CITY OF SURPRISE

City Council Meeting Minutes

)00 North Civic Center Plaza

Surprise, AZ 85374

Tuesday, April 10, 2012 @ 06:00 PM

A. Call To Order

B. Roll Call

Mayor Wolcott 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, April 10, 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 Aguilar.

C. Pledge of Allegiance

D. Invocation

E. City Manager Report: None

F. City Attorney Report: None

G. Regular City Council Meeting Agenda:

***#1. Consideration and action on the following minutes: March 20, 2012 Special City Council Work Session; March 27, 2012 Regular City Council Work Session and Meeting and March 30, 2012 Special City Council Work Session.**

Vice Mayor Williams made the motion to approve the consent agenda. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

#2. Consideration and action on a Resolution No. 2012-09; a Resolution of the Mayor and Council of the City of Surprise, Arizona, establishing the General Plan Advisory Committee.

Council Member Biundo announced the appointments for the General Plan Advisory Committee. 12 members are being selected.

Assistant City Manager, Jeff Mihelich gave an overview of the General Plan Advisory Committee and discussed timeline of the General plan process to be able to go to the November 2013 ballot for a vote.

Introduced the following members: Robert Adams, Claro Salvo, Leo Mankiewicz, Daisy Anderson (not present), Melissa Holdaway, Daniella Cortez (not present), Frank Dias, Jack McSweeney, Mitchell Rosenbaum, Andy Jochums, Anthony Gundersen and Mike Kramer.

Council Member Hall made the motion to approve Resolution No. 2012-09; a Resolution of the Mayor and Council of the City of Surprise, Arizona, establishing the General Plan Advisory Committee. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

#3. Consideration and action on Resolution 2012-36 authorizing the city to submit an application to the City of Phoenix for the Job Access Reverse Commute 5316 Federal Transit Authority grant funding for FY 2012 - APPROVED

Janeen Gaskins, Grant Manager gave an overview of Resolution 2012-36.

Council Member Hall inquired about the additional route cost.

Council Member Alton commented on additional routes/trips and the costs associated and costs that will affect the residents.

Council Member Villanueva inquired about the routes through Surprise and El Mirage.

Vice Mayor Williams commented on possibly looking at commuter rail in the future.

Mayor Wolcott thanked staff for working hard to put this together.

Council Member Hall made the motion to approve Resolution 2012-36 authorizing the city to submit an application to the City of Phoenix for the Job Access Reverse Commute 5316 Federal Transit Authority grant funding for FY 2012. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#4. Consideration and action on Resolution No. 2012-37, 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 Commercial North B #123 Street Lighting Improvement District - APPROVED

City Engineer, Nick Mascia gave an overview of Resolution No. 2012-37.

Council Member Villanueva inquired about signatures.

Council Member Alton commented on the process.

Vice Mayor Williams made the motion to approve Resolution No. 2012-37, 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 Commercial North B #123 Street Lighting Improvement District. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#5. Consideration for action on Ordinance #2012-01, an ordinance regulating pawnshops, secondhand dealers and scrap metal dealers who conduct business within the City of Surprise. This ordinance will provide for the licensing and fees as well as regulate the conduct of business, including provisions enabling law enforcement to place a temporary hold on the sale of an item which it believes is stolen. If adopted, a companion resolution setting the transaction fee should also be adopted - APPROVED

Chief Frazier gave an overview of Ordinance No. 2012- 01. Sgt. Klarkowski and Detective Brady assisted with the presentation.

Council Member Biundo made the motion to approve Ordinance #2012-01, an ordinance regulating pawnshops, secondhand dealers and scrap metal dealers who conduct business within the City of Surprise. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

#6. Consideration and action on Resolution No. 2012-05, a resolution of the City of Surprise, Maricopa County, Arizona, setting the transaction fee for specified transactions at $3.00 per transaction - APPROVED

Council Member Hall inquired about software.

Vice Mayor Williams made the motion to approve Resolution No. 2012-05, a resolution of the City of Surprise, Maricopa County, Arizona, setting the transaction fee for specified transactions at $3.00 per transaction. Council Member Woodard seconded the motion. Seven yes votes. Motion carried.

#7. Consideration and action on Resolution No. 2012-50; a contract for Professional Services Agreement with Red Oak Consulting for post audit work relating to Development Agreement Review - APPROVED

Chief Financial Officer McCarty reported on following four agenda items.

