

CLOSE

BOARD MEETING RESULTS



CITY OF SURPRISE
CFD Commission Meeting Agenda
16000 N. Civic Center Plaza
Surprise, AZ 85374

Tuesday, June 16, 2015 @ 5:45 PM
COUNCIL CHAMBERS

+ Back Print

- A. **CALL TO ORDER – 6:03 PM**
- B. **ROLL CALL – ALL PRESENT**
- C. **PLEDGE OF ALLEGIANCE**
- D. **PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS**
- E. **CITY MANAGER REPORT:**
- F. **CITY ATTORNEY REPORT:**
- G. **CITY CLERK REPORT:**
- H. **CFD COMMISSION MEETING AGENDA:**

CONSENT AGENDA:

- 1. District 3 Consideration and action on the June 2, 2015 Marley Park CFD Board Meeting minutes. Approved Sherry Ann Aguilar, City Clerk

M: Williams 2ND: Biundo Vote: 6 yes/1 absent (Hall)

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- 2. District 3 Consideration and action authorizing a property tax levy for Marley Park Community Facilities District (MPCFD) at a rate of \$3.7025 per \$100 of assessed value; Resolution MPCFD 2015-03. Approved Jared Askelson, Budget and Research Manager

M: Tande 2ND: Williams Vote: 7 yes

- I. **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.

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:**

K. **MAYOR/COUNCIL REPORTS:**

L. **EXECUTIVE SESSION:**

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).

M. **ADJOURNMENT:** M: Biundo 2ND: Williams Vote: 7 yes to adjourn at 6:09 PM

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: June 17, 2015 AT 9:15 am

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.

CLOSE

COUNCIL MEETING RESULTS

CITY OF SURPRISE



Regular City Council Meeting Agenda

16000 N. Civic Center Plaza

Surprise, AZ 85374

Tuesday, June 16, 2015 @ 6:00 PM

COUNCIL CHAMBERS - Amended on June 15, 2015 @ 1:26 p.m. -

Item #6 Motion Language; 2nd Amendment on 06/15/2015 @ 3:23 p.m. Marley Park Amendment Attachments

Back Print

A. CALL TO ORDER – 6:20 PM

B. ROLL CALL – ALL PRESENT

C. PLEDGE OF ALLEGIANCE

D. 1 PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS

District Citywide Recognition of Marley Park Elementary School for their AEF A+ School Rating. Proclamation recognizing Drowning Impact Awareness Month, August 2015.

No Action
Mayor
Sharon
Wolcott

E. CITY MANAGER REPORT:

F. CITY ATTORNEY REPORT:

G. CITY CLERK REPORT:

H. REGULAR CITY COUNCIL MEETING AGENDA:

CONSENT AGENDA: M: Williams 2ND: Villanueva Vote: 7 yes

2 District Citywide Consideration and action on the meeting minutes of June 2, 2015 Regular City Council Meeting.

Approved
Sherry Ann
Aguilar,
City Clerk

3 District Citywide Consideration and action on requests by Applicant, Andrea Lewkowicz for Safeway Stores located at 17049 W. Bell Road #1997 (2 license numbers 09070702 & 09070653 - Inactive), Surprise, AZ 85374; 14505 W. Grand Avenue #1520, Surprise, AZ 85374 and 13828 W. Waddell Road #2699, Surprise, AZ 85379 for Acquisition of Control of current licenses.

Approved
Sherry Ann
Aguilar,
City Clerk
MMC

- 4 District 4 **Consideration and action approving a one year extension of a final plat, entitled "Quick N Clean Car Wash" Resolution 2015-52.** Approved
Hobart
Wingard -
Community
Development
- 5 District Citywide **Consideration and action approving an Intergovernmental Agreement between the City of Surprise and Arizona Department of Revenue regarding Transaction Privilege Tax Administration; Resolution 2015-63.** Approved
Lindsey
Duncan,
Finance
Director

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- 6 District Internal **Consideration and action on reappointing the following City Board/Commission members all with a term expirations of June 30, 2019 (Arts Commission) Dennis Hansen, Margaret Lieu and Jean Dibner; (Community & Recreation Services Commission) Wayne Turner, Charlie Woodland and Mike Planeta; (Disability Advisory Commission) Nicole Jeffords and Joseph Poschner; (MPC Board), Kevin Brucher; (Personnel Appeals Board) Stanley Mucha, Tyson Gage and Harry Grove; (Planning & Zoning Commission) Matthew Keating, Ken Chapman and Peter Pervi; (Tourism Commission) Stephen Wright, Robert Paisley and Gabriel Rivas; and to appoint Judge Joseph Kreamer to fill the Superior Court vacancy on the Judicial Selection Advisory Commission) with a term expiration of June 30, 2018. The City Clerk will administer the Oath of Office following appointment.** Approved
All
excluding
Peter Pervi
due to his
resignation
- M: Winters 2ND: Williams Vote: 7 yes**
- 7 District Internal **Discussion and possible action to direct the City Attorney to bring forward a code change that will place the City Attorney and City Attorney's staff to operate under the direction of the City Manager.** Tabled until
August 4
Mtg.
- M: Williams 2ND: Tande Vote: 5 yes to table/ 2 no (Winters and Hall)**
- 8 District Citywide **Consideration and action levying a certain sum of money for FY2016 to be assessed against the valuation of real property for primary and secondary tax purposes; Resolution 2015-61.** Approved
Jared
Askelson,
Budget and
Research
Manager
- M: Hall 2ND: Tande Vote: 7 yes**
- 9 District Citywide **Consideration and action levying upon the assessed valuation of property, a certain sum of money for FY2016 to be assessed against Street Light Improvement Districts (SLID) within the city; Resolution 2015-62.** Approved
Jared
Askelson,
Budget and
Research
Manager
- M: Williams 2ND: Winters Vote: 7 yes**

10 District 6 **Consideration and action approving the Fifth Amendment to the Pre-Annexation and Development Agreement (Marley Park f/k/a Waddell); Resolution 2015-60.** Approved
Eric Fitzer,
Community
Development

M: Villanueva 2ND: Williams Vote: 7 yes

11 District Citywide **Presentation and discussion regarding a potential general obligation bond election for November 3, 2015.** No
Motion

I. 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.

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:

Vice Mayor Williams - 1) Step down as Dysart's Liaison - bring it back in August 2) Collaborating with our schools and tie it in to one bond initiative v. doing separate

Mayor Wolcott - Sister City Affiliation - Tlaquepaque, Jalisco Mexico. Directed the City Manager to look at establishing a program and bring it to Council after the summer break

K. MAYOR/COUNCIL REPORTS:

L. EXECUTIVE SESSION: M: Hall 2ND: Tande Vote: 7 yes at 8:44 PM

12 District Internal **Discussions and consultation with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property; and to receive legal advice regarding the same, pursuant to 38-431.03(A)(3) & (7).** No Action
City
Attorney,
Misty Leslie

13 District Internal **Discussion and consultation with outside counsel to** None

receive legal advice regarding a proposed City Code change to move the reporting relationship of the City Attorney from the City Council to the City Manager, including the impact on existing employment contracts. A.R.S. 38-431.03(A)(3) .

Andrew
McGuire,
Outside
Legal
Counsel

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).

M. **ADJOURNMENT: M: Hall 2ND: Winters Vote: 7 yes to adjourn at 9:50 PM**

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: June 17, 2015 AT 9:15 am

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.