



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

Tuesday, June 12, 2012 @ 06:34 PM

A. Call To Order

B. Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:34 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, June 12, 2012**. Also in attendance with Mayor Wolcott were Vice Mayor Williams, Council Member Biundo, Council Member Alton, Council Member Villanueva, Council Member Woodard, and Council Member Hall.

Staff Present: City Manager, Chris Hillman, City Attorney, Michael Bailey, and City Clerk, Sherry Ann Aguilar.

C. Pledge of Allegiance

D. Invocation

E. City Manager Report:

City Manager Hillman award through Chief Frazier. Police Department: Top 25 for all organizations with over 500 employees.

ACM Mihelich gave an overview of the youth work program grant; managed by Christina Ramirez & Kelly Mortenson. This is a great project for the youth and for the employees of Surprise. Introduction of the interns.

Mayor Wolcott spoke of having the youth here at City Hall.

City Manager Hillman gave an overview of the Supervisor's Academy Graduates for 2012 and thanked April Reynolds and the HR Department for their assistance with the training.

F. City Attorney Report:

City Attorney Bailey spoke of hanging art at City Hall.

G. Regular City Council Meeting Agenda:

Consent Agenda:

***#1 Consideration and action on the following meeting minutes: May 22, 2012 - Regular City Council Work Session; May 22, 2012 - Regular City Council Meeting and May 29, 2012 - Special City Council Meeting (Budget Retreat) - APPROVED**

Vice Mayor Williams made the motion to approve the meeting minutes: May 22, 2012 - Regular City Council Work Session; May 22, 2012 - Regular City Council Meeting and May 29, 2012 - Special City Council Meeting (Budget Retreat). Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Non-Public Hearing:

#2 Consideration and action on the Intergovernmental Agreement between the City of Surprise and the Dysart Unified School District regarding the shared use of facilities - APPROVED

City Manager Hillman gave an overview regarding IGA with Dysart Unified School District. He thanked Dr. Pletnik and the Dysart School Board for their efforts in the collaboration.

Council Member Hall stated that he appreciates everyone's effort on bringing this to a close.

Council Member Alton spoke of reaching an agreement that was long overdue.

Public Comments:

Paula Forster spoke of being glad to see this come forward; she hopes there were no costs involved and hopes that it includes the theatre for groups in Surprise for young people and seniors.

Council Member Alton inquired about all school facilities.

Council Member Hall made the motion to approve an Intergovernmental Agreement between the City of Surprise and the Dysart Unified School District regarding the shared use of facilities. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#3 Consideration and action on COS 12-028 a contract with Desert Mobile Sandblasting to recoat the interior of the Rancho Gabriela water storage tank in an amount not to exceed \$422,250 (Contract \$384,250 plus an owners contingency of \$38,000) and Resolution 2012-59 - APPROVED

Public Works Director, Robert Beckley gave an overview of COS12-028 - Desert Mobile sand blasting to recoat the Rancho Gabriela water storage tank.

Council Member Alton stated that this item was vetted last week and wanted the audience to know that it was previously discussed.

Vice Mayor Williams made the motion to approve COS 12-028 a contract with Desert Mobile Sandblasting to recoat the interior of the Rancho Gabriela water storage tank in an amount not to exceed \$422,250 (Contract \$384,250 plus an owners contingency of \$38,000) and Resolution 2012-59. Council Member Alton seconded the motion. Seven yes votes. Motion carried.

#4 Consideration and action on Ordinance #2012-08 an ordinance of the Mayor and Council of the City of Surprise, Arizona regarding Boards, Committees and Commissions - APPROVED

City Attorney Bailey introduced Ordinance No. 2012-08 regarding Boards, Committees and Commissions.

Council Member Biundo explained that the sub-committee has met to discuss the changes contained in the ordinance.

Paula Forster, Chair of the Quality of Life Commission spoke of disappointed with the discontinuation of the board; worked many hours on the strategic plan, rehabilitation of the original townsite and other areas of the city and Council didn't ask for our opinions.

Fred Ramsay: Arts and Cultural Board - "Advisory Commission".

Mayor Wolcott spoke of Council spending plenty of time reviewing the boards and commission process to make sure that the boards tie in with the Strategic Plan. She thanked all of the City board members for their efforts and dedication.

Vice Mayor Williams thanked Chairperson Forster for her efforts and stated that it was difficult but looking at the whole entire process to maximize all of the boards and commissions.

