



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

Thursday, May 13, 2010 @ 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 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Thursday, May 13, 2010**. Also in attendance with Mayor Truitt were Vice Mayor Alton, Council Member Wolcott, Council Member Williams, Council Member Villanueva, Council Member Woodard, and Council Member Hall.

Staff Present: Interim City Manager, Mark Coronado, 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 attended and/or commented on the following:

Council Member Williams: SLID's 11 more signatures are needed.

Council Member Wolcott: retreat, budget, MAG Regional Council Meeting, trip to DC, West Valley Transportation Planning and fund raising event.

Council Member Villanueva: Attended programs sponsored by the Surprise Historical Society, Summit, Police Awards Ceremony.

Vice Mayor Alton: Chamber of Commerce Open House, coffee chats and Block Party.

Council Member Hall: Chamber Open House, Copper Canyon Neighborhood Party, Central Arizona

Project, Marshall Trimble Event, Tourism Board Meeting and Hotel Association Meeting.

Council Member Woodard: Met with public works, Dial-A-Ride program, Grand Opening of new Chamber of Commerce office, Relay for Life Event, Coffee Chat at Nick's Diner and Parcel 16 of Kingswood Parke SLID.

Mayor Truitt: AZ Transportation Summit, Canyon Ridge Elementary - Surprise City Walk, Marshall Trimble, Copper Canyon, Chamber luncheon last week, Relay for Life and Students Awards @ Elks Lodge.

Proclamation recognizing May 16th - 22nd as Emergency Medical Services week.

E. City Manager and Staff Reports:

#1. *Current Events

***Report by Barry Broome regarding GPEC Executive Mission to Washington, D.C.**

GPEC Executive Mission - Scarlett Spring - Chief operations Officer gave an overview of the DC Executive Mission.

Mayor Truitt commented on the Police Chief matter.

Council Member Woodard called for point of order regarding allowing members of the public to speak. Vice Mayor Aton seconded the motion. Four yes votes, 3 no votes (Truitt, Villanueva and Hall). Motion carried to allow members of the public to speak on the matter.

CALL TO THE PUBLIC:

Ted Carr commented on the lack of opportunity to speak.

Tom Jackson commented on: weeks since firing the City Manager, moving on, Arizona is a right to work state, no more layoffs, no more earmarks and no new taxes.

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 made the motion to approve consent agenda. Vice Mayor Alton seconded the motion. Seven yes votes. Motion carried.

***#2. Consideration and action of Resolution No. 2010-40 - sale and acceptance of water distribution lines located in 136th Ave between Peoria Ave and the Surprise Water Reclamation Facility, west of 136th Ave - APPROVED**

Council Member Woodard made the motion to approve Resolution No. 2010-40 a resolution for the

sale and acceptance of water distribution lines located in 136th Ave between Peoria Ave and the Surprise Water Reclamation Facility, west of 136th Ave on Desert Cove and extends east and west of 136th Ave on Peoria Ave. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

***#3. Consideration and action on Resolution No 2010-39, a resolution accepting easements for operation and maintenance of an existing 8" Water Distribution Line on 136th Ave and Peoria Ave - APPROVED**

***#4. Consideration and action on liquor license application request for Dysart and Santa Fe Food and Drug located at 16551 N. Dysart Road #123, Surprise, Arizona 85379 for a Series #10 New License - APPROVED**

***#5. Consideration and action on liquor license application request for Fresh Wasabi Sushi and Grill located at 13732 W. Bell Road #2 Surprise, Arizona 85374 for a Series 12 Interim Permit/New License/Corporation - APPROVED**

***#6. Consideration and action on a request by Yavapai Downs at Prescott Valley to conduct Off-Track Wagering at The Brookside II at 15170 W Bell Rd Suite 115 for the years 2010, 2011 and 2012. The anticipated race dates are: * Date of Commencement -- May 29, 2010 / Date of Termination -- September 7, 2010; Date of Commencement -- May 28, 2011 / Date of Termination -- September 6, 2011; Date of Commencement -- May 26, 2012 / Date of Termination -- September 4, 2012 - APPROVED**