Statement for the record read by Bob Vukanovich

Council Member Hall made the motion to approve Resolution No. 2012-50; a contract for Professional Services Agreement with Red Oak Consulting for post audit work relating to Development Agreement Review. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

#8. Consideration and action Resolution No. 2012-49; a contract for Professional Services Agreement with CliftonLarsonAllen LLP for post audit work relating to the assessment and collection of development impact fees - APPROVED

Bob Vukanovich read statement for the record.

Vice Mayor Williams made the motion to approve Resolution No. 2012-49; a contract for Professional Services Agreement with CliftonLarsonAllen LLP for post audit work relating to the assessment and collection of development impact fees. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

Statement for the record from Bob Vukanovich

#9. Consideration and action on Resolution No. 2012-53; hiring three full time

temporary positions; One full time temporary fiscal support specialist in the Community and Economic Development department and two Senior Financial Analysts in the Finance department to compensate current staff workload during the post audit work period - APPROVED

Assistant City Manager Mihelich gave a brief report regarding this item.

Statement for the record from Bob Vukanovich

Council Member Biundo made the motion to approve Resolution No. 2012-53; hiring three full time temporary positions; One full time temporary fiscal support specialist in the Community and Economic Development department and two Senior Financial Analysts in the Finance department to compensate current staff workload during the post audit work period. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

#10.Consideration and action on Resolution No. 2012-51; authorizing the city to enter into Professional Services Agreements with Red Oak Consulting, an Arcadis Group, for a Development Impact Fee Study in an amount not to exceed $284,436. - APPROVED

Chief Financial Officer McCarty stated that this item is dealing with all of the remaining work related to updating the Impact Fee under the new state statute.

Mayor Wolcott inquired about state requirements.

Council Member Hall inquired about the original contract with Heinfeld and Meech.

Statement for the record from Bob Vukanovich

Council Member Woodard made the motion to approve Resolution No. 2012-51; authorizing the city to enter into Professional Services Agreements with Red Oak Consulting, an Arcadis Group, for a Development Impact Fee Study in an amount not to exceed $284,436. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

#11.Consideration and discussion of the council policies and procedures committee regarding regional boards and commissions and possible action to appoint council members to regional boards and commissions - APPROVED

Council Member Woodard gave an overview of the policies and procedures process and timeline.

Council Member Woodard made the motion to approve Sharon R. Wolcott to serve as the city representative on the following regional boards and commissions: Maricopa Association of Governments (MAG) - Regional Council and Valley Metro Regional Public Transportation (RPTA). Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

#12. Consideration and action on the Community Development Block Grant Annual Action Plan 2012-13 - APPROVED

Christina Ramirez gave an overview regarding the Community Development Block Grant Annual Action Plan 2012-2013.

Council Member Villanueva inquired about the rollover.

Council Member Biundo inquired about soliciting applicants.

No public comments were made.

Vice Mayor Williams made the motion to approve the Community Development Block Grant Annual Action Plan 2012-13. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

H. Call To The Public:

Leah Bowers gave an update on Carden Charter School building.

I. Other Business and Future Agenda Items: NONE

J. Mayor/Council Reports:

Mayor Wolcott: met with Dave Moss, Chamber of Commerce regarding Chamber contract, Elections in City of Tucson and would like to bring forward discussions regarding a Charter.

Council Member Hall: Energy Plan presentation and Relay for Life

Council Member Woodard: Relay for Life, Council Coffee at City Hall this Saturday at 9:00 a.m.

Vice Mayor Williams: Eggstravaganza, April 21st - Green Healthy, May 11th - Teen Summit - Here at City Hall and May 12th - Citywide Clean-up of Foreclosures.

Council Member Villanueva: thanked Public Works for finishing sidewalks at Grand and Greenway Road and Arts Festival.

Council Member Biundo: Dysart School Technology Site Tour.

Mayor Wolcott adjourned the Regular City Council Meeting to enter into executive session at 7:55 p.m.

K. Executive Session:

#13. LITIGATION - Discussion/consultation with the City Attorney to receive an receive legal advice, to consider its position, and to provide instruction/direction to the City Attorney 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)).

#14. Consideration and action on executive session items - NONE

L. Adjournment:

Mayor Wolcott adjourned the Regular City Council Meeting of April 10, 2012 at 8:17 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, April 10, 2012.**

Sherry Ann Aguilar, City Clerk,