



CITY OF SURPRISE
Special City Council Meeting Agenda
16000 N. Civic Center Plaza
Surprise, AZ 85374

Tuesday, September 11, 2018 @ 4:00 PM
COUNCIL CHAMBERS

Back Print

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS
- E. City Manager Report:
- F. City Attorney Report:
- G. City Clerk Report:
- H. Call To The Public:

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires [Adobe Acrobat Reader](#))

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

I. Special City Council Meeting Agenda:

Consent Agenda:

Regular Agenda Item - Non-Public Hearing:

- | | | |
|----------------------|--|--|
| 1. District Citywide | Consideration and action to approve Resolution 2018-131; A Resolution of the Mayor and Council of the City of Surprise, Maricopa County, Arizona declaring and adopting the results of the Primary Election held on August 28, 2018 and ordering the recording of such resolution. | None
Sherry Ann
Aguilar,
City Clerk |
|----------------------|--|--|

J. Other Business and Future Agenda Items:

K. Mayor/Council Reports:

L. Executive Session:

- | | | |
|----------------------|--|---|
| 2. District Internal | <u>Consideration and action to recess into executive session for legal advice from the City Attorney pertaining to elections pursuant to A.R.S. 38-431.03(A)(3).</u> | None
Robert
Wingo, City
Attorney |
|----------------------|--|---|

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

M. Adjournment:

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: September 6, 2018 at 4:45 PM. Amended agenda adding Executive Session on September 10, 2018 @ 9:35 a.m.

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE

PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Special City Council Meeting

September 11, 2018 @ 4:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	September 11, 2018	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action to approve Resolution 2018-131; A Resolution of the Mayor and Council of the City of Surprise, Maricopa County, Arizona declaring and adopting the results of the Primary Election held on August 28, 2018 and ordering the recording of such resolution.

Motion:

I move to approve Resolution 2018-131; A Resolution of the Mayor and Council of the City of Surprise, Maricopa County, Arizona declaring and adopting the results of the Primary Election held on August 28, 2018 and ordering the recording of such resolution.

Background:

This is the final step to complete the Primary Election Canvass for August 28, 2018 following Arizona State Election Laws.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

- ☐ [Final Summary Report](#)
 - ☐ [Final Precinct Canvass](#)
 - ☐ [Resolution No. 2018-131](#)
-

August 28, 2018

Summary Report

MARICOPA COUNTY

FINAL OFFICIAL RESULTS

Surprise-Council-Acacia (5) 5/5 100.00%

Under Votes: 459

Over Votes: 11

CUNNINGHAM, JIM	1,237	37.56%
GRIM, RAYMOND	854	25.93%
WINTERS, ROLAND F., JR.	1,189	36.11%
Write-In Candidate	13	0.39%
Total ...	3,293	100.00%

Surprise-Council-Cottonwood (6) 6/6 100.00%

Under Votes: 1132

Over Votes: 75

CLINE, ALYSON "ALY"	1,590	23.33%
FOUNTAIN, WENDELL	1,799	26.40%
HAYDEN, NANCY	3,406	49.99%
Write-In Candidate	19	0.28%
Total ...	6,814	100.00%

Surprise-Council-Mequite (3) 3/3 100.00%

Under Votes: 250

Over Votes: 5

DUFFY, PATRICK	1,578	50.08%
NORBERG, GISELE	1,567	49.73%
Write-In Candidate	6	0.19%
Total ...	3,151	100.00%

Surprise-Council-Palm (6) 6/6 100.00%

Under Votes: 287

Over Votes: 6

HALL, SKIP	2,079	72.74%
MANKIEWICZ, LEO	775	27.12%
Write-In Candidate	4	0.14%
Total ...	2,858	100.00%

Surprise-Council-Palo Verde (3) 3/3 100.00%

Under Votes: 315

Over Votes: 7

CULTUM, ERIC	378	13.05%
JUDD, CHRIS	1,555	53.69%
TANDE, TODD	957	33.05%
Write-In Candidate	6	0.21%
Total ...	2,896	100.00%

