

COUNCIL MEETING RESULTS



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

Tuesday, April 5, 2016 @ 6:00 PM

Amended agenda - 4/1/2016 at 1:30 PM - added executive session
and amended on 04/04/16 @ 10:31 a.m. adding Resolution No. 2016-
58.

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A. CALL TO ORDER @ 6:10 P.M.

B. ROLL CALL – ALL COUNCIL WERE PRESENT

C. PLEDGE OF ALLEGIANCE – ARIZONA CHARTER ACADEMY

D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS

District Citywide	<u>A proclamation recognizing April 6, 2016 as <i>Start By Believing Day</i>. Mayor Sharon Wolcott will present the proclamation to Surprise Police Chief Terry Young.</u>	None Mayor Sharon Wolcott
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E. CITY MANAGER REPORT:

District Internal	<u>Bell Grand Update; Rose the Therapy Dog</u>	None Bob Wingenroth, City Manager
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F. CITY ATTORNEY REPORT: NONE

G. CITY CLERK REPORT: NONE

H. CALL TO THE PUBLIC:

- BOB VUKANOVICH
- PATRICK TUCKER
- ED HANZEL
- KEN REMLEY
- HERB HERMAN

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.

I. REGULAR CITY COUNCIL MEETING AGENDA – APPROVED ITEMS 1, 2, 3, 6, 7, 8 & 9.

CONSENT AGENDA: M: BIUNDO 2ND: WILLIAMS VOTE: 7 YES VOTES

1. District Citywide Consideration and action on the minutes of March 15, 2016 Regular City Council Work Session and Regular City Council Meeting. APPROVED
Sherry Ann Aguilar, City Clerk
2. District Citywide Consideration and action approving an Intergovernmental Agreement between the City of Surprise and Maricopa County Department of Transportation (MCDOT) for a cooperative roadway maintenance and improvement program; Resolution # 2016-33. APPROVED
Karl Zook, Public Works Department
3. District 1 Consideration and action declaring the City's intention to create a lighting improvement district pursuant to A.R.S. 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks for the Austin Ranch West Parcel 4 #139 Street Lighting Improvement District; Resolution No. 2016-36. APPROVED
Karl Zook, Public Works Department
4. District 1 **REMOVED FROM CONSENT BY WINTERS** Consideration and action pertaining to approval, subject to alternative approval directions, of the final plat entitled "Austin Ranch West Parcel 4", a 36.55 acre 138 lot, single-family subdivision generally located on the northern side of West Valley Road, 2.4 miles west of Grand Avenue; Resolution # 2016-40. APPROVED
Hobart Wingard - Community Development

COUNCIL ENTERED INTO AN E-SESSION TO DISCUSS ITEMS 4 & 5 @ 7:29 P.M. RECONVENED REGULAR MEETING AT 7:48 P.M.

M: WINTERS 2ND: HALL VOTE: 7 YES

5. District 1 **REMOVED FROM** Consideration and action pertaining to approval, subject to alternative approval direction, of the final plat entitled "Austin Ranch West Parcel 1", a 114.28 acre, 420 lot APPROVED
Hobart Wingard -

CONSENT BY HALL single-family subdivision, generally located on the northern side of West Deer Valley Road, 1.6 miles west of Grand Avenue. Community Development

M: HALL 2ND: WINTERS VOTE: 7 YES

6. District Citywide Consideration and action pertaining to the acceptance of an award from the Arizona Governor's Office of Highway Safety in the amount of \$4,000 to enforce seat belt and child safety seat laws as part of the national "Click it or Ticket" campaign; Resolution # 2016-46. APPROVED
Terry Young, Chief of Police
7. District Internal Consideration and action amending the fiscal year 2016 budget by reallocating appropriations of \$31,700 from grant fund contingency to the City Clerk's General Fund Personnel budget to add a staff position within the Clerk's Office; Resolution # 2016-44. APPROVED
Sherry Aguilar, City Clerk MMC
8. District Citywide Consideration and action approving a Federal Emergency Management Agency (FEMA) grant application through the Assistance to Firefighters Grant (AFG) program for Staffing for Adequate Fire and Emergency Response (SAFER) in the amount of \$737,850; Resolution # 2016-50. APPROVED
Tom Abbott, Fire Chief
9. District Citywide Consideration and action approving a Governor's Office of Highway Safety (GOHS) grant application in the amount of \$20,000 to host a FY2017 DUI and Distracted Driving Mock Crash Drill in conjunction with the Dysart Unified School District (DUSD); Resolution # 2016-49. APPROVED
Tom Abbott, Fire Chief
10. District 3 Consideration and action amending the fiscal year 2016 budget by reallocating appropriations of \$205,000 for construction of Cactus Road 175th Ave to Cotton; Resolution #2016-53. APPROVED
Mike Gent
Public Works Director
- REMOVED FROM CONSENT BY WILLIAMS**

