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

Tuesday, June 20, 2017 @ 06:08 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:08 p.m. Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374 , on **Tuesday, June 20, 2017.** Also in attendance with Mayor Wolcott were Vice Mayor Tande, Council Member Winters, Council Member Hayden, Council Member Williams, Council Member Remley, and Council Member Hall.

Staff Present: City Manager, Bob Wingenroth, City Attorney, Robert Wingo, and City Clerk, Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

Mayor Wolcott asked for a moment of remembrance for CRS Director, Mark Coronado.

City Manager Report

City Attorney Report

City Clerk Report

Call to the Public

Doc Sullivan - Spoke of Mark Coronado and his accomplishments over the years. Suggest Bullard Avenue renaming it to Mark Coronado Blvd.

Consent Agenda

1 – Consideration and action on the minutes of June 6, 2017 Regular City Council Work Session, Special City Council Meeting and Regular City Council Meeting - APPROVED

2 – Consideration and action pertaining on acceptance of contract and grant funds

for fiscal year 2018 in the amount of $50,000 from Area Agency on Aging Region One; Resolution # 2017-72 - APPROVED

3 – Consideration and action pertaining to an Intergovernmental Agreement with Maricopa County and through the Office of Enterprise Technology for GIS data and Imagery data sharing; Resolution # 2017-74 - APPROVED

4 – Consideration and action pertaining to approval of a fiscal year 2018 budget amendment by reallocating appropriations of $68,200 from contingency within the Grants Fund and $101,800 within the General Capital Projects Fund from the Community Recreation Services (CRS) Asset Replacement project to establish the Clubhouse Flooring project for the installation of weight room flooring in the stadium clubhouses; Resolution # 2017-69 - APPROVED

5 – Consideration and action pertaining to approval of an amendment to the fiscal year 2017 and 2018 budgets by reallocating appropriations of $55,000 from the Original Town Site Land Acquisition project and $49,200 from contingency within the Grants Fund for moving and related operating expenses of DoNorma RV Park; Resolution #2017-75 - APPROVED

Council Member Winters made the motion to approve the consent agenda. Council Member Hall seconded the motion. Seven yes votes, motion carried.

Regular Agenda Item - Public Hearing

<u>**6 – Consideration and action pertaining to a major zoning amendment to the Cotton Gin Planned Area Development (PAD) to allow multi-family residential as a permitted land use on the 10.8 acres (approx.) parcel located on the northeast corner of Waddell road and Reems road; Ordinance #2017-12 - APPROVED**</u>

City Planner, Sergio Angulo gave a presentation regarding this item.

Council Member Williams - Commented that he attended the public meetings and agrees that there are several items needing clarification. One of my concerns is the property having property management, some of the reviews were not positive. Can we address this, what is our responsiveness there? This is a gorgeous facility, what is the target demographic we are targeting here? Is this project sustainable over time?

Brendon Ray on behalf of the applicant, thanked Council and staff for their presentation, appreciate the thoroughness of their reports and responsiveness. Combines the best of single family living, ability to have a multi family community. Minimum 12 month lease.

Doc Sullivan - Make a few comments on this item, was here when planning & zoning approved it. The biggest question is the impact it will have on the Sanalina Community and will have an adverse effect on the property values. Now all of a sudden they want to rezone the property to detached units.

Bob Imlay - Some of the basic problems that I see as a homeowner, 9 houses down from the proposed project. First outreach meeting, over 175 people, the room was packed. Almost everyone was against the project. With the amended proposals, they eliminated almost all of the issues, the next meeting there were minimal residents. Apparently the residents think things are going to go right, Avilla answered all of our questions and the issue was Ludlow. The big problem here is traffic, what are the traffic patterns, etc.

William Tomsa - Several months ago when we first heard about the project, I spoke out against it. At the first meeting the developer held, there was standing room only, many voiced their opinions even though it was planned as single story units. Then something happened, the developers not only listened to our concerns, they did something about it. They made revisions to the project. This residential development as presented is the best thing for residents in Sanalina. I urge the Council to approve this request.

Council Member Williams made the motion to approve Ordinance 2017-12. Council Member Hall seconded the motion. Seven yes votes, motion carried.

Regular Agenda Item - Non-Public Hearing

7 – Consideration and action to appoint the following members to fill Board/Commission Vacancies: William Coniam to the Board of Trustees to serve the remainder of a term June 30, 2018; Renee Pastor to the Board of Trustees (4) year term with term expiration of June 30, 2021; Kathryn Chandler to the Disability Advisory Commission for a 4 year term with term expiration of June 30, 2021; Edward Hanzel to the Judicial Selection Advisory Commission 4 year term with term expiration of June 30, 2021 and Marco Daleo to the Tourism Commission to represent Hotels to complete the remainder of a term to expire June 30, 2019. all positions are for four (4) year terms ending on June 30, 2021. The City Clerk will administer the oath of office - APPROVED

Council Member Remley spoke regarding items 7 and 8 - we worked hard to draw out the applicants, I am amazed at the quality of people who applied, all are great. Thank you.

