CITY OF SURPRISE

City Council Meeting Minutes
)00 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, March 22, 2011 @ 06:00 PM

CALL TO ORDER.

A. Roll Call

Mayor Truitt called the **Special City Council Meeting** to order at 06:00 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, March 22, 2011.** Also in attendance with Mayor Truitt were Vice Mayor Hall, Council Member Alton, Council Member Wolcott, Council Member Williams, and Council Member Woodard.

Staff Present: Interim City Manager, Mark Coronado, 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.

No reports given by Mayor and Council.

Mayor Truitt introduced Council Member Kathy Haynes of Trenton Ohio who presented a key from their city to the City of Surprise. Mayor Truitt a history book to Ms. Haynes.

E. City Manager and Staff Reports:

#1. Current Events

No reports were given.

#20. 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 at 6:08 p.m. and entering into executive session. Council Member Williams seconded the motion. Six yes votes. Motion carried.

EXECUTIVE SESSION:

#21. 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 and consultation to consider its position and to provide instruction/direction regarding the City Manager recruitment and discussion/consultation for legal advice with the City Attorney. (A.R.S. §38-431.03(A)(1) and (3)).

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

Mayor Truitt reconvened the Regular City Council Meeting at 6:23 p.m.

CALL TO THE PUBLIC:

Bob Vukanovich commented on the city's financial situation.

Martha Bails asked for clarification regarding the March 15 Work Session.

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 Alton made the motion to approve consent agenda with the exception of item #8. Vice Mayor Hall seconded the motion. Six yes votes. Motion carried.

***#2. Consideration and action for the Regular City Council Work Session and Regular City Council Meeting of March 8, 2011 and the Special City Council Meeting of March 9, 2011- APPROVED**

***#3. Consideration and action on Resolution No 2011-25, a resolution accepting maintenance of the streets and public utilities located within Stadium Way and adjacent to Stadium Village Residences generally northwest of Paradise Lane and Bullard Ave - APPROVED**

***#4. Consideration and action on Resolution No. 2011-31 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 Rioglass Street Lighting Improvement District - APPROVED**

***#5. Consideration and action on Resolution No. 2011-32, 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 Gestamp Street Lighting Improvement District - APPROVED**

***#6. Consideration and action on Resolution No. 2011-17, 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 Paradise Education Center Street Lighting Improvement District - APPROVED**

***#7. Consideration and action on an Ingress/Egress Easement for a monitoring well at the Special Planning Area 2 Waste Water Treatment Facility -APPROVED**

Council Member Wolcott asked for clarification regarding the monitoring well.

***#8. Consideration and action on accepting a drainage easement from Surprise Village Company, LLC, on the southwest corner of Bell road and 175th Avenue - TABLED**

Mayor Truitt stated that item #8 would be tabled due to an issue regarding signatures.

***#9. Consideration and action on the acceptance of a Drainage Easement from Surprise Center Development Company, LLC, on the north west corner of Greenway and Litchfield road - APPROVED**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

#10. Consideration and action on Resolution 2011-40, a resolution of the Mayor and Council of the City of Surprise, Arizona, supporting the Goodwill of Central Arizona in the recruitment, training, and certification for employees of Rioglass Solar and Gestamp Solar Steel within the AZ TechCelerator -APPROVED

Vice Mayor Hall reported on the grant and acknowledged Yolanda Carrothers and Ken Hollis.

Council Member Williams made the motion to approve Resolution 2011-40, a resolution of the Mayor and Council of the City of Surprise, Arizona, supporting the Goodwill of Central Arizona in the recruitment, training, and certification for employees of Rioglass Solar and Gestamp Solar Steel within the AZ TechCelerator. Council Member Wolcott seconded the motion. Six yes votes. Motion carried.

#11. Consideration and action on the Redistricting Consultant Contract with National Demographics Corporation in an amount not to exceed $40,000.00. - APPROVED

Community and Economic Development Director, Jeff Mihelich gave a brief presentation regarding items 11 and 12.

Vice Mayor Hall inquired about page 7.

Council Member Wolcott commented on blind redistricting.

Vice Mayor Hall made the motion to approve the Redistricting Consultant Contract with National Demographics Corporation in an amount not to exceed $40,000.00. Council Member Woodard seconded the motion. Six yes votes. Motion carried.

#12. Consideration and action on Resolution 2011-43, a resolution of the Mayor and Council of the City of Surprise, Arizona, to establish the Redistricting Committee - CONTINUED TO THE NEXT REGULAR CITY COUNCIL MEETING

Council Member Williams inquired about the amount of members.

Public Comments:

Martha Bails commented serving in 2001, ground rules and code regarding Boards and Commissions.

Council Alton commented on the group that we previously used.

Council Member Wolcott stated she is concerned that Council Member Williams district is under represented.

Council Member Woodard commented on the Complete Count Committee.

Mayor Truitt stated that there is consensus to bring this item back to Council as soon as possible.

