



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

Tuesday, October 25, 2011 @ 05:00 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the **Regular City Council Meeting** to order at 05:00 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, October 25, 2011.** Also in attendance with Mayor Truitt were Vice Mayor Hall, Council Member Biundo, Council Member Alton, Council Member Williams, Council Member Villanueva, and Council Member Woodard.

Staff Present: City Manager, Chris Hillman, 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 reported on and/or attended the following:

Council Member Williams: 2 students hit at crossing and discussed issues with 1/2 day.

Council Member Biundo: GPEC Dinner; Chamber Newsmaker Lunch; Sun City Grand chat with Board; Rio Glass Open House; heartwarming event Villanueva; helped LDS with clean-up in OTS; Fire Department/fire alarms; 25 attended OTS Community Meeting; Quality of Life Board Meeting; Water conservation and recycling; Rio Glass Event; commend Paul Frie, great job on event; Coyote Lakes HOA Meeting; Chamber luncheon with Senator Nelson as speaker; Sun Village Reserve Budget Workshop - community board; CTCA - thanked them for their sponsorship on the tennis tournament.

Council Member Woodard: Hotel Association meeting; upcoming events and possible changes; Council Coffee with Williams, very low attendance; Oktoberfest was fantastic at Sun City Grand;

Surprise Farms II - HOA Party - approx. 200 people; our next coffee will be on November 12th; attended meeting with Biundo on Higher Education with staff; attended Rio Glass, wonderful facility;

Council Member Villanueva - 3rd Wednesday of each month for District 4 meeting.

Mayor Truitt: Transit Authority Tour in Salt Lake City with Mr. Hillman; Benevilla Ball; Rio Glass opening; Community for all Ages and District 4 Town Hall Meeting; Read proclamation - Arizona American Water Rate Increase - proposing increase

E. City Manager and Staff Reports:

#1. *Current Events

City Manager Hillman reported on: Salt Lake Transit Conference, Rio Glass Ribbon Cutting, Police plan to collect unwanted prescription drugs this Saturday - 10 am to 2 pm at Sun City Grand and Home Depot on Bell Road.

City Clerk Aguilar gave an election update.

CALL TO THE PUBLIC:

City Clerk Aguilar read a letter from Lloyd Clark.

Bob Vukanovich - Read statement into the record.

John Klitzka - Attended Rio Glass Ribbon Cutting and was very impressed, toured building he thanked staff for bringing this business into our city.

Donnie Brisson - Message from Surprise Farms II HOA - Read resolution that was recently approved by their board regarding Redistricting.

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:

Vice Mayor Hall made the motion to approve consent agenda, except item 10. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

***#2. Consideration and action on Resolution No 2011-104, a resolution accepting maintenance of the streets and public water and sewer utilities for Dysart School District Support Facility, located between Litchfield Road and 136th Avenue on Desert Cove Road - APPROVED**

***#3. Consideration and action on Resolution No 2011-21, a resolution accepting maintenance of the streets and public water utilities located in and adjacent to Fry's Marketplace at Prasada at the southeast corner of Greenway Road and Cotton Lane -**

APPROVED

***#4. Consideration and action on Resolution No 2011-103, a resolution accepting maintenance of the streets and public water and sewer utilities for Habitat for Humanity located on Desert Sage Street between Paradise Lane and Cotton Wood Street - APPROVED**

***#5. Consideration and action on Resolution No 2011-08, a resolution accepting maintenance of the streets and public sewer utilities located in Prasada Phase 1A, and specifically within Autoshow Avenue from Cactus Road to Waddell Road - APPROVED**

***#6. Consideration and action on Resolution No 2011-02, a resolution accepting maintenance of the streets, public water and sewer utilities located in Prasada Phase 1A, and specifically Cactus Road from Cotton Lane to Sarival Avenue and Sarival Avenue north of Cactus Road - APPROVED**

***#7. Consideration and action on Resolution No 2011-04, a resolution accepting maintenance of the streets, public water and sewer utilities located in Prasada Phase 1A, and specifically Waddell Road from SR 303 to Cotton Lane and Cotton Lane from Waddell to Hearn - APPROVED**

***#8. Consideration and action on Resolution No 2011-09, a resolution accepting maintenance of the public sewer utilities located in Prasada Phase 2A West and specifically, Prasada Gateway from Waddell Road to Hearn Road -APPROVED**

***#9. Consideration and action on Resolution #2011-115 a Resolution by Mayor and Council authorizing the City Manager to sign Contract 120024DC with the Arizona Department of Corrections for inmate labor for up to five years with the contract commencing on January 1, 2012 - APPROVED**

***#10. Consideration and action on Resolution #2011-114 a resolution recognizing the fixed route agreement between the City and Valley Metro (RPTA) in an amount of \$280,412. - APPROVED**

Council Member Alton removed this item for discussion he asked Mr. Beckley why this item was placed on consent agenda with a large dollar amount and how come it was not brought forward for a discussion.

Vice Mayor Hall asked for clarification regarding the attachments.

