



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

Tuesday, October 8, 2013 @ 06:00 PM

A. Call To Order

B. Roll Call

Mayor Sharon 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, October 8, 2013**. Also in attendance with Mayor Sharon Wolcott were Vice Mayor Jim Biundo, Council Member Richard Alton (telephonically), Council Member John Williams, Council Member Rachel Villanueva, Council Member Leo Mankiewicz, and Council Member Skip Hall.

Staff Present: City Manager, Chris Hillman, Deputy City Attorney, Julie Kriegh, and City Clerk, Sherry Ann Aguilar.

C. Pledge of Allegiance

D. Invocation

E. City Manager Report: None

F. City Attorney Report: None

G. Regular City Council Meeting Agenda:

Consent Agenda:

*** #1 Consideration and action on Resolution No 2013-104, a resolution accepting maintenance of public water and sewer utilities for Marley Park Square, located generally at the southwest corner of Litchfield and Waddell Roads - APPROVED**

***#2 Consideration and action on the minutes of the September 17, 2013 Special City Council Work Session and the September 24, 2013 Regular City Council Meeting - APPROVED**

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

Regular Agenda Item - Non-Public Hearing:

#3 Consideration and action to appoint Jean Dibner to fill the vacancy for the Arts & Cultural Advisory Commission with a term expiration of July 1, 2015 - APPROVED

Vice Mayor Biundo stated that he and Council Members Williams and Hall interviewed applicants for four Boards/Commissions vacancies. He then introduced Ms. Dibner.

Council Member John Williams made the motion to approve appointing Jean Dibner to fill the vacancy for the Arts & Cultural Advisory Commission with a term expiration of July 1, 2015. Council Member Rachel Villanueva seconded the motion. Seven yes votes. Motion carried.

#4 Consideration and action to appoint Wayne Nielsen to the Disability Advisory Commission to fill a vacancy with a term expiration of July 1, 2015 - APPROVED

Vice Mayor Biundo introduced Dr. Nielsen.

Council Member Rachel Villanueva made the motion to approve appointing Wayne Nielsen to the Disability Advisory Commission to fill a vacancy with a term expiration of July 1, 2015. Council Member John Williams seconded the motion. Seven yes votes. Motion carried.

#5 Consideration and action to appoint Juanita Webber to fill the vacancy on the Loss Trust Fund Board with a term expiration of July 1, 2017 - APPROVED

Vice Mayor Biundo introduced Ms. Webber.

Council Member Skip Hall made the motion to approve appointing Juanita Webber to fill the vacancy on the Loss Trust Fund Board with a term expiration of July 1, 2017. Council Member John Williams seconded the motion. Seven yes votes. Motion carried.

#6 Consideration and action to appoint Kristen Peck to fill the resident vacancy on the Tourism Commission with a term expiration of July 1, 2017 - APPROVED

Vice Mayor Biundo introduced Ms. Peck.

Council Member Skip Hall made the motion to approve appointing Kristen Peck to fill the resident vacancy on the Tourism Commission with a term expiration of July 1, 2017. Council Member Rachel Villanueva seconded the motion. Seven yes votes. Motion carried.

#7 Consideration and action on Resolution #2013-83 to authorize the transfer of \$11,100 from the Municipal Court Enhancement special revenue fund contingency line item, adopted in the FY2014 Budget, to the Machinery and Equipment line item - APPROVED

Judge Dominguez reported Resolution 2013-83; a budget adjustment.

Council Member Leo Mankiewicz made the motion to approve Resolution #2013-83 to authorize the transfer of \$11,100 from the Municipal Court Enhancement special revenue fund

contingency line item, adopted in the FY2014 Budget, to the Machinery and Equipment line item. Council Member Skip Hall seconded the motion. Seven yes votes. Motion carried.

#8 Consideration and action on a Resolution No. 2013-112; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to enter into a grant agreement with the Tohono O'odham Nation, to accept a grant for the continuation of the Surprise Youth Employment Program and amending the FY2014 budget - APPROVED

Neighborhood Services Manager, Christina Ramirez reported

Council Member John Williams made the motion to approve Resolution No. 2013-112; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to enter into a grant agreement with the Tohono O'odham Nation, to accept a grant for the continuation of the Surprise Youth Employment Program and amending the FY2014 budget. Council Member Rachel Villanueva seconded the motion. Seven yes votes. Motion carried.

#9 Consideration and action on Resolution No. #2013-58, a resolution of the Mayor and Council of the City of Surprise, Arizona to enter into an intergovernmental agreement (IGA) with Arizona Department of Transportation (ADOT) for administering the federal funds for the construction of the Bell Road multiuse path project - APPROVED

Lee Lambert of the Public Works Department was available for questions.

Council Member Rachel Villanueva made the motion to approve Resolution No. #2013-58, a resolution of the Mayor and Council of the City of Surprise, Arizona to enter into an intergovernmental agreement (IGA) with Arizona Department of Transportation (ADOT) for administering the federal funds for the construction of the Bell Road multiuse path project. Council Member John Williams seconded the motion. Seven yes votes. Motion carried.

#10 Consideration and action on approving the City's partnership with Operation Finally Home - APPROVED

Assistant City Manager Mihelich reported on the program.

Council Member Skip Hall made the motion to approve approving the City's partnership with Operation Finally Home. Council Member John Williams seconded the motion. Seven yes votes. Motion carried.

