



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

Thursday, February 25, 2010 @ 07:00 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the **Regular City Council Meeting** to order at 07:00 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Thursday, February 25, 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: City Manager, Randy Oliver, 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 Truitt welcomed the City of Surprise Citizen Academy.

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

Council Member Williams: Welcome Citizen's Academy credit to Ruby Sitea, West Valley Art's Council Open House, 222-4000 non emergency, 222-care Code Enforcement issue, Citywide Community Clean Up, monthly meeting 2nd week in March, Archie's Deli, Dysart Liaison and Dysart Override on March 9.

Council Member Wolcott: West Valley Arts event and Section 10 Pride Day.

Council Member Villanueva: flyers, Census, SLIDs and Section 10 clean up.

Council Member Alton: Sun City Grand Government Affairs, Park Place Condo Association, Luke presentation and Chair of Clean Air Task Force.

Council Member Hall: West Valley Council Open House, Surprise Pride Day Section 10, Christina Ramirez did an excellent job, F35 Luke meetings and parade meeting.

Council Member Woodard: Mountain Vista Ranch Block Party, Luke Air Force Base Meeting, Community Enhancement Project, Memorial Day Committee Meeting, photo submitted by Shelby, March 6 Nick's Diner, postponed.

Mayor Truitt: Luke Forward, F35, Radiant Church opening, Disabilities Human Services, Surprise Citizen's Academy,

Announcement that the History Book is on sale.

E. City Manager and Staff Reports:

#1. *Current Events

CALL TO THE PUBLIC:

Mr. Tom Jackson commented on: Dysart School, solution for layoffs, volunteers, layoff of teachers and city employee salaries.

- 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. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

***#2. Consideration and action on the minutes of the Special City Council Meetings (Council Retreat) of January 29 and 30, 2010 and the Regular City Council Work Session and Regular City Council Meeting of February 11, 2010 - APPROVED**

***#3. Consideration and action on a liquor license request for Coyote Alley located 16846 W. Bell Rd. #100, Surprise, Arizona 85374, for a Series 6 Interim Permit/Person's Transfer License - APPROVED**

***#4. Consideration and action on a request by the Community & 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 27, 2010 as part of the City co-sponsored Spring Training 2010 "Fan Fest" at Surprise Stadium, 15960 N. Bullard, Surprise, AZ 85374 - APPROVED**

***#5. Consideration and action on the purchase of 11246 N. 162nd Lane for the Neighborhood Stabilization Program. The accepted purchase price for this house is \$95,000.00 or 7.4% below the appraised value, whichever is lower - APPROVED**

***#6. Consideration and action on the purchase of 13177 W. Evans for the Neighborhood Stabilization Program. The accepted purchase price for this house is \$100,980 or 1% below the appraised value, whichever is lower - APPROVED**

***#7. Consideration and action on accepting the Utility and Access Easement for the Summit Well from Surprise/Dysart Properties, LLC, an Arizona limited liability company, located near Litchfield and Sweetwater - APPROVED**

***#8. Consideration and action on Resolution No. 2010-07 acceptance of the Summit Well Site infrastructure improvements - APPROVED**

***#9. Consideration and action on the appointment of city staff members to represent Surprise on various Maricopa Association of Government (MAG) Committees - APPROVED**

***#10. Consideration and action on Resolution No. 2010-17, a resolution accepting maintenance of the streets located at 165th Lane in relation to Dysart Elementary School #19 - APPROVED**

***#11. Consideration and action on Resolution No. 2010-26 to allow the Chief of Police to act as the City's Agent for the FY2011 Governor's Office of Highway Safety Grant (GOHS). The Chief of Police will conduct all negotiations and execute and submit all documents and other necessary or desirable instruments in connection with this grant. The Governor's Office of Highway Safety is seeking proposals from state and local agencies for projects relating to all aspects of highway safety and the City of Surprise is interested in submitting projects to be considered for funding, in the form of reimbursable grants from the National Highway Traffic Safety Administration. The grant application must be submitted to the Governor's Office of Highway Safety by February 26th - APPROVED**

***#12. Consideration and action on Resolution No. 2010-27, a resolution of the City Council designating the City Manager as the designated agent for the purposes of communicating and coordinating with the Arizona Department of Emergency Management - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#13. Consideration and action on Resolution No. 2010-22 a pass through grant from the City of Phoenix for replacement of two Dial a Ride vans in an amount not to exceed \$166,106 (Federal reimbursement share \$132,885 and local match \$33,221) APPROVED

Public Works Director, Robert Beckley reported on the project.

Council Member Villanueva inquired about replacement of the vans.