MRC_20180828_E
8/28/2018
Precinct Canvass
MARICOPA COUNTY

1 Surprise-Council-Acacia

				1	1	1	1	1	1						
	Registered	Ballots Cast	Turnout (%)	CUNNINGHAM, JIM	GRIM, RAYMOND	WINTERS, ROLAND F., JR.	Write-In Candidate	Over Votes	Under Votes						
0182 DESERT OASIS	2720	923	33.93	298	284	245	2	3	91						
0284 HAPPY TRAILS	718	354	49.30	144	44	103		1	62						
0659 SURPRISE FARMS	4122	1110	26.93	344	237	354	6	2	167						
0676 TRADITIONS	847	261	30.81	81	37	122			21						
0737 WILLOW CANYON	3442	1115	32.39	370	252	365	5	5	118						
	11849	3763	31.76	1237	854	1189	13	11	459						

1 Surprise-Council-Cottonwood

				1	1	1	1	1	1						
	Registered	Ballots Cast	Turnout (%)	CLINE, ALYSON "ALY"	FOUNTAIN, WENDELL	HAYDEN, NANCY	Write-In Candidate	Over Votes	Under Votes						
0269 GRAND	4695	2720	57.93	601	632	1081	6	32	368						
0270 GRANITE FALLS	2157	1150	53.31	244	247	481	4	10	164						
0351 LA SOLANA	4177	2489	59.59	373	688	1072	2	26	328						
0621 SPANISH GARDEN	651	213	32.72	49	42	83	1		38						
0659 SURPRISE FARMS	1483	462	31.15	130	61	197	5	3	66						
0676 TRADITIONS	1714	987	57.58	193	129	492	1	4	168						
	14877	8021	53.92	1590	1799	3406	19	75	1132						

1 Surprise-Council-Mequite

				1	1	1	1	1							
	Registered	Ballots Cast	Turnout (%)	DUFFY, PATRICK	NORBERG, GISELE	Write-In Candidate	Over Votes	Under Votes							
0386 LUDDEN	754	230	30.50	97	105		3	25							
0420 MESQUITE	5551	1613	29.06	796	719	2	1	95							
0533 REEMS	5559	1563	28.12	685	743	4	1	130							
	11864	3406	28.71	1578	1567	6	5	250							

1 Surprise-Council-Palm

				1	1	1	1	1							
	Registered	Ballots Cast	Turnout (%)	HALL, SKIP	MANKIEWICZ, LEO	Write-In Candidate	Over Votes	Under Votes							
0270 GRANITE FALLS	1975	619	31.34	393	154	1	2	69							
0386 LUDDEN	1402	308	21.97	166	118			24							
0483 PARADISE	1313	333	25.36	216	85			32							
0579 SARIVAL	2833	827	29.19	541	203	2	1	80							
0621 SPANISH GARDEN	1324	688	51.96	549	102	1	1	35							
0713 WEST POINT	1186	376	31.70	214	113		2	47							
	10033	3151	31.41	2079	775	4	6	287							

1 Surprise-Council-Palo Verde

				1	1	1	1	1	1						
	Registered	Ballots Cast	Turnout (%)	CULTUM, ERIC	JUDD, CHRIS	TANDE, TODD	Write-In Candidate	Over Votes	Under Votes						
0342 KENLY FARMS	4690	1377	29.36	177	685	402	1	3	109						
0386 LUDDEN	3953	1033	26.13	106	503	293	3	3	125						
0404 MARLEY PARK	2851	808	28.34	95	367	262	2	1	81						
	11494	3218	28.00	378	1555	957	6	7	315						

RESOLUTION NO. 2018-131

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON AUGUST 28, 2018 AND ORDERING THE RECORDING OF SUCH RESOLUTION

WHEREAS, the City of Surprise did hold a Primary election on the 28th day of August, 2018 for the election of five (5) Council members; and

WHEREAS, the election returns have been presented to and have been canvassed by the Mayor and City Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Surprise, Maricopa County, Arizona, that:

SECTION 1: The total number of ballots cast at said Primary Election minus Over/Under votes and Write-ins for whom no timely nomination papers were filed was 18,964 and were distributed as follows:

Districts:	Actual Vote Total:
District 1 (Acacia)	3,280
District 2 (Cottonwood)	6,795
District 3 (Mesquite)	3,145
District 5 (Palm)	2,854
District 6 (Palo Verde)	2,890

SECTION 2: The total number of ballots cast at said Primary Election for the Office of Councilmember of District 1 (Acacia) was 3,293. Total number of ballots not counted in the tally per Arizona law (Write-ins for whom no timely nomination papers were filed) were 13. The actual votes cast for the candidate(s) were as follows:

Candidate:	Actual Vote Total:
Jim Cunningham	1,237
Raymond Grim	854
Roland F. Winters, Jr.,	1,189

That it is hereby found, determined and declared of record, that the following 2 candidates did not receive a majority of votes cast of the electors of the City of Surprise and shall, in accordance with A.R.S. 9-821.01(F), have their names placed on the general election ballot of the City of Surprise, Maricopa County, Arizona, to be held on the 6th day of November, 2018.