REGULAR AGENDA ITEM - PUBLIC HEARING:

11. District 4 Consideration and action pertaining to an Ordinance rezoning, a .36 acre parcel generally located on the southwest corner of W. Ironwood Street and N. Verde Street in the Original Townsite, from CN/RL-5 split zoning to RL-5; Ordinance # 2016-02. APPROVED
Sergio Angulo, Community Development
- M: HALL 2ND: WILLIAMS VOTE: 5 YES, 2 NO (VILLANUEVA AND WINTERS)**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

12. District 4 Consideration and action pertaining to the final plat entitled "The Door Christian Fellowship", a two lot .36 acre APPROVED
Sergio

property generally located south of Ironwood Street and west of Verde Street in the Original Townsite. Angulo,
Community
Development

**M: VILLANUEVA 2ND: HALL VOTE: 6 YES
VOTES, 1 NO (WINTERS)**

13. District 4 Consideration and Action authorizing the City Manager and Mayor to execute the First Amendment to the 2009 Intergovernmental Agreement for Water Service by the City of El Mirage to the City of Surprise within the Original Townsite. APPROVED
Rick Buss,
Assistant
City
Manager

**M: VILLANUEVA 2ND: TANDE VOTE:7 YES
VOTES**

14. District Citywide Consideration and action pertaining to adoption of a "Notice of Intention" declaring the City's intent to adopt a Stormwater Utility Rate and setting a public hearing on the proposed Rate adoption for May 17, 2016 at 6pm, in the City Hall Council Chambers, 16000 N. Civic Center Plaza, Surprise, Arizona, 85374. APPROVED
Terry Lowe,
Water
Resource
Management
Director

**M: HALL 2ND: TANDE VOTE: 7 YES
VOTES**

15. District Citywide Consideration and action pertaining to the Arts & Cultural Advisory Commission's recommendation for the City to acquire art piece "Top Knot" [formerly known as "Knot me"] at a cost not to exceed \$14,000. APPROVED
Edith
Baltierrez,
Senior
Management
Analyst

M: WILLIAMS 2ND: HALL VOTE: 7 YES

16. District Citywide Discussion pertaining to revenue projections and expenditure recommendations. NO
ACTION
Lindsey
Duncan,
Finance
Director

17. District Citywide Consideration and action to approve four Intergovernmental Agreements pertaining to grant funding for Safe Routes to School Action Plans, maps, and crosswalk safety equipment; Resolution #2016-34. APPROVED
Martin
Lucero,
Community
Development

M: TANDE 2ND: WINTERS VOTE: 7 YES

18. District Citywide Consideration and action pertaining to the adoption of a City Wide Temporary Sign Policy; Resolution #2016-43. APPROVED
AS AMENDED

**M: WILLIAMS 2ND: HALL VOTE: 5 YES,
2 NO (WINTERS & TANDE)**

19. District Citywide Consideration and action pertaining to changing the May 3, 2016 Regular Council Meeting to May 4, 2016. APPROVED
Jeanine
Jerkovic

**M: WINTERS 2ND: TANDE VOTE: 7
YES VOTES**

20. District Internal “Discussion and action pertaining to acceptance of a Dedication of Drainage Easement north of Greenway Road between Bullard Avenue and Litchfield Road; Resolution # 2016-58.” APPROVED
Robert
Wingo, City
Attorney

**COUNCIL ENTERED E-SESSION AT 10:06 P.M. TO
DISCUSS ITEM #20, THEN RECONVENED REGULAR
MEETING AT 10:21 P.M.**

**M: WILLIAMS 2ND: WINTERS
VOTE: 7 YES VOTES**

J. OTHER BUSINESS AND FUTURE AGENDA ITEMS:

K. MAYOR/COUNCIL REPORTS:

L. EXECUTIVE SESSION: INFORMATION ABOVE

21. District Internal Discussion and action to enter executive session for discussion or consultation with the City Attorney to consider its position regarding contracts that are the subject of negotiations, in pending litigation and settlement discussions pertaining to litigation in City of Surprise v. Surprise Center Development Company pursuant to Arizona Revised Statutes 38-431.03 (A)(4). None
Robert
Wingo, 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 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: BIUNDO VOTE: 7 YES VOTES @
10:24 P.M.**

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: April 6, 2016 @ 7:24 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.