



## COUNCIL MEETING RESULTS

### CITY OF SURPRISE

#### Regular City Council Meeting Agenda

16000 N. Civic Center Plaza  
Surprise, AZ 85374

Tuesday, February 17, 2015 @ 6:00 PM

- A. Call To Order at 6:35 PM
- B. Roll Call – All present
- C. Pledge of Allegiance
- D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS
- 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: Williams 2<sup>nd</sup>: Villanueva Vote: 7 yes –items 2-4**

- 1. District Citywide 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**  
Sherry Ann Aguilar,  
City Clerk

**M: Tande 2<sup>nd</sup>: Williams Vote: 7 yes to approve the January 20<sup>th</sup> Work Session minutes as amended**

**M: Tande 2<sup>nd</sup>: Winters Voice Vote: 7 yes to approve the remaining minutes**

2. District 3 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**  
Kristin  
Tytler,  
Public  
Works  
Department

3. District Citywide 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**  
Fire Chief  
Tom Abbott

4. District 3 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**  
Hobart  
Wingard -  
Community  
Development

Regular Agenda Item - Non-Public Hearing:

5. District 6 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**  
Eric Fitzer,  
Community  
Development

**M: Tande 2nd: Williams Vote: 7 yes**

6. District Internal 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  
subcommittee**  
Sherry Ann  
Aguilar, City  
Clerk

**M: Williams 2nd: Villanueva Vote: 6  
yes 1 No (Hall)**

7. District Citywide	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 .	<b>No Action</b> Lindsey Duncan, Finance Director
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8. District Citywide	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.	Misty Leslie, City Attorney
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<b>M: Biundo</b> – motion to initiate a bond election process by appointing a citizen bond election committee in December 2015. <b>2<sup>nd</sup>: Winters</b> <b>Roll Call Vote: 5 no/2 yes (Biundo &amp; Winters)</b>	<b>Failed</b>
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<b>M: Hall 2<sup>nd</sup>: Tande</b> <b>Vote: 6 yes 1 no (Biundo)</b>	<b>Approved Resolution 2015-21</b>
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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 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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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:

J. Mayor/Council Reports:

K. Executive Session: **8:40 PM M: Williams 2<sup>nd</sup>: Tande Vote: 7 yes**

9. District Internal 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)).	<b>NO Action</b> 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.

The Board 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).

L. Adjournment: @ **9:15 PM**     **M: Hall**     **2<sup>nd</sup>: Tande**     **Vote: 7 yes**

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SHERRY ANN AGUILAR, CITY CLERK,  
MMC

**POSTED: February 18, 2015 at 3:00 PM**

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.