



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

Tuesday, September 11, 2012 @ 06:00 PM

---

**A. Call To Order**

**B. Roll Call**

Vice Mayor Williams 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 **Tuesday, September 11, 2012**. Also in attendance with Vice Mayor Williams were Council Member Biundo, Council Member Alton, Council Member Villanueva, Council Member Woodard, and Council Member Hall.

**Staff Present:** Assistant City Manager, Jeff Mihelich, City Attorney, Michael Bailey, and City Clerk, Sherry Ann Aguilar.

**C. Pledge of Allegiance**

**D. Invocation**

**E. City Manager Report**

Assistant City Manager Mihelich: General plan Open House this Saturday, Northwest Regional Library.

**F. City Attorney Report**

**G. Regular City Council Meeting Agenda:**

**Consent Agenda:**

**\*#1 Consideration and action on a liquor license requested by Michael Stallone for a Series 12 (New License/Restaurant) for Tailgaters Sports Grill located at 15529 W. Bell Road, Surprise, Arizona 85374 - APPROVED**

**\*#2 Consideration and action on a request by Nikollas Arapi for a Series 12 liquor license (New License/Restaurant) for Nick's Diner II, LLC located at 14010 N. Litchfield Road, Suite 212, Surprise, Arizona 85379 - APPROVED**

**\*#3 Consideration and action on the meeting minutes of August 14 and 21 Regular**

## **City Council Meetings - APPROVED**

**\*#4 Consideration and action on Resolution No. 2012-40; a resolution of the Mayor and Council of the City of Surprise, Arizona, to reappoint and affirm the Saguaro Acres Community Facilities District Board of Directors - APPROVED**

**\*#5 Consideration and action on Resolution No. 2012-94, a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to approve the change order 2012-030 to Grant No. 2012-410-011 with the Governor's Office of Highway Safety, State of Arizona, conduct all negotiations and execute and submit all documents in connection with said change order and authorizing the appropriate budget transfers. This change order provides funding for one officer to attend the 2012 IACP Drug Recognition Expert Conference - APPROVED**

**\*#6 Consideration and action on Resolution No. 2012-92; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to renew an Intergovernmental Agreement between the City of Surprise and the Department of Justice Drug Enforcement Administration for one (1) experienced officer to be assigned to the DEA Tactical Diversion Squad Task Force for a period of not less than two years - APPROVED**

**\*#7 Consideration and action on Resolution No. 2012-93; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to renew an Intergovernmental Agreement between the City of Surprise and the Department of Justice Drug Enforcement Administration to assign two (2) experienced officers to the DEA Phoenix Task Force for a period of not less than two years - APPROVED**

**#8 Consideration for action on Resolution #2012-84, a resolution authorizing the City Manager to execute any and all documents necessary to partner together with other Maricopa County agencies and enter into the Central Region Child Abduction Response Team Intergovernmental Agreement to voluntarily provide specialized investigators in the event of a child abduction occurrence within the boundaries of a partnering agency - CONTINUED**

**\*#9 Consideration and action approving Resolution No. 2012-91; a resolution of the Mayor and Council of the City of Surprise, Arizona authorizing the Fire Chief to accept a grant award from the Federal Emergency Management Agency (FEMA) assistance to Firefighter Grant Program - Fire Prevention and Safety Grants (Agreement # EMW-2011-FP-00738) in the amount of \$36,785.00 and to make appropriate adjustment to the FY2013 Budget - APPROVED**

**\*#10 Consideration and action on Resolution No 2012-95, a resolution accepting maintenance of the streets and public water and sewer utilities for Storage West located north of the intersection of Bell Road and Bullard Avenue - APPROVED**

**\*#11 Consideration and action on Resolution No. 2012-83, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving a final plat entitled Skyway Business Park II Units 29-47, located south of Cactus Road between Solar Canyon Way and 132nd Avenue - APPROVED**

Council Member Hall made the motion to approve the consent agenda, excluding item #8. Council Member Villanueva seconded the motion. Six yes votes. Motion carried.

