



## COUNCIL MEETING RESULTS

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

Tuesday, May 5, 2015 @ 6:00 PM  
Amended item #8 on 5/1/15 at 2:15 PM

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- A. **CALL TO ORDER**
- B. **ROLL CALL – ALL COUNCIL WERE PRESENT.**
- C. **PLEDGE OF ALLEGIANCE**
- D. **PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS** Ms. Therese Tipton, Principal of Sonoran Heights Elementary received recognition award from City for the A+ School of Excellence Program.
- 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: WILLIAMS 2<sup>ND</sup>: BIUNDO VOTE: 7 YES VOTES**

1. District Citywide **Consideration and action on the minutes of April 21, 2015 Regular City Council Work Session and Regular City Council Meeting.** Approved Sherry Ann Aguilar, City Clerk
2. District 1 **Consideration and action approving the SPA 2 Wastewater Reclamation Facility Capacity Allocation Agreement, and replacing all prior development agreements and amendments regarding property located on the Southwest corner of 155th Ave and Pinnacle Peak Rd.; Resolution 2015-43.** Approved Misty Leslie, City Attorney

- 3. District 1 Consideration and action ordering the work for the proposed street lighting improvements as described in Resolution No. 2015-16 establishing the "City of Surprise, Arizona, Desert Oasis Parcel 11 Lighting Improvement District"; Resolution No. 2015-17 Approved  
Karl Zook,  
Public  
Works  
Department
- 4. District Citywide Consideration and action amending the FY2015 budget in the amount of \$420,100.00, reallocating appropriations from Contingency Fund to Services in the Tourism Fund for the Clubhouse Renovation at Surprise Stadium Project; Resolution No. 2015-44. Approved  
Mark A.  
Coronado,  
Director -  
Community  
&  
Recreation  
Services
- 5. District Citywide Consideration and action to amending the FY2014-2015 budget in the amount of \$33,000 to cover expenses associated with the Arizona Court Automation Project (ACAP) by transferring from the Judicial Collection Enhancement Fund (JCEF) to the Municipal Court Enhancement Fund (MUNE); Resolution 2015-39. Approved  
Maria  
Culver, Sr.  
Financial  
Management  
Analyst

**REGULAR AGENDA ITEM - NON-PUBLIC HEARING:**

- 6. District Internal Consideration and action to appoint to fill 2 vacancies on the Disability Advisory Commission, Paul Curtis with term expiration of July 1, 2016 and Linda Van Natter with term expiration of July 1, 2017; and to appoint Charlie Woodland to fill the vacancy on the Community and Recreation Services Commission with a term expiration of July 1, 2015. Approved  
CM Winters  
& CM Hall

M: WINTERS                      2<sup>nd</sup>: HALL                      Vote: 7 YES  
VOTES

COUNCIL WENT INTO E-SESSION AT THIS POINT AT 6:29 P.M. RECONVENED AT 7:50 P.M.

- 7. District Citywide Discussion and action adopting the tentative expenditure limitation budget for FY2016 in the amount of \$278,821,400 and authorizing publication of said budget; Resolution 2015-45 Approved  
with  
stipulations  
Jared  
Askelson,  
Budget and  
Research  
Manager

**NEED CLARIFICATION ON STIPULATIONS FROM VIDEO ON ACTIONS 1 & 2 AND THE APPROVAL OF RESOLUTION NO. 2015-45 IS RECORDED BELOW.**

M: WINTERS                      2<sup>nd</sup>: WILLIAMS                      Vote: 7 YES  
VOTES TO APPROVE RESOLUTION NO. 2015-45 AS  
AMENDED.

- 8. District Citywide Consideration and possible action identifying the Roy Villanueva Community and Recreation Complex, and abutting City property, as the proposed location for the Boys & Girls Club of Surprise. Approved  
preferred  
location –  
Villanueva  
Complex

M: WILLIAMS      2<sup>nd</sup>: TANDE      Vote: 7 YES VOTES  
WITH STIPULATION TO CHANGE WORD “PROPOSED”  
TO “PREFERRED”.

I. **CALL TO THE PUBLIC:**

**ARIZONA TRADITIONS GUARD HOUSE ISSUE: CHARLES FORD; JULIA RICCIARDI**

**TEMPORARY/REALTY SIGN ISSUE – NATE BRILL; ANDREA ROMERO; TREEDAH MAGEE**

**COX COMMUNICATIONS LICENSE – MICHAEL STULL**

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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J. **OTHER BUSINESS AND FUTURE AGENDA ITEMS: NONE**

K. **MAYOR/COUNCIL REPORTS:**

L. **EXECUTIVE SESSION: M: HALL      2<sup>nd</sup>: BIUNDO      Vote: 7 YES VOTES AT 6:29 P.M.**

- |    |                   |  |   |
|----|-------------------|--|---|
| 9. | District Internal | <b><u>Discussion and consultation with the City Attorney for legal advice; to consider its position and instruct its attorneys regarding its position in pending litigation involving the City; Ariz. Rev. Stat. Section 38-431.03(A)(1)(3) &amp; (4).</u></b> | None<br>Misty<br>Leslie, City<br>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).

**RECONVENED E-SESSION AT 7:50 P.M. THEN CONTINUED ON TO ITEMS 7 & 8.**

**M. ADJOURNMENT: M: BIUNDO      2<sup>nd</sup>: WILLIAMS      Vote: 7 YES VOTES @ 9:08 P.M.**

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SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: May 6, 2015 at 7:50 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.**