#11 Consideration and action on a Resolution 2013-114; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to enter into a contract with Cholla Managing Group for the replacement of three homes and amending the FY2014 budget - APPROVED

Neighborhood Services Manager, Christina Ramirez reported on the projects.

Council Member Rachel Villanueva made the motion to approve Resolution 2013-114; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to enter into a contract with Cholla Managing Group for the replacement of three homes and amending the FY2014 budget. Vice Mayor Jim Biundo seconded the motion. Seven yes votes. Motion carried.

#12 Consideration and action on Ordinance 2013-05; regarding a project to fulfill the City's commitment to reduce area PM-10 levels by adopting an Ordinance authorizing use of the power of eminent domain to acquire a portion of Dove Valley Road for right-of-way and making findings of the necessity for the acquisition and public nature of the use - APPROVED

Lee Lambert of Public Works was available for questions.

Ms. Kriegh reminded Council that this is to be approved as an emergency clause and requires a 3/4 vote.

Council Member John Williams made the motion to approved Ordinance 2013-05; regarding a project to fulfill the City's commitment to reduce area PM-10 levels by adopting an Ordinance authorizing use of the power of eminent domain to acquire a portion of Dove Valley Road for right-of-way and making findings of the necessity for the acquisition and public nature of the use. Council Member Rachel Villanueva seconded the motion. Roll call vote: Mayor Sharon Wolcott-yes; Vice Mayor Jim Biundo-yes; Council Member Villanueva-yes; Council Member John Williams-yes; Council Member Leo Mankiewicz-yes; Council Member Skip Hall-yes and Council Member Richard Alton-yes. Seven yes votes. Motion carried.

#13 Consideration and action on a Resolution 2013-105; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving Native Sun Home Accents (FS13-392) for the Original Town Site Incentive Program and amending the budget for FY2014 reallocating \$5,000 from Community and Economic Development contingency to services for city payment of design review and development impact fees - APPROVED

ACM Mihelich reported on the program.

Council Member Rachel Villanueva made the motion to approve Resolution 2013-105; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving Native Sun Home Accents (FS13-392) for the Original Town Site Incentive Program and amending the budget for FY2014 reallocating \$5,000 from Community and Economic Development contingency to services for city payment of design review and development impact fees. Council Member Skip Hall seconded the motion. Seven yes votes. Motion carried.

#14 Consideration and action on the 2013 Community Outreach Program for the following applicants: Benevilla; West Valley Arts Council; WHAM; Ballet Conservatory and Apostolic Assembly - APPROVED

Intergovernmental Relations Director, Michael Celaya was available for questions.

Vice Mayor Biundo gave an overview of all of the grants.

Council Member John Williams made the motion to approve \$10,000 for Benevilla. Council Member Rachel Villanueva seconded the motion. Seven yes votes. Motion carried.

Council Member Rachel Villanueva made the motion to approve \$7,500 for the West Valley Arts Council. Vice Mayor Jim Biundo seconded the motion. Seven yes votes. Motion carried.

Council Member Leo Mankiewicz made the motion to approve \$10,000 for the WHAM. Council

Member Skip Hall seconded the motion. Seven yes votes. Motion carried.

Council Member Skip Hall made the motion to approve \$4,000 for Ballet Conservatory. Council Member Leo Mankiewicz seconded the motion. Seven yes votes. Motion carried.

Council Member Rachel Villanueva made the motion to approve \$3,900 for the Apostolic Assembly - for Community Day. Council Member Leo Mankiewicz seconded the motion. Seven yes votes. Motion carried.

H. Call To The Public:

Ab Jackson, CEO & President of the Surprise Regional Chamber of Commerce. Arizona Chamber Executive Group held Legislative Forum in Sahuarita, AZ - panel of Mayors at this forum, legislative business agenda drafted. Chamber breakfast, keynote speaker Andy Taubin, Paulden, AZ. Legislative update.

Randy Miller spoke of Council Member Alton's resignation, 2 issues with the resignation, first announcement was November 1st, now to the end of the year. Paper announced that Council Member Alton moved to California with his wife and family. Cited Section 38 of ARS. Also, replacement will not have to go through the election process.

Rick Molera a Resident of Saguaro View spoke of continued problems with our dirt roads; he asked for City assistance on this matter.

Anthony Chavez inquired where the funding will go to for Benevilla.

Mayor Wolcott asked that the speaker meet with the working group.

I. Other Business and Future Agenda Items:

Council Member Alton - Winco Project discussion.

J. Mayor/Council Reports:

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

Council Member Rachel Villanueva: lighting in the original townsite; meeting with five families.

Council Member Skip Hall: Mercy Housing Fund Raiser; Water Committee Meeting; Recycling Tour and Gov. Advisory Council on Aging.

Council Member Leo Mankiewicz: vacation to Germany; solar panels; election; Code Working Group Meeting and Community Outreach funding.

Vice Mayor Jim Biundo: Thanked Staff for attending AZ Traditions Community Meeting and Chamber Breakfast.

Mayor Sharon Wolcott: Thanked Council for leading our issues/visions and Arizona Town Hall.

K. Executive Session: None

L. Adjournment:

Council Member Rachel Villanueva made the motion to adjourn the Regular City Council Meeting of October 8, 2013 at 7:11 p.m. Council Member Leo Mankiewicz seconded the motion. Seven yes votes. Motion carried.

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, October 8, 2013.**

Sherry Ann Aguilar, City Clerk,