



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

Tuesday, June 3, 2014 @ 06:18 PM

A. Call To Order

B. Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:18 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, June 3, 2014**. Also in attendance with Mayor Wolcott were Vice Mayor Hall, Council Member Winters, Council Member Biundo, Council Member Williams, Council Member Villanueva, and Council Member Tande.

Staff Present: City Manager, Chris Hillman, City Attorney, Misty Leslie, and City Clerk, Sherry Ann Aguilar.

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

E. City Manager Report - None

F. City Attorney Report - None

G. Regular City Council Meeting Agenda

Consent Agenda:

- 1. Consideration and action authorizing the Mayor to execute an Intergovernmental Agreement with the Arizona Game and Fish Commission to continue the Urban Fishing Program at Surprise Lake located within the Surprise Community Park; Resolution No. 2014-56 - APPROVED**
- 2. Consideration and action on a Series 12 liquor license request by Rich Kim for Uni Sushi & Steak located at 17191 N. Litchfield Rd., Suite 40, Surprise, Arizona 85374 - APPROVED**
- 3. Consideration and action authorizing the Mayor to execute an amended Intergovernmental Agreement with Maricopa County Library District to operate the Hollyhock Library, term ending June 30, 2016; Resolution 2014-58 - APPROVED**

- 4. Consideration and action declaring the City's intention to create the "City of Surprise, Arizona, Mariposa Acres #135 Lighting Improvement District" pursuant to A.R.S. § 48-616; Resolution No. 2014-40 - APPROVED**
- 5. Consideration and action on the minutes of May 20, 2014 Regular City Council Work Session and Regular City Council Meeting - APPROVED**

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

Non-Public Hearing:

- 6. Discussion and presentation regarding the NLC trips by Surprise Youth Delegates - NO ACTION**

Janeen Gaskins conducted a powerpoint presentation regarding the NLC trips by Surprise Youth Delegates.

Three youth accompanied Council Member Williams, Janeen Gaskins and IGR, Michael Celaya.

Sarah Fakoury; Yasmine Padilla and Alex Kaufman gave an overview of their experience in DC at the conference.

Council Member Villanueva asked to give the youth a hand for a job well done.

Mayor Wolcott commented that it has been so much fun working with each of the youth and thanked Council Member Williams for his efforts and enthusiasm for leading this youth leadership group.

Council Member Tande spoke of public service.

Council Member Williams commended youth for job well done and stated that he has a sense of pride knowing that they are from this area.

- 7. Consideration and action approving the "Surprise Farms Gateway" plat, dated April 28, 2014, a property generally located at the southwest corner of Bell Road and State Route 303; Resolution 2014-43 - APPROVED**

Chris Boyd reported on the final plat for Surprise Farms Gateway.

Public Comments:

Paul Gilbert - Handed out a written response to Council. This item does not meet your requirements and should be denied. Traffic and access concerns have been expressed by Council and have not been adequately addressed. Asking for a traffic impact analysis since one has not been done since 2007 and was done for LA Fitness site. The handout summarizes the points that have not been complied with by WINCO.

Susan Demmitt - Whitney Morris - staff has asked to make modifications and we have done this. We did do an update to the traffic study and it was done in 2013. Surprise Farms project

is in the district which satisfies this requirement.

Courd Rich - Rose Law Group commented that Mr. Gilbert doesn't want competition or Winco.

Jeff Blilie (Gilbert Law Firm) - Safeway is not our clients. Corner lot issue, the code requires 150 feet minimum. Quoted ARS regarding water assurance water supply, no record of this. Traffic study, the update they provided is a 2 page report no update on internal circulation.

Council Member Winters spoke of back of buildings point against Bell Rd; it's not an alley and stated that if someone tells him this will not be done that he may not be able to support this request.

Chris Boyd - We heard Council's direction, any future phase site plan will have to come forward for approval. You have my assurance that this will not take place.

Council Member Tande asked staff to verify the speakers concerns.

Dick McKinley commented that the concerns expressed by Paul Gilbert are not valid pertaining to traffic study.

Vice Mayor Hall made the motion to approve Resolution 2014-43. Council Member Villanueva seconded the motion. Four yes votes, three no votes (Wolcott, Williams and Tande). Motion carried.

8. Consideration and action on Ordinance 2014-08, deleting Surprise Municipal Code, Chapter 3, Section 3-62(d) - APPROVED

City Attorney Leslie gave an overview on Ordinance 2014-08, which is a clean up of Chapter 3 and will be effective July 3, 2014.

Council Member Tande asked for clarification regarding employee's retirement benefit.

City Manager, Hillman stated that this is a cleanup of code in order to make sure this is in compliance.

Council Member Winters made the motion to approve Ordinance 2014-08. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Public Hearing:

9. Conduct a public hearing on intention to levy Street Light Improvement District (SLID) property tax.

Consideration and action pertaining to the approval of Resolution 2014-55 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 2014-55. The SLID property tax levies are set for adoption on June 17, 2014 - APPROVED

ACM Bob Wingenroth gave an overview of the intention to levy Street Light Improvement

District (SLID) property tax.

No public comments were made.

Council Member Biundo made the motion to approve Resolution 2014-55. Council Member Winters seconded the motion. Seven yes votes. Motion carried.

H. Call To The Public: None

I. Other Business and Future Agenda Items:

Vice Mayor Hall - Presentation from CFO on procurement policies that are in process and what the strategy is for procurement and disposition of assets.

Council Member Villanueva - Construction concerns for businesses along El Mirage Road and access.

J. Mayor/Council Reports:

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

Council Member Tande: reported on the budget

Council Member Winters: conference regarding F35; WHAM Art group; Heritage Park - Police Dept.

Council Member Biundo: Community Group - Memorial Celebration and Speech at AZ Charter Academy.

Vice Mayor Hall: Citizen's Patrol picnic.

Yazmin Padilla: Channel 11 survey update

Mayor Wolcott: comp and class study

Vice Mayor Hall made the motion to adjourn the Regular City Council Meeting and enter into executive session at 7:25 PM. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

K. Executive Session:

#10. Discussion/consultation with the City Attorney to receive legal advice; and to consider its position on contract negotiations and pending/contemplated litigation regarding development on property bounded by Bell, Litchfield, Greenway and Bullard Roads. (A.R.S. §38-431.03(A))

Discussion/consultation with the City Attorney to receive legal advice; and to consider its position, and to provide instruction/direction regarding Surprise's position on contract negotiations regarding a potential letter of Intent for a new business at the Southwest Railplex (A.R.S. §38-431.03(A)(3) &(4)).

L. Adjournment

Vice Mayor Hall made the motion to adjourn the Regular City Council Meeting of June 3, 2014 at 8:18 PM. Council Member Villanueva 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, June 3, 2014.**

Sherry Ann Aguilar, City Clerk,