Vice Mayor Hall made the motion to approve Resolution #2011-114 a resolution recognizing the fixed route agreement between the City and Valley Metro (RPTA) in an amount of \$280,412. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

***#11. Consideration and action on Resolution #2011-113 a resolution by Mayor and Council for approval of accepting Prop 400 funding reimbursement in the amount of \$15,334 for City ADA services provided by Surprise Dial A Ride for FY2012 as part of the City's Proposition 400 allocation - APPROVED**

***#12. Consideration and action on a request by Yi Sun for a Series 12 liquor license for**

China City Super Buffet located at 18885 N. Reems Road, Suite 101, Surprise, Arizona 85387 (New License/Corporation) - APPROVED

***#13. Consideration and action on a request by Giles Lindsey for a Series 12 liquor license for Frank-N-Steins located at 14071 W. Bell Road, Suite 104, Surprise, Arizona 85374 (New License/Corporation) - APPROVED**

***#14. Consideration and action on the Special City Council Work Session on September 18, 2011 and the Regular City Council Work Session and Regular City Council Meeting of October 11, 2011 - APPROVED**

***#15. Consideration and action to approve a request by American Greyhound Racing, Inc., to renew their license for Off-Track Wagering to be held at Runner's Sports Bar located at 12751 W. Bell Road, Suite 8-9, Surprise, Arizona 85374 - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#16. Consideration and action on entering into a contract with Roadway Electric, LLC in the amount of \$194,638.45 to provide construction services for a traffic signal and associated roadway improvements at the intersection of Cotton Lane and Waddell Road in Surprise with an owners contingency of \$20,000 (10%) - APPROVED

Public Works Director, Robert Beckley gave a brief report on the contract with Roadway Electric, LLC.

Council Member Williams made the motion to approve entering into a contract with Roadway Electric, LLC in the amount of \$194,638.45 to provide construction services for a traffic signal and associated roadway improvements at the intersection of Cotton Lane and Waddell Road in Surprise with an owners contingency of \$20,000 (10%). Vice Mayor Hall seconded the motion. Seven yes votes. Motion carried.

#17. Consideration and action to construct sidewalks on Greenway Road north / east of Grand Avenue across the BNSF railroad tracks at an estimated cost of \$20,000 and Resolution 2011-125 authorizing the transfer of associated funds - APPROVED

Council Member Alton asked for clarification regarding the sidewalk at Greenway.

Vice Mayor Hall made the motion to approve to construct sidewalks on Greenway Road north / east of Grand Avenue across the BNSF railroad tracks at an estimated cost of \$20,000 and Resolution 2011-125 authorizing the transfer of associated funds. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

#18. Consideration and action on Resolution 2011-123, a Resolution of the Mayor and Council of the City of Surprise, Arizona, authorizing the city to enter into a grant agreement with the Tohono O'odham Nation, to accept a grant for the implementation of a Youth Employment Program - APPROVED

Community and Economic Development Director Mihelich introduced Christina Ramirez to explain the grant components.

Council Member Alton thanked Ms. Ramirez then commented that we have applied for grants before,

it's relationships that help with grant funding and encouraged other Council to become involved.

Vice Mayor Hall asked for clarification of grant timeline.

Council Member Williams inquired about vetting the process.

Council Member Woodard inquired about receiving reimbursements.

Council Member Woodard made the motion to approve Resolution 2011-123, a Resolution of the Mayor and Council of the City of Surprise, Arizona, authorizing the city to enter into a grant agreement with the Tohono O'odham Nation, to accept a grant for the implementation of a Youth Employment Program. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#19. Consideration and action on Resolution 2011-121; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the Intrepid Tool Industries Development Agreement between the City of Surprise and Intrepid Tool Industries - APPROVED

Community and Economic Development Director, Jeff Mihelich presentation on the Intrepid Tool Industries Development Agreement.

Council Member Williams made the motion to approve Resolution 2011-121; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the Intrepid Tool Industries Development Agreement between the City of Surprise and Intrepid Tool Industries. Council Member Alton seconded the motion. Seven yes votes. Motion carried.

#20. Consideration and action on Resolution No. 2011-122, a resolution of the Mayor and Council of the City of Surprise, Arizona, amending the fiscal year 2012 budget, in an amount not to exceed \$15,000. - APPROVED

Vice Mayor Hall made the motion to approve Resolution No. 2011-122, a resolution of the Mayor and Council of the City of Surprise, Arizona, amending the fiscal year 2012 budget, in an amount not to exceed \$15,000. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#21. Consideration and action on an Ordinance of the Mayor and Council of the City of Surprise, Arizona, adjusting the election districts of the City of Surprise - APPROVED MAP "A"

Community and Economic Development Director, Jeff Mihelich gave an overview of the two maps being presented for consideration.

Public Comments:

Connie Brisson - In favor of map "A".

Doc Sullivan - Provided a map for Council consideration but did not meet the federal requirements for distributing population. Asked Council to support map "A".

Joy Grainger - Prefers Map "A" - Surprise Farms III important to keep our HOA's in tact. Fair and equitable representation for all groups.

Eric Cultum - reminded Council of the redistricting process and equal representation. Asked Council to select Map "A".

Nick Mascia - Surprise Farms HOA Member - Read a letter aloud from board members - Asked Council to support Map "A". Letter given to Clerk.

Mayor Truitt stated that he supports map "A".

Council Member Williams stated that he supports Map "A" then explained reasons.

Council Member Woodard stated that he support map "A".

Council Member Biundo - Appreciate Council's comments.

Council Member Villanueva stated that he supports Map "A".

Mayor Truitt stated that this has nothing to do with segregation.

Council Member Biundo made the motion to approve Map B. Council Member Alton seconded the motion. Two yes votes, five no votes. Motion failed.

Council Member Williams made the motion to approve Map A. Council Member Villanueva seconded the motion. Five yes votes, two no votes. Motion carried.

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

Council Member Williams: Crosswalks and sidewalk improvements.

Council Member Woodard: Study sessions - look at start times.

Council Member Alton: work session to talk about policies and procedures for Council.

#23. Consideration and action to adjourn the Council Meeting and enter into executive session - NO ACTION

EXECUTIVE SESSION: NONE

#24. 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.

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

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of October 25, 2011 at 7:26 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 **Tuesday, October 25, 2011.**

Sherry Ann Aguilar, City Clerk,