Council Member Williams made the motion to approve appointing William Coniam to the Board of Trustees to serve the remainder of a term June 30, 2018; Renee Pastor to the Board of Trustees (4) year term with term expiration of June 30, 2021; Kathryn Chandler to the Disability Advisory Commission for a 4 year term with term expiration of June 30, 2021; Edward Hanzel to the Judicial Selection Advisory Commission 4 year term with term expiration of June 30, 2021 and Marco Daleo to the Tourism Commission to represent Hotels to complete the remainder of a term to expire June 30, 2019. All positions are for four (4) year terms ending on June 30, 2021. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

8 – Consideration and action to reappoint the following Board/Commission Members for 4 year terms as follows: David Sanders, Mark Brown and Ron Jensen for the Community & Recreation Services Commission; Robert Monahan for the Disability Advisory Commission and Kristin Peck and DeAngelo Hall for the Tourism Commission and Brooke Gaunt, State Bar Representative for the Judicial Selection Advisory Commission all with terms to expire on June 30, 2021. The City Clerk will administer the oath of office - APPROVED

Council Member Winters made the motion to approve reappointing the following Board/Commission Members for 4 year terms as follows: David Sanders, Mark Brown and Ron Jensen for the Community & Recreation Services Commission; Robert Monahan for the Disability Advisory Commission and Kristin Peck and DeAngelo Hall for the Tourism Commission. Council Member Remley seconded the motion. Council Member Winters amended his motion to include "and Brooke Gaunt, State Bar

Representative for the Judicial Selection Advisory Commission all with terms to expire on June 30, 2021". Seven yes votes, motion carried.

Ms. Aguilar administered the Oath of Office for Board/Commission Members.

9 – Consideration and action levying a certain sum of money for FY2018 to be assessed against the valuation of property for primary and secondary tax purposes; Resolution # 2017-68 - APPROVED

Finance Director, Lindsey Duncan reported on the process and adoption.

Council Member Hall made the motion to approve Resolution 2017-68. Council Member Winters seconded the motion.

Roll Call Vote: Mayor Wolcott-yes; Vice Mayor Tande-yes; Council Member Williams-yes; Council Member Hall-yes; Council Member Remley; Council Member Hayden-yes and Council Member Winters-yes. Seven yes votes, motion carried.

10 – Consideration and action pertaining to the Comprehensive Financial Management Policies - APPROVED

Finance Director, Lindsey Duncan gave an overview of this item.

Mayor congratulated Ms. Duncan and Finance staff for an excellent product.

Council Member Winters made the motion to approve the Comprehensive Financial Management Policies. Council Member Williams seconded the motion. Seven yes votes, motion carried.

11 – Consideration and action setting forth the FY2018 levy of property tax rates for Street Light Improvement Districts (SLID) within the City; Resolution # 2017-67 - APPROVED

Finance Director, Lindsey Duncan gave an overview of this item.

Council Member Hall made the motion to approve setting forth the FY2018 levy of property tax rates for Street Light Improvement Districts (SLID) within the City; Resolution # 2017-67. Council Member Williams seconded the motion.

Roll Call Vote: Mayor Wolcott-yes; Vice Mayor Tande-yes; Council Member Williams-yes; Council Member Hall-yes; Council Member Remley; Council Member Hayden-yes and Council Member Winters-yes. Seven yes votes, motion carried.

12 – Consideration and action pertaining to an amendment of the fiscal year 2017 budget by reallocating appropriations of $2,000,000 within the General Capital Projects Fund from the Higher Education Facilities project to a new project to cover costs related to public infrastructure on or near city controlled property at City Center, which will enhance the ability to develop. Resolution #2017-73 - APPROVED

Mike Hoover and Michael Boule reported on this item.

Council Member Williams made the motion to approve Resolution 2017-73. Council Member Hall seconded the motion. Six yes votes, one absent (Hayden), motion carried.

13 – Consideration and action declaring the document entitled, "Amendments To Surprise City Code Chapter 42 and 58, May 31, 2017" a public record and ordering that three copies remain on file with the City Clerk; Resolution # 2017-70 - APPROVED

Community Development Director, Eric Fitzer reported on items 13 and 14.

Council Member Winters made the motion to approve Resolution 2017-70. Council Member Williams seconded the motion. Seven yes votes, motion carried.

14 – Consideration and action pertaining to a Surprise Municipal Code amendment of Chapter 42, Article 1, Section 42-3 through 42-11 Streets, Sidewalks and other Public Places; Chapter 58 Utilities, Article IV, Division 3 Water Extensions, Sections 58-211 and 58-219; and Chapter 58, Article V, Division 5 Sewer Extensions, Sections 58-418 and 418.03; for the purpose of revising the repayment of oversized infrastructure; Ordinance # 2017-08 - APPROVED

Council Member Hall - example developer X does the infrastructure, developer Y has to prove that he paid dev x before being approved?