**Regular Agenda Item - Non-Public Hearing:**

**#12 Discussion, consideration and action to reappoint the following Commission Members who are currently seeking reappointment: Arts & Cultural Advisory Board Members - Kathie L. Morgan & Susan deJong; Building & Construction Review Board Member - Fred Watts; Disability Advisory Commissions Members - Michelle Hernandez and John Yaeger; Personnel Appeals Board Members - Tom Gallivan, Jane Linville and Lee Askern and Planning & Zoning Board Members - Steve Somers, Dennis W. Smith and Jerry Hoyler all with terms to expire September 11, 2016 - APPROVED**

Council Member Biundo made the motion to approve reappointing the following Commission Members who are currently seeking reappointment: Arts & Cultural Advisory Board Members - Kathie L. Morgan & Susan deJong; Building & Construction Review Board Member - Fred Watts; Disability Advisory Commissions Members - Michelle Hernandez and John Yaeger; Personnel Appeals Board Members - Tom Gallivan, Jane Linville and Lee Askern and Planning & Zoning Board Members - Steve Somers, Dennis W. Smith and Jerry Hoyler all with terms to expire September 11, 2016. Council Member Hall seconded the motion. Six yes votes. Motion carried.

**#13 Consideration and action on Resolution No. 2012-96; a resolution of the Mayor and Council of the City of Surprise, Arizona authorizing the Community and Recreation Services Department to accept a grant award from the Area Agency on Aging funds in the amount of \$50,000 to support congregate meals and multipurpose center operations at the Surprise Senior Center for FY13 - APPROVED**

Community and Recreation Services Director, Mark Coronado gave an overview regarding Resolution No. 2012-96.

Council Member Alton made the motion to approve Resolution No. 2012-96; a resolution of the Mayor and Council of the City of Surprise, Arizona authorizing the Community and Recreation Services Department to accept a grant award from the Area Agency on Aging funds in the amount of \$50,000 to support congregate meals and multipurpose center operations at the Surprise Senior Center for FY13. Council Member Villanueva seconded the motion. Six yes votes. Motion carried.

**#14 Consideration and action regarding entering into a professional services agreement COS12-042 with Pro Em Party and Event Rentals for tents, accessories, and rental equipment not to exceed \$200,000. - APPROVED**

Community and Recreation Services Director, Mark Coronado gave an overview regarding professional services agreement with Pro Em party and Events Rentals in an amount not to exceed \$200,000.00.

Council Member Alton asked for clarification regarding the savings.

Mr. Coronado spoke of 20-25% of our overall costs and approx. \$35,000. to \$40,000.

Council Member Woodard asked for clarification regarding types of events.

Council Member Alton made the motion to approve entering into a professional services agreement COS12-042 with Pro Em Party and Event Rentals for tents, accessories, and rental equipment not to exceed \$200,000. Council Member Hall seconded the motion. Six yes votes. Motion carried.

**#15 Consideration and action to approve an expenditure for promotional items that will be used for the upcoming Arts Information Exchange Breakfast Forum for the West Valley Art Commissions to be held on September 22nd, 2012 at City Hall in an amount not to exceed \$1,300.00. - APPROVED**

Council Member Woodard gave an overview of this request.

Council Member Hall inquired about the Community Outreach budget.

Margaret Lieu, Vice-Chair of the Arts Commission gave an overview of the upcoming event.

Council Member Biundo stated that this is a great event to expose our city.

Council Member Alton made the motion to approve expenditure for promotional items that will be used for the upcoming Arts Information Exchange Breakfast Forum for the West Valley Art Commissions to be held on September 22nd, 2012 at City Hall in an amount not to exceed \$1,300.00. Council Member Woodard seconded the motion. Six yes votes. Motion carried.

**#16 Discussion and possible action on a report from the General Plan Advisory Committee - NO ACTION**

Council Member Biundo gave an overview of the GPAC Report and recommends not filling vacancy and no sliding quorum.

Council Member Woodard stated that he does not agree with the recommendations especially regarding attendance.

Council Member Alton thanked Leo Mankowitz for serving on this committee and wished him well.

Public Comments:

Ken Wright spoke of issues with the report and recommendations; he discussed absences and the rule of 3 consecutive meetings; participation and duties.

Council Member Alton concurred with Mr. Wright's comments.

