

COUNCIL MEETING RESULTS

CITY OF SURPRISE

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



Wednesday, May 4, 2016 @ 6:00 PM

Amended agenda: item 8 - added 2 Dev. Agr.'s and added item 9 on
5/3/2016 at 1:30 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

District Citywide	<u>A proclamation recognizing May 8-14, 2016 as Economic Development Week in the City of Surprise. Mayor Sharon Wolcott will present the proclamation to Surprise Economic Development Director Jeanine Jerkovic.</u>	None Mayor Sharon Wolcott
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E. CITY MANAGER REPORT:

District Internal	<u>Presentation and discussion pertaining to an update of the Bell and Grand Improvement Project.</u> <u>Issue Oath of Office to new Surprise Youth Council Members</u>	None Bob Wingenroth, City Manager
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F. CITY ATTORNEY REPORT:

G. CITY CLERK REPORT: MAY 17TH SPECIAL ELECTION – BALLOT BOX HERE IN CLERKS OFFICE STARTING ON MAY 9TH – MAY 17TH.

H. CALL TO THE PUBLIC: KEN WRIGHT – CAP WATER ARTICLE

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:

**CONSENT AGENDA: M: WILLIAMS 2ND: VILLANUEVA
VOTE: 7 YES VOTES**

1. District Internal Consideration and action pertaining to acceptance of a fire utility vehicle from the City of Avondale to be used in city operations; Resolution #2016-61. Approved
Lindsey Duncan,
Finance Director
2. District Internal Consideration and action on the Regular City Council Work Session and Regular City Council Meeting of April 19, 2016. Approved
Sherry Ann Aguilar,
City Clerk
3. District Citywide Consideration and action pertaining to approval of an Intergovernmental Agreement (IGA) with Dysart Unified School District (DUSD) to provide a secondary fueling source for City fleet; Resolution # 2016-47. Approved
Mike Gent

REGULAR AGENDA ITEM - PUBLIC HEARING:

4. District Citywide Consideration and action pertaining to the adoption of new and revised user fees; Resolution # 2016-62. Approved
Lindsey Duncan,
Finance Director

M: BIUNDO 2ND: WINTERS VOTE: 7 YES VOTES

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

5. District Citywide Discussion and action pertaining to an amendment of the Contribution Agreement between the City of Surprise and The Arizona Community Foundation [on behalf of the Boys & Girls Club of Surprise Steering Committee] by extending the charter deadline from June 1, 2017 to June 1, 2020. **TABLED UNTIL MAY 2, 2017 COUNCIL MEETING**
Bob Wingenroth,
City Manager

**M: WILLIAMS 2ND: TANDE VOTE: 4
YES VOTES (WOLCOTT, WILLIAMS, TANDE
AND WINTERS), 3 NO VOTES (HALL,
VILLANUEVA AND BIUNDO). MOTION CARRIED**

TO TABLE UNTIL MAY 2, 2017 COUNCIL MEETING.

6. District Citywide Presentation and discussion pertaining to the establishment of youth programming at Sierra Montana and Countryside recreation centers as satellite locations in Surprise. DISCUSSION ONLY – NO ACTION TAKEN
Mark A. Coronado
Speakers: Tanner McCarthy; Mary Arend; Jennifer Nichols; Joseph Nichols; Kasey Frese.

7. District Citywide Discussion and action adopting the tentative expenditure limitation budget for FY2017 in the amount of \$275,801,400 and authorizing publication of said tentative budget; Resolution # 2016-67. Approved
Lindsey Duncan,
Finance Director

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

8. District 3 Consideration and action pertaining to the approval of two development agreements to accept land along the Cactus Road alignment between Cotton Lane and 175th Avenue and along Cotton Lane north of Cactus Road; Resolution #2016-68. Approved
Robert Wingo, City Attorney

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

COUNCIL ENTERED E-SESSION TO DISCUSS THIS ITEM AT 10:01 P.M. AND RECONVENED AT 10:12 P.M.

9. District Citywide Discussion and action pertaining to assessment of transaction privilege (sales) tax and property tax rates for the FY2017 budget or alternatives methods for funding enhanced public safety services. **Approved Option "F" with stipulations**

FIRST MOTION FAILED

AMENDED MOTION FAILED – 2 YES VOTES, 5 NO VOTES

3RD MOTION - PASSED

**M: WILLIAMS 2ND: WINTERS
VOTE: 4 YES VOTES (WOLCOTT, VILLANUEVA, WILLIAMS, WINTERS), 3 NO VOTES (HALL,**

BIUNDO AND TANDE). MOTION PASSED.

J. OTHER BUSINESS AND FUTURE AGENDA ITEMS:

- **BIUNDO – BRING FORWARD AN ITEM FOR ARTS POLICY DISCUSSION - 2ND: WINTERS**
- **HALL – BRING FORWARD DISCUSSION ITEM FOR E.D.R.A. INITIATIVE STATUS REPORT 2ND: VILLANUEVA**

K. MAYOR/COUNCIL REPORTS:

L. EXECUTIVE SESSION: M: WILLIAMS 2ND: TANDE VOTE: 7 YES VOTES TO ENTER E-SESSION AT 10:01 P.M.

10. District 1	<u>Consideration and action to enter into executive session for discussion and consultation for legal advice from the City Attorney pertaining to Cactus Road right-of-way development agreements pursuant to Arizona Revised Statutes 38-431.03(A)(3).</u>	None Robert Wingo
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RECONVENED REGULAR MEETING AT 10:12 P.M.

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: VILLANUEVA 2ND: WINTERS VOTE: 7 YES
VOTES @ 10:23 P.M.**

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: May 5, 2016 @ 7: 38 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.**