



COUNCIL MEETING RESULTS
CITY OF SURPRISE
Regular City Council Meeting Agenda
16000 N. Civic Center Plaza
Surprise, AZ 85374

Tuesday, September 10, 2013 @ 6:00 PM
Amended agenda on 9/9/13 at 3:25 p.m. - added item #10/Reso 2013-110

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- A. Call To Order
- B. Roll Call – Alton was excused.
- C. Pledge of Allegiance
- D. Invocation
- E. City Manager Report:
- F. City Attorney Report:
- G. Regular City Council Meeting Agenda:

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.

Consent Agenda: **M: Biundo 2nd: Williams Vote: 6 yes votes, 1 absent (Alton)**

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|----------------|--|--|
| *#1 District 3 | <u>Consideration and action to approve a liquor license request by Randy Guse for Walgreen's Store #12087 located at 13723 North Litchfield Road, Surprise, AZ. 85379 for a Series 09 Location Transfer/Corporation.</u> | Approved
Sherry
Ann
Aguilar,
City Clerk
MMC |
| *#2 District 5 | <u>Consideration and action to approve a liquor license request by Sarah Jean Pentecost for Mei Wei China Bistro located at 15332 W. Bell Road #132, Surprise, AZ. 85374 for a Series 12 (Interim Permit/LLC.</u> | Approved
Sherry
Ann
Aguilar,
City Clerk
MMC |

- *#3 District 3 Consideration and action to approve a Series 12 liquor license request by Amy Nations (Agent) for Native New Yorker Restaurant located at 13929 W. Waddell Road, Surprise, AZ. 85379 (New License/LLC). Approved
Sherry
Ann
Aguilar,
City Clerk
MMC
- *#4 District Internal Consideration and action on Resolution 2013-95 authorizing the City Manager or his designee to accept a grant from the Arizona Department of Homeland Security, to conduct all negotiations and execute and submit all related documents to said grant, and authorize the transfer of \$10,000 from unforeseen grants budget to the center assigned to record all applicable grant activity. Approved
Michael
White,
Fire Chief
- *#5 District Citywide Consideration and action on the meeting minutes of August 13, 2013 Regular City Council Work Session and Regular City Council Meeting and August 20, 2013 Regular City Council Meeting. Approved
Sherry
Ann
Aguilar,
City
Clerk

Regular Agenda Item - Non-Public Hearing:

- #6 District Citywide Consideration and action on Resolution #2013-99 a Resolution by Mayor and Council to implement a fee associated with temporary suspension of solid waste service. Approved
Dick
McKinley,
Public
Works

M: Hall 2nd: Williams Vote: 6 yes votes, 1 absent (Alton)

- #7 District 1 Consideration and action on COS 13-008 to use MGC Contractors Inc. to convert a potable water system to a reclaim water system at SPA 2 Water Reclamation Facility in the amount of \$115,721.00 plus an owner's contingency of \$14,279.00 Approved
Dick
McKinley,
Public
Works
Department

M: Williams 2nd: Mankiewicz Vote: 6 yes votes, 1 absent (Alton)

#8 District 5 Consideration and action on Resolution 2013-98; a resolution of the Mayor and Council of the City of Surprise, Arizona, endorsing the Median Urban Design Alternative for the Bell Road/Grand Avenue traffic interchange. Approved
Jeff
Mihelich,
Community
& Economic
Development

M: Villanueva 2nd: Williams
Vote: 6 yes votes, 1 absent (Alton)

#9 District Internal Consideration and action to approve Resolution No. 2013-103; 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 27, 2013 and ordering the recording of such resolution. Approved
Sherry
Ann
Aguilar,
City Clerk
MMC

M: Williams 2nd: Villanueva
Vote: 6 yes votes, 1 absent (Alton)

#10 District 4 Consideration and action on a Resolution 2013-110; a resolution of the Mayor and Council of the City of Surprise, Arizona, opposing the closure of Dysart Retail Branch/U.S. Postal Office Surprise, 85378. Approved
Michael Celaya,
Intergovernmental
Relations

M: Hall 2nd: Mankiewicz
Vote: 6 yes votes, 1 absent (Alton)

H. Call To The Public: **John Yeager**

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 on any item not 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. Other Business and Future Agenda Items: None.

J. Mayor/Council Reports:

K. Executive Session: **M: Hall 2nd: Williams Vote: 6 yes vote to enter E-Session @ 6:47 p.m.**

#11 District Internal	<u>LITIGATION - Discussion/consultation with the City Attorney to receive an receive legal advice, to consider its position, and to provide instruction/direction to the City Attorney regarding Surprise's position in connection with pending or contemplated litigation (A.R.S. §38-431.03 (A)(3)(4))</u>	None Misty Leslie, City Attorney
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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.

Reconvened meeting at 7:22 p.m.

L. Adjournment: **M: Biundo 2nd: Hall Vote: 6 yes vote to adjourn at 7:22 p.m.**



SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Sept. 11, 2013 at 6:45 p.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.