Vice Mayor Alton made the motion to approve Resolution No. 2010-22 a pass through grant from the City of Phoenix for replacement of two Dial a Ride vans in an amount not to exceed \$166,106 (Federal reimbursement share \$132,885 and local match \$33,221). Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#14. Consideration and action on Resolution No. 2010-23; a resolution adopting Community and Recreation Services fees and revising the Community Development fees, Public Works fees, and Fire Prevention Fees - APPROVED

Management and Budget Manager, Jared Askelson reported on three types of fees.

Vice Mayor Alton commented on the sheets it represents and haulers driving through Surprise.

Council Member Woodard commented on the main driver and sheets.

Council Member Wolcott inquired about annual licenses.

Council Member Hall made the motion to approve Resolution No. 2010-23; a resolution adopting Community and Recreation Services fees and revising the Community Development fees, Public Works fees, and Fire Prevention Fees. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#15. Reconsideration and possible action regarding council decision on Street Light Improvement District (SLID) from July 23rd, 2009 council meeting - APPROVED (pursuing the formation of SLID's citywide with the temporary exclusion of the residential OTS areas number 98 and number 99 and Section 10 and directing staff to investigate other alternative short term and long term solutions)

Public Works Director, Robert Beckley reviewed the background/history of the agenda item.

Vice Mayor Alton inquired about the dollar amount city paying for all the areas.

Council Member Wolcott commented on outstanding areas, viable options, and unfair and unbalanced.

Council Member Villanueva reported on how the 10 percent originated.

Council Member Williams commented on: being the most vocal, in favor, different situations, fair solution, appreciate the OTS, turning lights off is not the right thing to do.

Council Member Hall commented on: temporary solution, long term and supports separating exempting the OTS.

Vice Mayor Alton commented on: finding a way to come out of the 10 percent set aside allocate 32,000 from 10 percent and pay for street lights, temporary solution.

Council Member Villanueva commented on HOA's.

Council Member Woodard commented on: appreciates everyone's comments, tax bill and moving forward.

Council Member Wolcott commented on Martin Acres, annexation and treating all residents fairly.

Vice Mayor Alton: all residential and three commercial, doesn't agree with exempt part.

Council Member Williams commented on: need to be fair, finding a long term solution and pursuing a

corrective solution.

Council Member Villanueva - being paid 10 percent, liability

City Attorney Bailey stated that the city has no obligation to maintain the lights.

Vice Mayor Alton inquired of other cities and dark areas.

Public Comments:

Francisca Montoya commented on: received a letter in the mail, creating a SLID and increasing taxes.

Johnny Montoya commented on: thanked Council for their time, grandfathered term, new growth pay for itself, General Plan and dark street lights.

Richard Strnad commented on: pursuing issue and conflict of interest.

Jim Anderson commented on: history of the original townsite, street lights and sidewalks.

Tom Jackson commented on: everyone pays the same.

Minnie Williams commented on: history of square mile, elderly, can't afford to pay.

Council Member Williams made the motion to pursue the formation of SLID's citywide with the temporary exclusion of the residential OTS areas number 98 and number 99 and Section 10 and directing staff to investigate other alternative short term and long term solutions. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#16. Consideration and action on Ordinance No. 2010-07, an ordinance amending Chapter 2 of the Surprise Municipal Code - APPROVED

City Attorney Michael Bailey reported on the ordinance.

Council Member Hall made the motion to approve Ordinance No. 2010-07, an ordinance amending Chapter 2 of the Surprise Municipal Code. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#17. Consideration and action on selecting Councilman Mike Woodard to represent the City of Surprise on the Maricopa Association of Governments (MAG) Human Services Committee - APPROVED

Council Member Wolcott made the motion to approve selecting Councilman Mike Woodard to represent the City of Surprise on the Maricopa Association of Governments (MAG) Human Services Committee. Vice Mayor Alton seconded the motion. Seven yes votes. Motion carried.

#18. Reconsideration of wording on Recreational Invoice to capture out of pocket costs of Dysart Unified School District Facility Use Fees - TABLED

Council Member Woodard asked to table this item.

Council Member Woodard made the motion to table the item Vice Mayor Alton seconded the motion.

Seven yes votes. Motion carried.

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

Vice Mayor Alton - reschedule March 11, 2010 Council Meeting

Council Member Villanueva - visit issue of letter distributed to Council by Debbie Johnson regarding utility bills and homeowners responsibilities.

EXECUTIVE SESSION:

#20. 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/consultation with the City Attorney and City Manager to receive an update, to consider its position, and to provide instruction/direction to the City Attorney and City Manager regarding Surprise's position in connection with contracts, agreements and/or development agreements of the area in, near and surrounding Tierra Buena Lane and Bullard Avenue that are the subject of negotiations. (A.R.S. §§ 38-431.03 (A)(3)(4)).

#21. Consideration and action on executive session items - NO ACTION

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of February 25, 2010 at 8:23 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 25, 2010.**

Sherry Ann Aguilar, City Clerk,