



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

Thursday, January 28, 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, January 28, 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 and Council Members commented on and/or attended the following:

Council Member Woodard: Fighter Country at Wigwam and League seminar.

Council Member Williams: Youth Leadership Program, Summit on March 26th, Annual Clean Up Day on April 10th, Beat the Heat on February 3 and Override (School District).

Council Member Wolcott: Fighter Country Partnership event, Sen. McCain Town Hall Meeting, Town Hall Coffee in Sun City Grand, Census Town Hall on the 2nd.

Council Member Villanueva: Drainage in Original Townsite and Street Light Meeting.

Council Member Alton: Town Hall for Sharon Wolcott, last coffee at JB's next Monday, Zuni's date to

be determined and setting up a blog.

Council Member Hall: Community for all ages Committee Meeting, SV annual HOA meeting, Coyote Lakes Annual HOA Meeting, OTS Town Hall Meeting, Memorial Day Community Meeting,

Mayor Truitt: Transportation Meetings, Annual HOA Meeting, Luke West Valley Council, www.lukeforward.com.

E. City Manager and Staff Reports:

City Manager Oliver stated that he has been meeting with the Judge of the Municipal Court and formulating his budget. The Judge has determined that because of the status of his budget he will fill the associate judge position with Pro Tems and an Associate Judge.

Recognized our terrific staff - Randy Jackson,

#1. *Current Events

CALL TO THE PUBLIC:

Public Comments:

Dana Lyons commented on the following: Dysart Override, tax dollars and special needs children.

Michelle Click commented on: Dysart Override.

Cydney Garcia commented on the following: Dysart Override and all day Kindergarten.

April Taylor commented on: Dysart Override and the school system.

Rachel Villanueva commented: Dysart Override, support bond and School Board.

Erica Blogg commented on: Dysart Override.

Amy Rae Mullins commented on: decrease in home value, housing down turn and Dysart Override.

CONSENT AGENDA:

Council Member Hall made the motion to approve Consent Agenda Council Member Villanueva seconded the motion. Seven 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.

***#2. Consideration and action on applications for Special Event Liquor License request by Arizona Traditions Homeowners Association located at 17221 N Citrus Rd, Surprise, AZ 85374 for the following events: February 13, 2010 - Valentines Dinner Dance, March 13,**

2010 - St. Patrick's Dinner, Show and Dance, May 10, 2010 - Kentucky Derby Party, June 12, 2010 - Needham Twins Dance, July 24, 2010 - July Dance, August 13, 2010 - August Dance - Friday 13th, September 25, 2010 - September Dance Social, October 30, 2010 - Halloween Party, December 11, 2010 - Holiday Party and December 31, 2010 - New Years Eve - APPROVED

***#3. Consideration and action on the minutes for the Special City Council Work Session and Special City Council Meeting of January 7, 2010 and the Regular City Council Work Session and Regular City Council Meeting of January 14, 2010 - APPROVED**

***#4. Consideration and action on Resolution No. 2010-09; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment case FS09-315, entitled "Replat of Marley Park Parcel 12," generally located on the southeast corner of Reems and Waddell Roads within the Marley Park Community - APPROVED**

***#5. Consideration and action on Resolution No. 2010-08, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat amendment case FS09-315, entitled "Replat of Marley Park Parcel 9," generally located on the southeast corner of Reems and Waddell Roads within the Marley Park Community - APPROVED**

***#6. Consideration and action on Resolution No. 2010-03; a resolution of the Mayor and Council of the City of Surprise, Arizona, to enter into an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) for installation of fiber optic cable and Intelligent Transportation System (ITS) infrastructure along Greenway Road - APPROVED**

***#7. Consideration and action on Resolution No. 2010-01, a resolution of the Mayor and Council of the City of Surprise, Arizona, to enter into an Intergovernmental Agreement (IGA) with Flood Control District (FCD) of Maricopa County to fund seventy-five percent (75%) of the Jerry Street project construction cost incurred, not to exceed \$250,000 in accordance with the DISTRICT's Small Project Assistance Program, making the DISTRICT's estimated share \$234,000. - APPROVED**

***#8. Consideration and action on the purchase of 13339 W. Tara Lane for the Neighborhood Stabilization Program. The accepted purchase price for this house is \$124,900.00, which is 6.8% below appraised value - APPROVED**

***#9. Consideration and action on Resolution No. 2010-06, a Resolution of the Mayor and Council of the City of Surprise, Arizona to accept the Sewerline License to use Maricopa Water District lands for Municipal Utility Crossing of the Beardsley Canal - APPROVED**

***#10. Consideration and action on Resolution No. 09-110, a resolution of the Mayor and Council of the City of Surprise, approving the Cell Tower Site License Agreement between the City of Surprise and Cricket Communications, Inc. - TABLED FOR 30 DAYS**

Council Member Williams requested that this item be removed from consent due to concerns in the community.

