



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

Tuesday, February 17, 2015 @ 06:35 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:35 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, February 17, 2015**. Also in attendance with Mayor Wolcott were Vice Mayor Williams, Council Member Winters, Council Member Biundo, Council Member Villanueva, Council Member Hall, and Council Member Tande.

Staff Present: City Manager, Bob Wingenroth, City Attorney, Misty Leslie, and Deputy City Clerk, Linda Stevens.

Pledge of Allegiance

Invocation

City Manager Report

City Attorney Report

Consent Agenda

1a. Consideration and action on the meeting minutes of January 20, 2015 and February 3, 2015 Regular City Council Work Sessions and Regular City Council Meetings - APPROVED AS AMENDED

Council Member Tande removed item 1 from the consent agenda to change the wording of the January 20, 2015 Work Session Minutes.

Council Member Tande made the motion to approve the January 20, 2015 Work Session Minutes as amended. Council Member Williams seconded the motion. Seven yes votes. Motion carried.

1b. Consideration and action on the meeting minutes of January 20, 2015 Regular Meeting and February 3, 2015 Regular Work Session and Regular City Council Meeting - APPROVED

Council Member Tande made the motion to approve the remaining minutes. Council Member Winters

seconded the motion. Seven yes votes. Motion carried.

2. **Consideration and action on a Resolution 2015-12, declaring City's intention to create Sierra Montana Phase 1 Parcel G #141 Street Lighting Improvement District pursuant to A.R.S.Section 48-616 -APPROVED**
3. **Consideration and action approving an intergovernmental agreement between the City of Surprise and the City of Phoenix for the provision of annual firefighter physicals and other related medical services for both Police and Fire-Medical personnel, and authorizing the City Manager to execute all necessary documents; Resolution 2015-13 - APPROVED**
4. **Approval of final plat entitled "Final Plat Sierra Montana Phase 1 North - Parcel G", subdividing property generally located on the northwest corner of Acoma Drive and Cotton Lane; Resolution 2015-14 - APPROVED**

Regular Agenda Item - Non-Public Hearing

5. **Consideration and action approving an Economic Development Agreement between the City of Surprise and IRIS USA, Inc., with reimbursement obligations to the City up to \$500,000, and amending the Fiscal Year 2015 Budget by reallocating \$15,000 from Economic Development Contingency to Community Development Department services budget; Resolution 2015-20 - APPROVED**

Mike Hoover of Economic Development gave a powerpoint presentation.

Mr. Hoover introduced Chet Keizer, President.

Mayor Wolcott stated that we are all celebrating together, she thanked Mr. Hoover and the team.

Council Member Hall welcomed the company to Surprise. He then inquired about the self-certification process.

Mr. Hoover stated that they have a written statement from APS.

Council Member Tande welcomed them to District 6.

Council Member Tande made the motion to approve Resolution 2015-20. Vice Mayor Williams seconded the motion. Seven yes votes. Motion carried.

6. **Consideration and possible action including removal of Tourism Advisory Commission Member, Ed Westerfield pursuant to Municipal Code Sec. 2-295(8), Attendance - APPROVED REFERRING TO THE SELECTION COMMITTEE**

Mayor Wolcott explained the purpose of this item.

Mr. Westerfield explained to Council why he would like to remain on the Tourism Advisory Commission.

Council Member Winters spoke of obligations and stated that his position is that he resigns.

Mayor Wolcott spoke of the meeting schedule and asked if Council would consider adjusting the meeting time.

Council Member Villanueva stated that she would consider that.

Mr. Westerfield stated that the time change to 6 PM would benefit the public as well.

Council Member Biundo gave history of the Tourism Commission and stated that there are particular prescribed appointments. He also spoke of restaurateurs and their schedule conflict.

Council Member Tande inquired about their meeting time.

City Attorney Leslie reminded Council of what the City Code says.

Council Member Hall spoke of past meeting times and public attendance. He suggested that one of Mr. Westerfield's partners attend the meetings in his place.

Mayor Wolcott stated that she doesn't want to lose a voice that she values and stated that it is the will of the Council.

Council Member Biundo suggested getting the perspective of the Tourism Commission.

Mayor Wolcott referred to the Selection Commission for options to better serve the public and the intent of the Ordinance.

Council Member Winters asked Mr. Westerfield if he discussed this conflict with the Tourism Chair.

Mr. Westerfield stated that he has not had a chance.

Vice Mayor Williams made the motion to refer to the Selection Subcommittee. Council Member Villanueva seconded the motion. Six yes votes, one no votes (Hall). Motion carried.

7. Presentation and discussion on the FY2014 Comprehensive Annual Financial Report, the Single Audit, Management Letter, Communication with Governance, Annual Expenditure Limitation (AELR) Report, Highway User Revenue Fund (HURF) Report, and Local Transportation Assistance Funds II (LTAF) Report - NO ACTION

Andrea Davis, Assistant Finance Director reported on this item.

Council Member Tande commented on technical and software solutions and possibly needing additional staff.