Council Member Biundo made the motion to approve Ordinance #2012-08 an ordinance of the Mayor and Council of the City of Surprise, Arizona regarding Boards, Committees and Commissions. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

#5 Discussion, consideration and action to extend term expirations for 5 months for the following board members who are currently seeking reappointment as follows: Arts & Cultural Advisory Board Members - Kathie L. Morgan, Susan deJong & Julie Richard (Ex-Officio) terms extended to December 1, 2012; Building & Construction Review Board Member - Fred Watts term extended to December 1, 2012; Disability Advisory Commissions Members - Michelle Hernandez and John Yaeger to December 1, 2012; Personnel Appeals Board Members - Tom Gallivan, Jane Linville and Lee Askern terms extended to December 1, 2012 and Planning & Zoning Board Members - Steve Somers, Dennis W. Smith and Jerry Hoyler terms extended to December 1, 2012 - APPROVED

Council Member Biundo gave an overview of the board members seeking reappointment.

Vice Mayor Williams made the motion to approve extending term expirations for 5 months for the following board members who are currently seeking reappointment as follows: Arts & Cultural Advisory Board Members - Kathie L. Morgan, Susan deJong & Julie Richard (Ex-Officio) terms extended to December 1, 2012; Building & Construction Review Board Member - Fred Watts term extended to December 1, 2012; Disability Advisory Commissions Members - Michelle Hernandez and John Yaeger to December 1, 2012; Personnel Appeals Board Members - Tom Gallivan, Jane Linville and Lee Askern terms extended to December 1, 2012 and Planning & Zoning Board Members - Steve Somers, Dennis W. Smith and Jerry Hoyler terms extended to December 1, 2012. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

#6 Consideration and action on Resolution 2012-63 accepting the FY 2011

Communication with Governance, Comprehensive Annual Financial Report, the Single Audit, Management Letter, Expenditure Limitation Report, Highway User Revenue Fund (HURF) Report and Court Report - APPROVED

Council Member Hall inquired about 4 page letter and Development Agreements and contracts.

Council Member Woodard inquired about Management Letter and procedures.

Council Member Alton spoke of assurance that in 6 months to a year we will have solved all of these issues; policies; goals and resolving payroll issues.

Council Member Biundo made the motion to approve Resolution 2012-63 accepting the FY 2011 Communication with Governance, Comprehensive Annual Financial Report, the Single Audit, Management Letter, Expenditure Limitation Report, Highway User Revenue Fund (HURF) Report and Court Report. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#7 Consideration and action on Resolution 2012-62 accepting the Monthly Financial Report as of April 30, 2012 - APPROVED

CFO McCarty gave an overview of Resolution No. 2012-62 - Accepting the Monthly Financial Report as of April 30, 2012.

Council Member Villanueva made the motion to approve Resolution 2012-62 accepting the Monthly Financial Report as of April 30, 2012. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Public Hearing:

#8 Consideration and action on Resolution 2012-65, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the first amendment to the Heritage Park Development Agreement between the City of Surprise and Marley Park, LLC - APPROVED

ACM Mihelich gave an overview for Resolution No. 2012-65- Heritage Park Development Agreement.

Vice Mayor Williams inquired about impact to the CFD.

Council Member Villanueva made the motion to approve Resolution 2012-65, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the first amendment to the Heritage Park Development Agreement between the City of Surprise and Marley Park, LLC. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

#9 Consideration and action on Resolution 2012-56, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the fourth amendment to the pre-annexation and development agreement between the City of Surprise and Marley Park, LLC - APPROVED

Vice Mayor Williams made the motion to approve Resolution 2012-56, a resolution of the Mayor and Council of the City of Surprise, Arizona, approving the fourth amendment to the pre-annexation and development agreement between the City of Surprise and Marley Park, LLC. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#10 Conduct a public hearing regarding the FY 2013 Final Budget and convene a Special Meeting in accordance with A.R.S. § 42-17105 for the approval of resolution 2012-48, a resolution adopting the Final Budget for FY 2013 in the amount of \$168,419,300 plus an additional \$15,827,800 for interfund transfers and interfund loans - APPROVED AS AMENDED

CFO McCarty gave an overview on Resolution No. 2012-48 FY 2013 Budget.

Council Member Woodard stated that the sub-committee met to discuss Mayor/Council budget requests and came up with the following criteria: 8,000 reduced to 6,000 for each councilperson = \$36,000; Mayor - \$10,000. to remain Discretionary Funds from 4,000 to 2,000 (Council); Mayor - \$9,000. remain

This will pool the funds - Council will need to submit a proposal to use this fund.

Council Member Alton spoke of this is to be fair with assessment of travel for out of state conferences and that this will help to budget for the future by placing a dollar amount on it; gives us a cushion for the unanticipated trips and the Mayor is pooling her funds as well.

Vice Mayor Williams made the motion to approve Resolution 2012-48, a resolution amending the total amount for FY2013 to \$168,394,300. Council Member Alton seconded the motion. Seven yes votes. Motion carried.