***#7. Consideration and action on liquor license application request for Wal-mart located at 15431 W. Greenway Road, Surprise, Arizona 85374 for a Series 9 Person/Location Transfer/Corporation - APPROVED**

***#8. Consideration and action on the minutes of the following meetings: April 22, 2010 Regular City Council Work Session and Regular City Council Meeting, April 23, 2010 Special City Council Meeting (Budget Retreat), April 24, 2010 Special City Council Meeting (Budget Retreat) and April 29, 2010 Special City Council Meeting - APPROVED**

***#9. Consideration and action on the purchase of a Network Access Control system from Immix Technology to provide additional levels of data protection for the City of Surprise data network. The purchase is for an amount not to exceed \$164,300 and to include associated budget transfers. Purchase contract is under GSA contract number GS-35F-0330J - APPROVED**

***#10. Consideration and action on Resolution No. 2010-47; an Intergovernmental Agreement (IGA) between the City of Surprise and the Arizona Game and Fish Commission to continue the Urban Fishing Program at Surprise Lake located within the Surprise Community Park in an amount not to exceed \$18,400 over the 4 year term of the agreement (FY10 and FY11, \$4,700; FY12 and FY13 \$4,950) - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#11. Consideration and action on the cancellation of the following City Council Work Session and Council Meeting dates for the remainder of 2010 - APPROVED OPTION B

Council Member Woodard made the motion to approve Option B) July 8, 2010 (Regular Meeting); August 5, 2010 (Special Work Session) & August 26th, 2010 (Arizona League of Cities & Towns Conference) October 28, 2010 (Regular Meeting) for Best of the West Awards Dinner and November 11, 2010 (Veteran's Day); Thursday, November 25, 2010 (Thanksgiving); and December 23, 2010 (Week of Christmas Holiday). This option will only cancel one regular work session and meeting for July. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#12. Consideration and action on Ordinance 2010-10; an ordinance of the Mayor and Council of the City of Surprise, Arizona, amending Chapter 58, Utilities, Article IV, Water Service, Section 58-181 and Article V, Sewage and Sewer Disposal, Section 58-314 of the Surprise Municipal Code - APPROVED

Public Works Director, Robert Beckley reported on Ordinance No. 2010-10.

Council Member Hall made the motion to approve Ordinance 2010-10; an ordinance of the Mayor and Council of the City of Surprise, Arizona, amending Chapter 58, Utilities, Article IV, Water Service, Section 58-181 and Article V, Sewage and Sewer Disposal, Section 58-314 of the Surprise Municipal Code. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

PUBLIC HEARING:

#13. Public hearing on increasing and extending the corporate limits of the City of Surprise pursuant to A.R.S. §9-471, pertaining to a portion of Section 14, Township 3 North, Range 2 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona also known as the northwest corner of Cactus Road and Cotton Lane (FS10-051) - NO ACTION

City Planner, David Neal gave a brief report regarding the annexation.

Council Member Hall inquired if the financial impact is based on the rezoning.

No public comments were made.

#14. Discussion on Annexation Petition 10-02, pertaining to the annexation of certain property located within the railroad rights-of-way known as the BNSF Bumstead Spur, located within Sections 10, 22, and the south half of 15, Township 3 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. (FS10-077 - BNSF Bumstead Spur Annexation) - NO ACTION

City Planner, Vineetha Kartha gave powerpoint presentation regarding the annexation.

Council Member Woodard commented on the railroad right-of-way.

No public Comments were made.

OTHER BUSINESS:

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

Discussion regarding the review of the ordinance regarding public comments and Council Policy 10.4.

EXECUTIVE SESSION: NONE

#16. 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.

#17. Consideration and action on executive session items.

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of May 13, 2010 at 7:00 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, May 13, 2010.**

Sherry Ann Aguilar, City Clerk,