CITY OF SURPRISE

City Council Meeting Minutes
)00 North Civic Center Plaza
Surprise, AZ 85374

Thursday, September 23, 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, September 23, 2010.** Also in attendance with Vice Mayor Alton were Council Member Wolcott, 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.

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

Council Member Villanueva: Community Garden, CDBG and Fiesta.

Council Member Hall: Chamber Breakfast, El Mirage Road Opening, Sun Village Home Owners Association and Hotel Association Meeting.

Council Member Woodard: Choir Boys, Town Hall Outreach Meeting, Dog Park, Fiesta Surprise, Westmarc Health Services Meeting and September birthdays at Senior Center.

Council Member Wolcott: Acknowledged Mark, Police Department and Council Members, Southwest Family Advocacy Center, volunteerism, women build and Community Theatre.

Vice Mayor Alton: Foreign Trade Zone, Sun City Grand Town Hall, Sun City Grand Town Hall Meeting, Sun City Strategic Planning Committee and Westmarc.

E. <u>City Manager and Staff Reports:</u>

<u>Regular City Council Meeting Agenda:</u>

Interim City Manager, Mark Coronado reported on the following: Council Member Williams is excused tonight, employee appreciation and Grand Canyon University.

<u>CALL TO THE PUBLIC:</u>

<u>INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.</u>
<u>Note: A.R.S. 38-431.01(H) - During this time members of the public may address City Council on any item not on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.</u>

Public Comments:

Ron Hart commented on transportation, roads, rubberized asphalt overlay and traffic noise.

Robin Doerr commented on speed limit on Reems between Bell and Greenway Roads.

<u>#1. Conduct Public Hearing to consider the proposed issuance of bonds by the Industrial Development Authority of the County of Pima and approve the issuance of bonds - APPROVED AS AMENDED</u>

Deputy City Attorney, Julie Kreigh explained the purpose of the public hearing.

Public Comments:

Bob Vukanovich commented on publishing of the public notice.

Scott Shaber with Sherman and Howard who is Bond Council for Pima County.

Council Member Woodard made the motion to approve the issuance of bonds with an amendment to the attached letter. Council Member Villanueva seconded the motion. Five yes votes. Motion carried.

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.

<u>CONSENT AGENDA:</u>

Council Member Wolcott was asked by Council Member Williams to remove item number 13.

Council Member Hall made the motion to approve the consent agenda excluding item number 13. Council Member Villanueva seconded the motion. Five yes votes. Motion carried.

***#2. Consideration and action on Resolution No 2010-83, a resolution accepting maintenance of the streets and public water and sewer utilities located in Cactus Plaza - APPROVED**

***#3. Consideration and action on Resolution No 2010-84, a resolution accepting maintenance of the streets and public sewer utilities located in Cactus Ward LDS Church - APPROVED**

***#4. Consideration and action on Resolution No 2010-50, a resolution accepting maintenance of the streets and public water and sewer utilities located in Crescent Crown Distributing - APPROVED**

***#5. Consideration and action to entering into electric service contracts with Electric District 7 (ED7) for the supply of power to two additional meters at the City's Summit Well Site located within the district - APPROVED**

***#6. Consideration and action on an Application for Liquor Store (Series 9) Sampling Privileges requested by Safeway Inc. for the following locations: Safeway Food and Drug #1997 at 17049 W Bell Road, Surprise, AZ (current License No. 09070702); Safeway Food and Drug #1520 at 14505 W Grand Avenue, Surprise, AZ (current License No. 09070710) and Safeway Food and Drug #2699 at 13828 W Waddell Road, Surprise, AZ (current License No. 09070009) - APPROVED**

***#7. Consideration and action on Resolution 2010-91, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat case FS10-141, entitled "Condominium Plat for Surprise Commerce Center II," located generally on the northwest corner of Foxfire Drive and Dysart Road - APPROVED**

***#8. Consideration and action on the minutes for the Special City Council Work Session of September 2, 2010 and the Regular City Council Work Session and Regular City Council Meeting of September 9, 2010 - APPROVED**

***#9. Consideration and action on Resolution No. 2010-81; an Intergovernmental Agreement between the Drug Enforcement Administration and the City of Surprise for assignment of one (1) officer to the DEA Tactical Diversion Squad Task Force for a period of not less than two years - APPROVED**

***#10. Consideration and action on Resolution No. 2010-51; Intergovernmental Agreement between the Drug Enforcement Administration and the City of Surprise for assignment of two (2) officers to the DEA Phoenix Drug Task Force for a period of not less than two years - APPROVED**