#11 Conduct a public hearing and consider approval of Resolution 2012-47 to set forth the intention to levy primary property taxes in the amount of \$0.7383 per \$100 of assessed valuation and set the property tax levy adoption for June 26, 2012. In accordance with the state statute, a roll call vote on this motion is required - APPROVED

CFO McCarty gave an overview of Resolution No. 2012-47 - Setting forth the intention to levy primary property taxes and set the property tax levy.

No public comments were made.

Roll call vote: Mayor Wolcott - yes; Vice Mayor Williams - yes; Council Member Biundo - yes; Council Member Villanueva - yes; Council Member Alton - yes; Council Member Woodard - yes and Council Member Hall - no. Six yes votes. Motion carried.

Council Member Biundo made the motion to approve Resolution 2012-47 to set forth the intention to levy primary property taxes in the amount of \$0.7383 per \$100 of assessed valuation and set the property tax levy adoption for June 26, 2012. In accordance with the state statute, a roll call vote on this motion is required. Council Member Alton seconded the motion.

#12 Conduct public hearing and consider approval of Resolution 2012-45 to set forth the intention to adopt Street Light Improvement District (SLID) property tax levies up to the maximum rate of \$1.20 for each One Hundred Dollars (\$100) of assessed valuation as shown in Resolution 2012-45. The SLID property tax levies are set for adoption on June 26, 2012. In accordance with state statute, a roll call vote on this motion is required - APPROVED

CFO McCarty gave an overview of Resolution No. 2012-45 - Street Light Improvement District

property tax levies. Hall - Can you please bring back a complete list of SLID's with rates, etc? CFO McCarty - Yes we will bring Council this information. Williams - Did some background check on this issue from last year.

Council Member Alton made the motion to approve Resolution 2012-45 to set forth the intention to adopt Street Light Improvement District (SLID) property tax levies up to the maximum rate of \$1.20 for each One Hundred Dollars (\$100) of assessed valuation as shown in Resolution 2012-45. The SLID property tax levies are set for adoption on June 26, 2012. In accordance with state statute, a roll call vote on this motion is required. Vice Mayor Williams seconded the motion.

Roll call vote: Mayor Wolcott - yes; Vice Mayor Williams - yes; Council Member Biundo - yes; Council Member Villanueva - yes; Council Member Alton - yes; Council Member Woodard - yes and Council Member Hall - yes. Seven yes votes. Motion carried.

H. Call To The Public:

Bill Lipscomb: report regarding the Memorial Day Events; recognized patriots: Ed Forrester, Luke Coriner; Larry Brown and Debbie Lee, patriot keynote speaker who lost her son in 2006. Memorial Day event was to change the venue from a celebration to a commemoration. Review of the last event and thought of ideas for next year; Sunset evening event with symphony. Medal of Honor, Nick Bacon former town manager. Thanked Council Member Hall for his support and all of the Council.

Mayor Wolcott spoke of the flag that was presented to the City, rifle salute, dog tags to commemorate the event.

Debbie Lee thanked Council for allowing a memorial day event, it is an honor to live in a City that is doing the right thing. I am a mother of a fallen soldier, and this is so much appreciated that Council is standing by our troops. America's Mighty Warriors.

Frank Dias congratulated employees on the United Way Program. March 2013, the Council will make a decision on photo radar.

I. Other Business and Future Agenda Items:

Future Agenda items:

Council Member Alton: Air Quality, requested information on PM10 and landscaping companies using blowers vs. vacuums.

J. Mayor/Council Reports:

Mayor and Council reported on and/or attended the following:

Council Member Hall - recognized all of the participants in the Memorial Day event; Chamber event and Energy Commission Seminar @ WESTMARC.

Council Member Woodard: Memorial Day Service.

Vice Mayor Williams: appreciated Memorial Day Event; recognized Chief Frazier regarding a shooting, e-mails from residents complimenting how it was handled.

Council Member Alton: Coffee Chat last week, special guest speaker, County Assessor explained the property tax process and a Town Hall Meeting in Sun City Grand - addressed bank robbery situation.

Council Member Villanueva: attended meeting at Benevilla regarding Celebrating Farm Labor Movement - Cesar Chavez - Photos, speakers, bathroom project - on June 29, 2012 from 5:00 p.m. - 7:00 p.m.

Council Member Biundo: thanked Stephanie Whyte for inviting County Assessor to our Coffee Chat; Sun City Grand Town Hall Meeting. A resident of Wittmann contacted me a few weeks ago, was so appreciative for the Memorial Day Event - Veteran's Memorial in Asante Park.

Mayor Wolcott thanked Council for adopting the City Manager's budget. She spoke of new website that will include reports, interactive tool to ask specific questions, she thanked Ken Lynch and his staff for creating this website.

K. Executive Session:

L. Adjournment

Mayor Wolcott adjourned the Regular City Council Meeting of June 12, 2012 at 9:32 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, June 12, 2012.**

Sherry Ann Aguilar, City Clerk,