Vice Mayor Williams stated that the report has changed drastically over the years and credited staff and leadership

Council Member Hall inquired about page 63, paragraph 2; page 75 interfund borrowing section.

8. Discussion and possible action forming a committee to review and make recommendations to council on funding capital improvement projects within the city, based on information and direction from council obtained at the February 17th Council Work session. - APPROVED RESOLUTION 2015-21

City Attorney, Misty Leslie spoke of a consensus and feedback.

Ms. Leslie stated that the committee must have the following: purpose; powers; membership and bylaws. She further commented that there was clearly a consensus to form a committee.

Membership: Planning and Zoning Commission; Community and Recreation Services Advisory Commission; two members from the Dysart Unified School District; one member from the Nadaburg School District and one member from the Surprise Regional Chamber of Commerce.

Council Member Tande stated that those members make a good committee. He inquired about having citizens apply.

Ms. Leslie explained the time limitation.

Council Member Biundo stated that the concept of having a committee that will recommend to go forward with a bond issue or not that is composed primarily of the advocates of the projects within that bond, strikes him as wrong and contradictory. He further stated that there is merit in having a Capital Improvement Committee.

Council Member Biundo made the motion to initiate a bond election process by appointing a Citizen Bond Election Committee in December 2015. Council Member Winters seconded the motion.

Vice Mayor Williams requested amending the date and explained the benefits. He further stated that there needs to be caution moving forward and that the conversation needs to continue on.

Council Member Villanueva stated that she thought that the committee was just going to look at options.

Council Member Tande addressed concerns that Council Member Biundo has.

Council Member Hall spoke of the membership and advocacy aspect and further commented that he likes the make-up of the committee. He commented that he would respectfully vote no on Council Member Biundo's position.

Mayor Wolcott referred to good arguments and concerns. She spoke of having a good balance, intermingling members of committees. She further commented that it's important that we get the best possible result and continue to discuss and forward the appropriate information.

Mayor Wolcott stated that she would respectfully be voting no on Council Member Biundo's motion and hopes that we can find an alternative solution.

Council Member Biundo added what his motion does and does not do.

Roll call voice vote: Mayor Wolcott - no; Vice Mayor Williams - no; Council Member Winters - yes; Council Member Biundo - yes; Council Member Villanueva - no; Council Member Hall - no and Council Member Tande - no. Five no votes; two yes votes. Motion failed.

Ms. Leslie reported on how the committee is comprised. A quorum is set at 10 members not 50 % of membership.

Vice Mayor Williams spoke of opening this up to the public, transparency and agreed with the quorum

of 10.

Council Member Tande commented on 4 volunteers and getting a different perspective.

Ms. Leslie commented that this recommendation was made because it is a quick process and that the people are knowledgeable and they are committed.

Council Member Tande commented on public participation and adding 4 new members.

Mayor Wolcott stated that there will be considerable public engagement. She agreed with the 10 quorum with 17 members.

Ms. Leslie reviewed the bylaws.

Council Member Hall stated that there will be a lot of public attendance.

Ms. Leslie reviewed the powers, duties, purpose and questions with Council.

Vice Mayor Williams stated that this is a good jump start in educating but does not feel that last question should be posed it should be decided by Council.

Council Member Tande agreed.

Vice Mayor Williams spoke of articulating to the committee at the start and calling the question.

Mayor Wolcott spoke of giving the committee the big picture; dove tailing together and they should clearly understand what they should do.

Council Member Biundo commented he would be voting no.

City Manager Wingenroth reported on the meeting with Dysart School District.

City Attorney Leslie read Resolution 2015-21 for the record

Council Member Hall made the motion to approve Resolution 2015-21. Council Member Tande seconded the motion. Six yes votes, One no vote (Biundo). Motion carried.

Public Comments:

Ken Wright wanted to speak before Council voted.

H. Call to the Public:

Mr. Masour spoke of how proud he is of his city, APS, power poles and needing a full-time council.

I. Other Business

None.

J. Mayor and Council Reports:

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

Council Member Winters: Second Sunday in the Park - Retirement Rocks Band and tour of Palo Verde Nuclear Plant

Council Member Biundo: Shout out to Arts Commission

Council Member Tande: Glad to be back, was in Hawaii

Council Member Hall: Judged Science Fair and Thunderbird Arts Festival

Council Member Villanueva: OTS Meeting on 2/25

Vice Mayor Williams: reminded everyone to vote.

Mayor Wolcott: Thanked Council for their debate and discussion, great start in 2015

Vice Mayor Williams made the motion to enter into executive session at 8:40 PM. Council Member Tande seconded the motion. Seven yes votes. Motion carried.

K. Executive Session

- 9. Discussion/consultation with the City Attorney to receive legal advice; and to consider its position on pending/contemplated litigation regarding development on property bounded by Bell, Litchfield, Greenway, and Bullard Roads. (A.R.S. Section 38-431.03(A)(3) & (4)). No Action**

L. Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of February 3, 2015 at 9:15 PM. Council Member Tande 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, February 17, 2015.**

Sherry Ann Aguilar, City Clerk,