Mr. Fitzer - Yes that is correct.

Council Member Remley - slide regarding repayment period, how long our impact fees good for. Shouldn't they be consistent?

Ms. Duncan - within 10 and 15 for water and sewer. These repayments are used in lieu of impact fees in most cases.

Vice Mayor Tande - specific example of what is driving this. Is our new software system help us administer this?

Mr. Fitzer - we'll have an example of how we'll be doing that.

Council Member Williams made the motion to approve Ordinance 2017-08. Council Member Hall seconded the motion. Seven yes votes, motion carried.

15 – Consideration and action pertaining to approval of the Rancho Mercado Supplement Development Agreement; Resolution # 2017-71.

Community Development Director, Eric Fitzer gave a presentation regarding this item.

Council Member Hall - I looked at the calculation sheets and asked Terry Lowe to verify. What about State land transfers?

Jeff Blillie, applicant attorney - Yes they will be included.

Council Member Remley - Administration of the payback and tracking?

Council Member Winters made the motion to approve Resolution 2017-71. Council Member Williams seconded the motion. Seven yes votes, motion carried.

16 – Consideration and action pertaining to approval on the preliminary plat entitled, "Bell Pointe II", dated May 16, 2017, an approximately 27.25 acre property generally located north of the intersection of Bell Road and Bell Pointe Boulevard - APPROVED

City Planner Wingard reported on this item.

Council Member Winters made the motion to approve the preliminary plat entitled Bell Pointe II. Council Member Williams seconded the motion. Seven yes votes, motion carried.

17 – Consideration and action on the Verizon Wireless Telecommunications Facilities Master Right of Way Master Lease Agreement - APPROVED

Community Development Director, Eric Fitzer reported on this item.

Council Member Hall made the motion to approve the Verizon Wireless Telecommunications Facilities Master Right of Way Lease Agreement and direct the City Manager to execute all documents associated with the Master Lease Agreement. Council Member Winters seconded the motion. Seven yes votes, motion carried.

18 – Consideration and action pertaining to the approval of the Settlement Agreement with Centex/Pulte Homes for the continued reimbursement of development impact fees for installed water infrastructure - APPROVED

City Attorney Wingo reported on this item, he highlighted the three main points. He further commented that if Council requires additional information it should be discussed in executive session.

City Council did not enter into executive session for item 18.

Council Member Winters made the motion to approve the settlement agreement with Centex/Pulte Homes. Council Member Hall seconded the motion. Seven yes votes, motion carried.

Other Business

Council Member Hall - August work session, for Council to consider sponsoring rezoning of property associated with the Planned Veteran's Memorial Hall in conjunction with the Veteran's Group and the property owner and also consideration of possible sponsorship relative to fees associated with the project. 2nd by Council Member Williams.

Mayor/Council Report

Mayor and Council attended and/or reported on events.

Executive Session

19. **Consideration and action to enter into executive session for discussion or consultation for legal advice with the City Attorney pertaining to the Settlement Agreement with Pulte Homes pursuant to A.R.S. 38-431.03(A)(5).**

20. **Tabled at the June 6, 2017 Regular City Council Meeting: Consideration and action to enter into executive session to discuss evaluations and FY2018 performance goals of the City Manager, City Clerk and City Attorney pursuant to A.R.S. 38-431.03(A)(1) - APPROVED TAKING THIS ITEM OFF THE TABLE**

Mayor Wolcott we can wait and reschedule the executive session for items 20 and 21 to August.

Attorney Wingo - explained the process.

Council Member Winters made the motion to take it off the table. Council Member Remley seconded the motion. Mayor Wolcott-no; Vice Mayor Tande-yes; Council Member Williams-yes; Council Member Hall-yes; Council Member Remley-no; Council Member Hayden-no and Council Member Winters-yes.

Council Member Winters made the motion to recess the Regular City Council Meeting and enter into executive session at 8:43 PM. Council Member Williams seconded the motion. Seven yes votes, motion carried.

Mayor Wolcott reconvened the Regular City Council Meeting at 9:25 PM.

21. **Tabled at the June 6, 2017 Regular City Council Meeting: Consideration and action to enter into executive session for discussion and consultation with the City Attorney and to receive legal advice and to consider its position and instruct the City Attorney pertaining to a development agreement with Surprise Center Development Company pursuant to A.R.S. 38-431.03(A)(3) and (4) - APPROVED TAKING THIS ITEM OFF THE TABLE**

Council Member Williams made the motion to take this item off the table and recess into executive session at 9:27 PM. Council Member Remley seconded the motion. Seven yes votes, motion carried.

Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of June 20, 2017 at 10:32 PM. Vice Mayor Tande seconded the motion. Seven yes votes, motion carried.

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Sharon R. Wolcott, Mayor

ATTEST:

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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 20, 2017.**

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Sherry Ann Aguilar, City Clerk,