Council Member Williams made the motion to continue Resolution No. 09-110 for 30 days. Vice Mayor Alton seconded the motion. Seven yes votes. Motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#11. Consideration and action to appoint Council Member John Williams to serve as a liaison between the City of Surprise and the Dysart Unified School District Governing Board appointed representative to work on the Intergovernmental Agreement (IGA) and community issues of mutual benefit and concern - APPROVED

Vice Mayor Alton made the motion to approve appointing Council Member John Williams to serve as a liaison between the City of Surprise and the Dysart Unified School District Governing Board appointed representative to work on the Intergovernmental Agreement (IGA) and community issues of mutual benefit and concern. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#12. Consideration and Action on the First Amendment to the 2004 Intergovernmental Agreement Between the City of Glendale, Arizona and the City of Surprise, Arizona - APPROVED

Council Member Hall made the motion to approve the First Amendment to the 2004 Intergovernmental Agreement Between the City of Glendale, Arizona and the City of Surprise, Arizona. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#13.Consideration and action of a budget transfer to reduce expenditures and revenue by \$2,695,900. - APPROVED

City Manager Oliver reported on the budget transfer.

Council Member Wolcott inquired about the change in the amount and unused funds.

Public Comments:

Bob Vukanovich commented on the rainy day fund.

Vice Mayor Alton inquired about rainy day fund.

Council Member Hall made the motion to approve a budget transfer to reduce expenditures and revenue by \$2,695,900. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

#14. Consideration and action on the Council Policy and Procedures Manual - APPROVED AS AMENDED

Council Member Woodard commented on: page 9 Section E - meetings - remove technological device.

Council Member Woodard commented on: section 4 - 4.1 b - or/and, Section 4.7 minutes, audio and staff attendance.

Council Member Wolcott commented on page 51 - associations - local employees.

Council Member Williams made the motion to approve the Council Policy and Procedures Manual. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#15. Consideration and action on Ordinance No. 2010-02 - an amendment to the Marley Park Planned Area Development, case FS09-315. The project is located on the southeast corner of Waddell and Reems Roads - APPROVED

City Planner, Adam Copeland reported on the project.

Council Member Williams made the motion to approve Ordinance No. 2010-02, an ordinance of the Mayor and Council of the City of Surprise, Arizona, approving an amendment to the Marley Park Planned Area Development, case FS09-315. The project is located on the southeast corner of Waddell and Reems Roads. Council Member Wolcott seconded the motion. Seven yes votes. Motion carried.

#16. Consideration and action on Ordinance No. 2010-04 an ordinance of the City council increasing the City of Surprise transient lodging tax (bed tax) by 1.52 percent - APPROVED

Director of Community and Recreation Services, Mark Coronado reported on the transient lodging tax.

Mr. Greg Hillary of Comfort Inns and Suites stated that he supports Ordinance No. 2010-04.

John Hanneaway of quality Inn and Days Inn is also in favor.

Robert Pasley - Hotel Association spoke in favor of the tax.

Council Member Hall made the motion to approve Ordinance No. 2010-04 an ordinance of the City council increasing the City of Surprise transient lodging tax (bed tax) by 1.52 percent. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

OTHER BUSINESS:

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

Council Member Alton - 1) Agenda item regarding digital sign and 2) Appointment to committees and commissions.

Council Member Hall - review sign ordinance/digital signs

Council Member Wolcott - door to door solicitation

Council Member Villanueva - Street Lights in Original Townsite for Feb. 25th meeting.

EXECUTIVE SESSION:

Mayor Truitt adjourned the Regular City Council Meeting to enter into Executive Session at 7:30 p.m.

#18. 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 contractual negotiations related

to a possible Community Facilities District. (A.R.S. §§ 38-431.03 A(3)(4)).

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 development agreements relating to public and private development in the area of the Loop 303 Corridor, which is the subject of negotiations. (A.R.S. §§ 38-431.03 (A)(3)(4))

Discussion/consultation with the City Attorney and City Manager city in order to consider its position, and to provide instruction/direction to the City Attorney and City Manager regarding Surprise's position regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(3)(5)).

#19. Consideration and action on executive session items - NONE TAKEN

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of January 28, 2010 at 8:34 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, January 28, 2010.**

Sherry Ann Aguilar, City Clerk,