***#11. Consideration and action on Resolution No. 2010-98; approving an Intergovernmental Agreement between the Maricopa County Adult Probation Department and the City of Surprise for information sharing - APPROVED**

***#12. Consideration and action authorizing the City of Surprise to pay $40,000 to the**

Southwest Family Advocacy Center (SWFAC) located in the City of Goodyear for usage and services provided by the Center - APPROVED

<u>*#13. Consideration and action on 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 - TABLED TO OCTOBER 14, 2010 REGULAR CITY COUNCIL MEETING</u>

Staff was directed to contact the owners to talk about the options.

Council Member Woodard made the motion to table item #13 to the October 14, 2010 Regular City Council Meeting. Council Member Wolcott seconded the motion. Five yes votes. Motion carried.

***#14. Consideration and action on approving Resolution 2010-101 suspending the Surprise Fire Department Annual Safety Inspections Fees previously adopted via Resolution 2010-23 - APPROVED**

***#15. Consideration and action to extend the terms for members of the Community & Recreation Services Advisory Board. The new expiration shall be June 30, 2011 - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

<u>#16. Consideration and action on the appointment of Thomas M. Stemlar (four year term), Raymond Borst (four year term) and Larry Bowker (two year term) to the Loss Trust Fund Board - APPROVED</u>

Council Member Hall introduced the Board Members.

Council Member Hall made the motion to approve the appointment of Thomas M. Stemlar (four year term), Raymond Borst (four year term) and Larry Bowker (two year term) to the Loss Trust Fund Board. Council Member Woodard seconded the motion. Five yes votes. Motion carried.

<u>#17. Discussion and presentation regarding the Chamber's accomplishments to date and what is planned for the near future - NO ACTION</u>

David Moss gave a presentation regarding Surprise Regional Chamber of Commerce.

Vice Mayor Alton recognized the Chamber.

<u>#18. Discussion on LPD09-336, City of Surprise Wayfinding Sign Program - NO ACTION</u>

City Planner, David Neal reported on the program.

Council Member Woodard commented on city logo.

Council Member Hall commented on lighting.

<u>#19. Consideration and action on Resolution No. 2010-102 - declaring its intention to</u>

create a light improvement district pursuant to A.R.S. 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks for the Kingswood Parke Parcel 16 #105 Lighting Improvement District - NO ACTION

City Engineer, Nick Mascia reported on the Notice of Intent.

Council Member Woodard made the motion to approve Resolution No. 2010-102 a resolution of the Mayor and Council of the City of Surprise, Arizona, declaring its intention to create a light improvement district pursuant to A.R.S. 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks for the Kingswood Parke Parcel 16 #105 Lighting Improvement District. Council Member Hall seconded the motion. Five yes votes. Motion carried.

#21. Consideration and action to appoint David Moss to the Tourism Advisory Board representing the Surprise Regional Chamber of Commerce - APPROVED

Interim City Manager, Mark Coronado reported on the appointment.

Council Member Wolcott made the motion to approve the appoint David Moss to the Tourism Advisory Board representing the Surprise Regional Chamber of Commerce. Council Member Hall seconded the motion. Five yes votes. Motion carried.

OTHER BUSINESS:

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

EXECUTIVE SESSION:

Vice Mayor Alton adjourned the Regular City Council Meeting to convene to Executive Session.

#23. 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.

Discussion and or consultation, to consider its position, and to provide instruction/direction regarding the appointment of the Presiding Judge and discussion/consultation for legal advice with the City Attorney. (A.R.S. §38-431.03(A)(1)(3)).

#24. Consideration and action on executive session items.

#20. Consideration and action on Resolution No. 2010-66 regarding the reappointment and salary of Surprise City Court Presiding Judge George Logan III - APPROVED AS AMENDED

Vice Mayor Alton made the motion to approve Resolution No. 2010-66 with a term change from 4 year to a 2 year, no change to salary and benefits and directing staff to bring the ordinance back for changes effective within 30 days. Council Member Villanueva seconded the motion. Five yes votes. Motion carried.

ADJOURNMENT:

Vice Mayor Alton adjourned the Regular City Council Meeting of September 23, 2010 at 8:30 p.m.

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L.E. Truitt, Mayor

ATTEST:

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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, September 23, 2010.**

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Sherry Ann Aguilar, City Clerk,