#13. Consideration and action on COS 11-018 a Solar Service Agreement (SSA) with Chilled Solar LLC to finance, design, install, operate, and maintain of the Building B Central Plant of the AZ TechCelerator in the amount of $130,000, plus owners contingency of $15,000 and Resolution #2011-44 - APPROVED

Community and Economic Development Director, Jeff Mihelich reported on the agreement.

Vice Mayor Hall inquired about payback.

Council Member Alton inquired about the life expectancy.

Public Comments:

Chet Chetkauskas commented on competitive bids.

Council Member Woodard made the motion to approve the COS 11-018 a Solar Service Agreement (SSA) with Chilled Solar LLC to finance, design, install, operate, and maintain of the Building B Central Plant of the AZ TechCelerator in the amount of $130,000, plus owners contingency of $15,000 and Resolution #2011-44. Council Member Williams seconded the motion. Five yes votes, one no vote. Motion carried.

#14. Consideration and action on Resolution No. 2011-15, a resolution of the Mayor and Council of the City of Surprise Arizona, to correct overlapping boundaries on the newly created Kingswood Parke Street Lighting Improvement District - APPROVED

City Engineer, Nick Mascia reported on the street lighting improvement district.

Vice Mayor Hall inquired about pending slids.

Council Member Woodard asked for clarification regarding the slid.

Council Member Woodard made the motion to approve Resolution No. 2011-15, a resolution of the Mayor and Council of the City of Surprise Arizona, to correct overlapping boundaries on the newly created Kingswood Parke Street Lighting Improvement District. Council Member Williams seconded the motion. Six yes votes. Motion carried.

#15. Consideration and action on COS 11-011, a professional services agreement with Water Works Engineers, for the design and construction management of total trihalomethane reduction process improvement at the South Wastewater Treatment Plant in the amount of $151,105 plus an owners contingency of $24,000 and Resolution 2011-39 Authorizing a Budget Adjustment - APPROVED

Public Works Director, Robert Beckley reported on the project.

Vice Mayor Hall stated that the exhibit should be corrected.

Council Member Alton asked if we were at maximum now.

Chief Financial Officer, Scott McCarty stated that Exhibit A is correct.

Vice Mayor Hall made the motion to approve COS 11-011, a professional services agreement with Water Works Engineers, for the design and construction management of total trihalomethane reduction process improvement at the South Wastewater Treatment Plant in the amount of $151,105 plus an owners contingency of $24,000 and Resolution 2011-39 Authorizing a Budget Adjustment. Council Member Williams seconded the motion. Six yes votes. Motion carried.

#18. Consideration and action on Resolution 2011-35, a resolution of the Mayor and Council establishing a city council ordinance committee - APPROVED

Council Member Williams gave some background regarding this item.

Council Member Wolcott made the motion to approve Resolution 2011-35, a resolution of the Mayor and Council establishing a city council ordinance committee. Council Member Williams seconded the motion. Six yes votes. Motion carried.

#16. Consideration and action on Resolution 2011-36 accepting the Monthly Financial Report as of February 28, 2011 - APPROVED

Chief Financial Officer, Scott McCarty gave a presentation regarding the Monthly Financial Report.

Council Member Woodard made the motion to approve Resolution 2011-36 accepting the Monthly Financial Report as of February 28, 2011. Council Member Williams seconded the motion. Six yes votes. Motion carried.

#17. Consideration and action on Resolution 2011-47 accepting the FY 2010 Comprehensive Annual Financial Report (CAFR) - CONTINUED TO THE NEXT REGULAR CITY COUNCIL MEETING

Chief Financial Officer, Scott McCarty gave a brief report regarding the final audited version of last year's financial statement.

Kim Higgins of Eide Bailey reported on the audit, the audit findings and the financial statements.

Council Member Alton stated that the date that is important is the date that the adjustments occurred.

Vice Mayor Hall asked for the definition of excise tax.

Vice Mayor Hall asked why this hasn't been picked up before.

Mayor Truitt called for a break at 8:46 p.m. and reconvened at 8:57 p.m.

Council Member Wolcott: hire outside auditor. 10K missed

Public Comments:

Bob Vukanovich commented on the correspondence between CPA and auditor.

Chet Chetkauskas commented on bad records and misappropriation of funds.

Bill Lipscomb commented on incompetency of audit firm.

Mayor Truitt stated that Council would like to pursue the option with the Board of Accountancy.

Council Member Woodard made the motion to continue Resolution No. 2011-47 to the next Regular City Council Meeting. Council Member Alton seconded the motion. Six yes votes. Motion carried.

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

Vice Mayor Alton: Voter approval to sell old city hall once market returns

Council Member Wolcott: resolution honoring Jack Lunsford.

ADJOURNMENT:

Mayor Truitt adjourned the Regular City Council Meeting of March 22, 2011 at 9:58 p.m.

Excerpt

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 Special City Council Meeting of **Tuesday, March 22, 2011.**

Sherry Ann Aguilar, City Clerk,