



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

Tuesday, May 10, 2011 @ 06:43 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the **Regular City Council Meeting** to order at 06:43 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, May 10, 2011**. Also in attendance with Mayor Truitt were Vice Mayor Hall, Council Member Alton, Council Member Williams, Council Member Villanueva, and Council Member Woodard.

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

Vice Mayor Hall: Work Force Forum, Westmarc Water Committee Meeting, Youth Leadership Conference and Valley Vista High School Awards Ceremony.

Council Member Woodard: HOA Meetings, Chamber of Commerce Awards Dinner, Relay for Life, Dysart PTO/PTA Dinner and Coffee this Saturday at 9:00 a.m. at City Hall.

Council Member Williams: funding for students support, Surprise Leadership and Relay for Life.

Council Member Villanueva: Judge of the projects and Mujer fund raiser and Senior Center.

Council Member Alton: Youth Leadership Conference.

Mayor Truitt: HOA, Loop 303 Dedication

E. City Manager and Staff Reports:

#1. *Current Events

Interim City Manager, Mark Coronado: reminder of Special Meeting on May 17.

CALL TO THE PUBLIC:

Bob Vukanovich read the following statement for the record: I have asked this in front of this council before and also through emails that I have sent to you, about the MPS or the Municipal Property Corporation (how is the money being move around without any board members?) I have yet to receive an answer.

According to the Red Oak report money has been moved and even missing from the 2007 Bond Issue.

The Red Oak report refers to the Trustee of the MPC, does any members of this Council know who this Trustee is?

Has this Council taken my suggestion and set up a fund so that money will be available to pay off the 2007 Bond Issue when it becomes due?

Bill Lipscomb: Filling a Council vacancy.

Ken Wright: training and Roberts Rules of Order.

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 Villanueva made the motion to approve consent agenda Council Member Williams seconded the motion. Six yes votes. Motion carried.

***#2. Consideration and action on the minutes of the Regular City Council Work Session and Regular City Council Meeting of April 26, 2011 - APPROVED**

***#3. Consideration and action on Resolution 2011-52, a resolution of the Mayor and Council of the City of Surprise, Arizona approving a final plat for "Resubdivision of Spexarth Minor Land Division," Case FS11-007 -APPROVED**

***#4. Consideration and action on Resolution 2011-53, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat, entitled "Mustard Seed Ministries," and an Original Town Site Infill Incentive Plan - APPROVED**

City Planner, Adam Copeland reported on the project.

Council Member Alton commented setting a precedence.

Mayor Truitt stated that he does not want to overreact but does understand Council Member Alton's concerns.

Council Member Woodard inquired about care facility and shelter.

Council Member Villanueva stated that he doesn't understand giving away millions for business incentive and we are taking about \$30,000.00

Vice Mayor Hall commented on dilapidated buildings.

Council Member Williams made the motion to approve Resolution 2011-53, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving an amended final plat, entitled "Mustard Seed Ministries," and an Original Town Site Infill Incentive Plan. Council Member Villanueva seconded the motion. Six yes votes. Motion carried.

***#5. Consideration and action on Resolution 2011-34 an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT), for the pavement of dirt roads located west of 219th Avenue and North of Deer Valley Road - APPROVED**

***#6. Consideration and action on Resolution No. 2011-50; approving an Intergovernmental Agreement (IGA) between the City of Surprise and the Flood Control District of Maricopa County for the Design Concept Report (DCR) of the Martin Acres Flood Hazard Reduction Project - APPROVED**

***#7. Consideration and action on Resolution 2011-49 an amendment to the existing Intergovernmental Agreement (IGA) with Maricopa County Department of Transportation (MCDOT) - APPROVED**

***#8. Consideration and action on Resolution No. 2011-48, a Resolution of the Mayor and Council of the City of Surprise, Arizona, declaring its intention to create a lighting 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 OTS Market St #121 Lighting Improvement District (Mustard Seed) - APPROVED**

***#9. Consideration and action on Resolution No. 2011-46, a resolution of the Mayor and Council of the City of Surprise, Arizona, ordering the work for the proposed street lighting improvements as described in Resolution No. 2011-45 to establish the City of Surprise, Arizona Skyway Business Park #92 Lighting Improvement District - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#10. Consideration and action on appointing Jerry Hoyler to the Planning and Zoning Commission with the term expiring July 1, 2012 - APPROVED

Vice Mayor Hall recommended Mr. Hoyler to service on the Planning and Zoning Commission.

Council Member Woodard made the motion to approve appointing Jerry Hoyler to the Planning and Zoning Commission with the term expiring July 1, 2012. Council Member Williams seconded the motion. Six yes votes. Motion carried.

#11. Consideration and action on appointing Eric Cultum to the Quality of Life Commission with the term expiration date to be determined - APPROVED

Vice Mayor Hall recommended Mr. Cultum to serve on the Quality of Life Commission.

Vice Mayor Hall made the motion to approve appointing Eric Cultum to the Quality of Life Commission with the term expiration date to be determined. Council Member Woodard seconded the motion. Six yes votes. Motion carried.

#12. Consideration and action to consider appointment to the following committees due to the resignation of Councilmember, Sharon Wolcott who was appointed to these position in February 2010: 1) MAG Regional Council and 2) WESTMARC Transportation Committee - APPROVED APPOINTING MAYOR TRUITT TO BOTH COMMITTEES

Vice Mayor Hall made the motion to approve appointing Mayor Truitt to the following committees: 1) MAG Regional Council and 2) WESTMARC Transportation Committee. Council Member Villanueva seconded the motion. Four yes votes, two no votes. Motion carried.

#13. Consideration and possible action of proposed Code amendment amending Chapter 3 of the Surprise Municipal Code by amending Section 3-15 and adding Section 3-18 and Sections 3-70 through 3-78 regarding Meet and Confer - NOT CONSIDERED

#14. Consideration and action to adjourn the Council Meeting and enter into executive session - APPROVED

Vice Mayor Hall made the motion to approve adjourning the Council Meeting and enter into executive session at 7:39 p.m. Council Member Williams seconded the motion. Six yes votes. Motion carried.

EXECUTIVE SESSION:

#15. 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 pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(3)(4));

Discussion and consultation with the City Attorney to receive legal advice and to provide direction with regard to City's position and negotiations with employee organizations. A.R.S. §38-431.03(A)(3) and (5).

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 Bullard Avenue and Greenway Road, which is the subject of negotiations. (A.R.S. §§ 38-431.03 (A)(3)(4)).

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

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of May 10, 2011 at 8:06 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, May 10, 2011.**

Sherry Ann Aguilar, City Clerk,