Council Member Biundo suggested stronger language regarding attendance.

Public Comments:

Andy Cepon stated that Council is shucking their responsibility and that when people agree to participate, they should obligate to be there. He further stated that 40% attendance rate is not acceptable.

**#17 Consideration and action on a design contract COS12-032 between the City of Surprise and Kimley Horn and Associates in the amount of \$111,070.00 for the design of the Loop 303: Peoria Avenue to Mountain View Fiber Optics - APPROVED**

Asst. Director, Nick Mascia presented the item.

Public Work Director Beckley gave an overview of the contract.

Council Member Hall asked for clarification regarding the percentage breakdown applies to the design.

Council Member Hall made the motion to approve a design contract COS12-032 between the City of Surprise and Kimley Horn and Associates in the amount of \$111,070.00 for the design of the Loop 303: Peoria Avenue to Mountain View Fiber Optics. Council Member Alton seconded the motion. Six yes votes. Motion carried.

**#18 Consideration and action on Resolution #2012-89 a resolution by Mayor and Council for acceptance of FY12 LTAF II grant funds - APPROVED**

Council Member Hall made the motion to approve Resolution #2012-89 a resolution by Mayor and Council for acceptance of FY12 LTAF II grant funds. Council Member Villanueva seconded the motion. Six yes votes. Motion carried.

**#19 Consideration and action on Resolution 2012-90 Resolution by Mayor and Council to renew the FY13 571 Express Bus Route service with Valley Metro (RPTA) IGA 166-31-2013 - APPROVED**

Public Works Director Beckley gave an overview regarding this item.

Council Member Villanueva made the motion to approve Resolution 2012-90 Resolution by Mayor and Council to renew the FY13 571 Express Bus Route service with Valley Metro (RPTA) IGA 166-31-2013. Council Member Woodard seconded the motion. Six yes votes. Motion carried.

**#20 Consideration and action to amend previous council direction of formation on Street Light Improvement Districts (SLID) from council meetings on July 23, 2009, February 25, 2010, and July 22nd, 2010 to energize and pay for one light at roadway intersections within the SLID locations that have been previously de-energized.**

Assistant Public Works Director Mascia gave an overview regarding this item.

Council Member Alton asked if the \$2,500.00 amount per year was correct.

Council Member Hall inquired when the lights would go back on.

Council Member Villanueva inquired about the following street lights: Elm Street between Nash and Dysart; and Church and Market.

Council Member Alton made the motion to approve amending previous council direction of formation on Street Light Improvement Districts (SLID) from council meetings on July 23, 2009, February 25, 2010, and July 22nd, 2010 to energize and pay for one light at roadway intersections within the SLID locations that have been previously de-energized. Council Member Hall seconded the motion. Six yes votes. Motion carried.

**H. Call To The Public**

Mr. Roland Winters congratulated Council on the vote for Dial-A-Ride system.

Ken Wright spoke of a GPAC Meeting and stated that he would like an answer regarding an inappropriately held meeting.

**I. Other Business and Future Agenda Items**

**J. Mayor/Council Reports**

Vice Mayor and Council spoke of and/or attended the following:

Council Member Hall: Surprise Fest; Tracy Lawrence and 10 other country bands; Tickets are on sale right and Saturday, September 29th.

Council Member Woodard: Arizona League of Cities - networked with other west valley communities. Council coffee on Saturday and the next one will be 2nd Saturday in October.

Council Member Alton: Coffee Talk in Sun City Grand last week in Sun City Grand. Dial-A-Ride, early voting and EPCOR for water billing.

Council Member Villanueva: Arizona League of Cities and Rachel's Challenge set up a program centering around bullying.

Council Member Biundo: Sun City Grand meeting; Saguaro View HOA.

Vice Mayor Williams: Soccer season, fall sports season and worked on high school students serving a leadership role, West Valley Youth Leadership group.

**K. Executive Session: None**

**L. Adjournment**

Vice Mayor Williams adjourned the Regular City Council Meeting of September 11, 2012 at 7:01 p.m.

---

Sharon R. Wolcott, 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, September 11, 2012.**

\_\_\_\_\_  
Sherry Ann Aguilar, City Clerk,