



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

Tuesday, October 8, 2013 @ 6:00 PM
 Amended on 10/07/2013 - Added Item #14

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- A. Call To Order – **Meeting started at 6:00 p.m.**
- B. Roll Call – **All Council were present, Alton by phone**
- 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: Hall 2nd: Villanueva Vote: 7 yes votes**

- *#1 District 3 Consideration and action on Resolution No 2013-104, a resolution accepting maintenance of public water and sewer utilities for Marley Park Square, located generally at the southwest corner of Litchfield and Waddell Roads. Approved Dick McKinley, Public Works Department
- *#2 District Citywide Consideration and action on the minutes of the September 17, 2013 Special City Council Work Session and the September 24, 2013 Regular City Council Meeting. Approved Sherry Ann Aguilar, City Clerk

Regular Agenda Item - Non-Public Hearing:

- #3 District Internal Consideration and action to appoint Jean Dibner to fill the vacancy for the Arts & Cultural Advisory Commission with a term expiration of July 1, 2015. Approved
Sherry
Ann
Aguilar,
City Clerk
MMC

M: Williams 2nd: Villanueva
Vote: 7 yes votes

- #4 District Internal Consideration and action to appoint Wayne Nielsen to the Disability Advisory Commission to fill a vacancy with a term expiration of July 1, 2015. Approved
Sherry
Ann
Aguilar,
City Clerk
MMC

M: Villanueva 2nd: Williams
Vote: 7 yes votes

- #5 District Internal Consideration and action to appoint Juanita Webber to fill the vacancy on the Loss Trust Fund Board with a term expiration of July 1, 2017. Approved
Sherry
Ann
Aguilar,
City Clerk
MMC

M: Hall 2nd: Williams **Vote: 7 yes votes**

- #6 District Internal Consideration and action to appoint Kristen Peck to fill the resident vacancy on the Tourism Commission with a term expiration of July 1, 2017. Approved
VM
Biundo &
CM Hall

M: Hall 2nd: Villanueva
Vote: 7 yes votes

- #7 District Internal Consideration and action on Resolution #2013-83 to authorize the transfer of \$11,100 from the Municipal Court Enhancement special revenue fund contingency line item, adopted in the FY2014 Budget, to the Machinery and Equipment line item. Approved
Linda
Rodriguez,
Court

M: Mankiewicz 2nd: Hall
Vote: 7 yes votes

#8 District Internal Consideration and action on a Resolution No. 2013-112; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to enter into a grant agreement with the Tohono O'odham Nation, to accept a grant for the continuation of the Surprise Youth Employment Program and amending the FY2014 budget.. Approved
Jeff
Mihelich,
Community
& Economic
Development

M: Williams 2nd: Villanueva
Vote: 7 yes votes

#9 District 6 Consideration and action on Resolution No. #2013-58, a resolution of the Mayor and Council of the City of Surprise, Arizona to enter into an intergovernmental agreement (IGA) with Arizona Department of Transportation (ADOT) for administering the federal funds for the construction of the Bell Road multiuse path project. Approved
Dick
McKinley,
Public
Works
Department

M: Villanueva 2nd: Williams
Vote: 7 yes votes

#10 District Internal Consideration and action on approving the City's partnership with Operation Finally Home. Approved
Jeff
Mihelich,
Community
& Economic
Development

M: Hall 2nd: Williams
Vote: 7 yes votes

#11 District Internal Consideration and action on a Resolution 2013-114; a resolution of the City of Surprise, Maricopa County, Arizona, authorizing the city to enter into a contract with Cholla Managing Group for the replacement of three homes and amending the FY2014 budget. Approved
Jeff
Mihelich,
Community
& Economic
Development

M: Villanueva 2nd: Biundo
Vote: 7 yes votes

#12 District Citywide Consideration and action on Ordinance 2013-05; regarding a project to fulfill the City's commitment to reduce area PM-10 levels by adopting an Approved
with
emergency

Ordinance authorizing use of the power of eminent domain to acquire a portion of Dove Valley Road for right-of-way and making findings of the necessity for the acquisition and public nature of the use.

clause.
Misty
Leslie,
City
Attorney

M: Williams 2nd: Villanueva
Vote: 7 yes votes

#13 District 4 Consideration and action on a Resolution 2013-105; a resolution of the Mayor and Council of the City of Surprise, Arizona, approving Native Sun Home Accents (FS13-392) for the Original Town Site Incentive Program and amending the budget for FY2014 reallocating \$5,000 from Community and Economic Development contingency to services for city payment of design review and development impact fees.

Approved
Jeff
Mihelich,
Community
& Economic
Development

M: Villanueva 2nd: Hall Vote: 7 yes votes

#14 District Citywide Consideration and action on the 2013 Community Outreach Program for the following applicants: A - Benevilla; B - West Valley Arts Council; C - WHAM; D - Ballet Conservatory; E - Apostolic Assembly.

Approved
all 5
requests
Michael
Celaya,
IGR

Benevilla for
\$10,000

M: Williams 2nd: Villanueva
Vote: 7 yes votes

West Valley Arts
Council for
\$7,500.

M: Villanueva 2nd: Blundo
Vote: 7 yes votes

WHAM for
\$10,000.

M: Mankiewicz 2nd: Hall
Vote: 7 yes votes

Ballet
Conservatory for
\$4,000.

M: Hall 2nd: Mankiewicz
Vote: 7 yes votes

Apostolic
Assembly for

M: Villanueva 2nd: Mankiewicz
Vote: 7 yes votes

\$3,900 for
Community Day.

H. Call To The Public: **Ab Jackson; Randy Miller; Rick Molera; Anthony Chavez**

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.

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I. Other Business and Future Agenda Items: **Alton – Winco Project for discussion.**

J. Mayor/Council Reports:

K. Executive Session: None.

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.

L. Adjournment: **M: Villanueva 2nd: Mankiewicz** **Vote: 7**
yes votes to adjourn at 7:11 p.m.

SHERRY ANN AGUILAR, CITY CLERK,
MMC

POSTED: October 9, 2013 – 6:40 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.