Roland F. Winters, Jr.
Jim Cunningham

Page 2 – Resolution No. 2018-131

SECTION 3: The total number of ballots cast at said Primary Election for the Office of Councilmember of District 2 (Cottonwood) was 6,814. Total number of ballots not counted in the tally per Arizona law (Write-ins for whom no timely nomination papers were filed) were 19. The actual votes cast for the candidate(s) were as follows:

Candidate:	Actual Vote Total:
Alyson Cline	1,590
Wendell Fountain	1,799
Nancy Hayden	3,406

It is hereby found, determined and declared of record, that the following candidate for Councilmember of District 2 (Cottonwood) did receive more than one half of the total number of votes cast for Councilmember at said election, and such candidate shall, in accordance with A.R.S. 9-821.01(D), be declared elected and shall receive a certificate of election:

Nancy Hayden

SECTION 4: The total number of ballots cast at said Primary Election for the Office of Councilmember of District 3 (Mesquite) was 3,151. Total number of ballots not counted in the tally per Arizona law (Write-ins for whom no timely nomination papers were filed) were 6. The actual votes cast for the candidate(s) were as follows:

Candidate:	Actual Vote Total:
Patrick Duffy	1,578
Gisele Norberg	1,567

It is hereby found, determined and declared of record, that the following candidate for Councilmember of District 3 (Mesquite) did receive more than one half of the total number of votes cast for Councilmember at said election, and such candidate shall, in accordance with A.R.S. 9-821.01(D), be declared elected and shall receive a certificate of election:

Patrick Duffy

SECTION 5: The total number of ballots cast at said Primary Election for the Office of Councilmember of District 5 (Palm) was 2,858. Total number of ballots not counted in the tally per Arizona law (Write-ins for whom no timely nomination papers were filed) were 4. The actual votes cast for the candidate(s) were as follows:

Candidate:	Actual Vote Total:
Skip Hall	2,079
Leo Mankiewicz	775

Page 3 – Resolution No. 2018-131

It is hereby found, determined and declared of record, that the following candidates for District 5 (Palm) did receive more than one half of the total number of votes cast for Councilmember at said election, and such candidate shall, in accordance with A.R.S. 9-821.01(D), be declared elected and shall receive a certificate of election:

Skip Hall

SECTION 6: The total number of ballots cast at said Primary Election for the Office of Councilmember of District 6 (Palo Verde) was 2,896. Total number of ballots not counted in the tally per Arizona law (Write-ins for whom no timely nomination papers were filed) were 6. The actual votes cast for the candidate(s) were as follows:

Candidate:	Actual Vote Total:
Eric Cultum	378
Chris Judd	1,555
Todd Tande	957

It is hereby found, determined and declared of record, that the following candidates for District 6 (Palm) did receive more than one half of the total number of votes cast for Councilmember at said election, and such candidate shall, in accordance with A.R.S. 9-821.01(D), be declared elected and shall receive a certificate of election:

Chris Judd

SECTION 7: It is ordered that, directly following the adoption of this Resolution, the City Clerk shall record this Resolution with the Maricopa County Recorder's Office.

PASSED AND ADOPTED by the Mayor and City Council of the City of Surprise, Arizona, this _____ day of September, 2018.

Mayor, Sharon R. Wolcott

ATTEST:

APPROVED TO FORM:

Sherry Ann Aguilar, City Clerk

Robert Wingo, City Attorney



CITY OF SURPRISE
Special City Council Meeting

September 11, 2018 @ 4:00:00 PM

Back Print

Council Meeting Date:	September 11, 2018	Contact Person:	Robert Wingo, City Attorney
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action to recess into executive session for legal advice from the City Attorney pertaining to elections pursuant to A.R.S. 38-431.03(A)(3).

Motion:

I move to enter into executive session for legal advice from the City Attorney pertaining to elections pursuant to A.R.S. 38-431.03(A)(3).

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

No Attachments Available