Council Member Woodard asked for clarification regarding Section 5.

***#13. Consideration and action on Resolution 2010-96, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat case FS10-154, entitled "Brentwood Industries," located generally on the northeast corner of Litchfield Road and Peoria Avenue within the Desert Cove Commercial Park - APPROVED**

***#14. Consideration and action on Resolution 2010-97, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat case FS10-185, entitled "Replat of Marley Park Parcel 7," located generally on the southeast corner of Reems Road and Sweetwater Avenue - APPROVED**

***#15. Consideration and action on Resolution No. 2010-104; a resolution authorizing the city to enter into Agreement No. 2010CKWX0237 with the US Department of Justice, COPS Technology Program to accept a grant award in the amount of \$200,000. in support of the COPS Technology Program Award - APPROVED**

***#16. Consideration and action on Resolution No. 2010-110 - a resolution authorizing the**

city to enter into Agreement No. 44814-04 with the State of Arizona, Department of Homeland Security, to accept a grant in support of a mast camera - APPROVED

***#17. Consideration and action on Resolution No. 2010-105; a resolution authorizing the city to enter into Agreement No. 2010-DJ-BX-0934 with the US Department of Justice, Justice Assistance Grant (JAG) Program, to accept a Grant in the amount of \$15,479. in support of a Technology Improvement Program Award - APPROVED**

***#18. Consideration and action on Resolution No. 2010-116, a resolution of the Mayor and Council of the City of Surprise, Arizona, accepting easements facilitating the operation and maintenance of the water and sewer lines at Marley Park Square - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#19. Consideration and action on Resolution 2010-108 - Intergovernmental Agreement (IGA) with Maricopa County Department of Transportation (MCDOT) for the design and construction of the intersection at Bell Road and El Mirage Road in the amount not to exceed \$1,000,000. - APPROVED

Public Works Director, Robert Beckley Works reported on the Intergovernmental Agreement.

Public Comments:

Paula Forster commented on Bell and Grand and Maricopa County.

Council Member Villanueva made the motion to approve Resolution 2010-108; an Intergovernmental Agreement (IGA) with Maricopa County Department of Transportation (MCDOT) for the design and construction of the intersection at Bell Road and El Mirage Road in the amount not to exceed \$1,000,000. Council Member Hall seconded the motion. Five yes votes. Motion carried.

#20. Consideration and action on COS10-024 a professional services contract with Carollo Engineers for an EPA grant in the amount of \$546,000 (Contract \$535,000 and an owners contingency of \$11,000). - APPROVED

Public Works Director, Robert Beckley reported on the EPA Grant.

Council Member Williams commented on challenges, reclaimed water hookups and obtaining cost estimates.

Council Member Williams made the motion to approve COS10-024 a professional services contract with Carollo Engineers for an EPA grant in the amount of \$546,000 (Contract \$535,000 and an owners contingency of \$11,000). Council Member Woodard seconded the motion. Five yes votes. Motion carried.

#21. Consideration and action on Ordinance 2010-22 - amendment of Municipal Codes 54-161, Temporary Work Zone Traffic Control Permit and 54-162, Penalties, regarding restricting traffic and the use of off-duty Surprise Police Officers - APPROVED

City Engineer, Nick Mascia gave a brief report regarding Ordinance No. 2010-22.

Council Member Hall made the motion to approve Ordinance 2010-22; an Ordinance of the Mayor and Council of the City of Surprise approving an amendment of Municipal Codes 54-161, Temporary Work Zone Traffic Control Permit and 54-162, Penalties, regarding restricting traffic and the use of off-duty Surprise Police Officers. Council Member Williams seconded the motion. Five yes votes. Motion carried.

#22. Consideration and action on Resolution 2010-99 - authorizing the commencement of planning for Village Five - APPROVED

Community and Economic Development Director, Jeff Mihelich reported on Village Five Planning Area.

Council Member Hall commented on input from residents.

Council Member Woodard made the motion to approve Resolution 2010-99; a resolution of the City of Surprise authorizing the commencement of planning for Village Five. Council Member Villanueva seconded the motion. Five yes votes. Motion carried.

#23. Presentation and update regarding the current status of projects funded out of the Neighborhood Stabilization Program grant funding - NO ACTION

Neighborhood Liaison, Christina Ramirez reported on the progress of the neighborhoods.

Council Member Williams inquired about a rental process.

#24. Consideration and action on the Service Agreement with the Surprise Regional Chamber of Commerce - APPROVED

Community and Economic Development Director, Jeff Mihelich report on the agreement.

Council Member Hall inquired about wayfinding.

Council Member Hall made the motion to approve the Service Agreement with the Surprise Regional Chamber of Commerce. Council Member Williams seconded the motion. Five yes votes. Motion carried.

#25. Consideration and action on Resolution No. 2010-117 - supporting Habitat for Humanity and Women Build in their efforts in Maricopa County - APPROVED

Karen Corby of Habitat for Humanity gave history of the project.

Council Member Woodard made the motion to approve Resolution No. 2010-117, a resolution of the Mayor and Council supporting Habitat for Humanity and Women Build in their efforts in Maricopa County. Council Member Williams seconded the motion. Five yes votes. Motion carried.

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

Council Member Williams - Training/Certification for Boards and Commissions.

Council Member Woodard - Orientation

EXECUTIVE SESSION: NONE

#27. 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.

#28. Consideration and action on executive session items.

ADJOURNMENT:

Vice Mayor Alton adjourned the Regular City Council Meeting of October 14, 2010 at 7:22 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, October 14, 2010.**

Sherry Ann Aguilar, City Clerk,