

COUNCIL MEETING RESULTS

CLOSE



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

Tuesday, April 7, 2015 @ 6:00 PM
COUNCIL CHAMBERS

Back Print

A. CALL TO ORDER

B. ROLL CALL – WILLIAMS WAS EXCUSED

C. PLEDGE OF ALLEGIANCE

D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS

1. District Internal Mayor/Council Recognition of Literacy Challenge Winners - 4th & 5th Grade Classrooms No Action
VM
Williams/CM
Hall
2. District Citywide Mayor Wolcott issues Arizona FairShare Proclamation to recognize and acknowledge the hunger issues that exist in the state of Arizona. No Action
Michael
Celaya

E. CITY MANAGER REPORT:

F. CITY ATTORNEY REPORT:

G. CITY CLERK REPORT:

H. 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: TANDE VOTE: 6 YES
VOTES, 1 EXCUSED (WILLIAMS). ITEM #8 WAS REMOVED BY CM
WINTERS FOR DISCUSSION.**

3. District Citywide Consideration and action on the minutes of March 17, 2015 Regular City Council Work Session and Regular City Council Meeting Approved
Sherry Ann
Aguilar,

- City Clerk
4. District 3 **Consideration and action accepting maintenance of the Shadow Ridge High School Fine Arts Building offsite improvements at Desert Cove Road, north of Shadow Ridge High School and east of Perryville Road; Resolution 2015-25.** Approved
Karl Zook,
Public
Works
Department
 5. District 5 **Consideration and action to amend the FY2015 budget in the amount of \$170,000 from the general fund, general operations' contingency to establish the Surprise Campus/Fields Electrical Panel Split capital improvement project; Resolution 2015-31.** Approved
Mike Gent
 6. District 2 **Consideration and action to approve sampling privileges requested by Nicholas Guttilla (applicant) for Albertsons #977 located at 14551 W. Grand Avenue, Surprise, AZ. 85374 (Current License 09070567).** Approved
Sherry Ann
Aguilar, City
Clerk MMC
 7. District Citywide **Consideration and action accepting grant funding from the Federal Emergency Management Association (FEMA) and amending the fiscal year 2015 budget in the amount of \$312,500 to support projects associated with the flood event that took place in the City of Surprise on September 8, 2014; Resolution 2015-37.** Approved
Fire Chief
Tom Abbott
 8. District 1 **Consideration and action approving the Development Agreement Regarding Martin Acres Flood Control and Norwich Drive Improvements, and authorizing execution of necessary documents; Resolution 2015-32.** Approved
Michael
Boule,
Public
Works
Department

M: WINTERS 2ND: BIUNDO VOTE: 6 YES VOTES, 1 EXCUSED (WILLIAMS).

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

9. District Internal **Discussion and presentation by Greg Pereira regarding the Communiversity.** No Action
Council
Member
Biundo
10. District Citywide **Consideration and action amending the fiscal year 2015 budget in the amount of \$500,000 and establishing an AZ TechCelerator renovation capital improvement project using identified monies from the City Manager's Economic Development division operational contingency fund; Resolution 2015-27.** Approved
Jeanine
Jerkovic,
Economic
Development
Director

M: VILLANUEVA 2ND: TANDE
VOTE: 6 YES VOTES, 1 EXCUSED (WILLIAMS).
11. District Citywide **Consideration and action approving an agreement with the U.S. Census Bureau for the mid-decade census, and amending the FY2015 budget in the amount of \$850,000; Resolution 2015-36.** Approved
Lindsey
Duncan,
Finance
Director

**M: HALL 2ND: TANDE
VOTE: 6 YES VOTES, 1 EXCUSED (WILLIAMS).**

REGULAR AGENDA ITEM - PUBLIC HEARING:

12. District Citywide **Consideration and action approving proposed Zoning Text Amendment pertaining to Assisted Living Facilities; Ordinance 2015-07.** Approved Robert Kuhfuss, Community Development

**M: HALL 2ND: WINTERS
VOTE: 6 YES VOTES, 1 EXCUSED (WILLIAMS).**

I. CALL TO THE PUBLIC: GWENN WISNER – THANK CITY COUNCIL AND STAFF FOR INSTALLING FLASHING STOP SIGNS AT CLEARVIEW AND GOLDWATER IN S.C. GRAND.

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.

J. OTHER BUSINESS AND FUTURE AGENDA ITEMS: NONE

K. MAYOR/COUNCIL REPORTS:

**L. EXECUTIVE SESSION: M: WINTERS 2ND: VILLANUEVA
VOTE: 6 YES VOTES, 1 EXCUSED (WILLIAMS) TO ENTER EXECUTIVE SESSION @ 8:00 P.M.**

13. District Citywide **Discussion and consultation with the City Attorney for legal advice; and to consider its position and instruct its attorneys regarding its position pertaining to contracts that are the subject of negotiations related to the Surprise baseball complex use and expansion; Ariz. Rev. Stat. Section 38-431.03(A)(1)(3) & (4).** No Action Misty Leslie, City Attorney

14. District Citywide Discussion and consultation with the City Attorney for legal advice; to consider its position and instruct its attorneys regarding its position in possible litigation and pending litigation involving the City; Ariz. Rev. Stat. Section 38-431.03(A)(1)(3) & (4).

NO
ACTION
Misty
Leslie, 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 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).

RECONVENED REGULAR MEETING AT 9:44 P.M.

**M. ADJOURNMENT: M: BIUNDO 2ND: HALL VOTE: 6 YES VOTES, 1
EXCUSED (WILLIAMS) @ 9:45 P.M.**

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Posted on Wednesday, April 8, 2015 @ 7:45 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.**