

COUNCIL MEETING RESULTS



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

Tuesday, June 21, 2016 @ 6:30 PM
COUNCIL CHAMBERS

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- A. **CALL TO ORDER @ 7:28 P.M.**
- B. **ROLL CALL – WILLIAMS WAS ABSENT**
- C. **PLEDGE OF ALLEGIANCE**
- D. **PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS**

District Citywide **A proclamation recognizing June thru August as Drowning Impact Awareness Season in Surprise. Mayor Sharon Wolcott will present the proclamation to Surprise Fire Chief Tom Abbott.** No Action
Mayor
Sharon
Wolcott

- E. **CITY MANAGER REPORT: N/A**
- F. **CITY ATTORNEY REPORT: N/A**
- G. **CITY CLERK REPORT: ELECTIONS UPDATE**
- H. **CALL TO THE PUBLIC: N/A**

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:

REMOVED ITEM # 1 FROM CONSENT – CITY CLERK ADMINISTERED OATH OF OFFICE TO FARAGO & HERTZOG.

CONSENT AGENDA: M: BIUNDO 2ND: TANDE
VOTE: 6 YES VOTES, 1 ABSENT (WILLIAMS).

1. District Internal Consideration and action to reappoint the following Board/Commission Members: David Farago, Arts and Cultural Advisory Commission; Bruce Hertzog, Disability Advisory Commission and Judge Peter Swann, Judicial Selection Advisory Commission all listed members have 4 year term expirations to expire on June 30, 2020. **APPROVED**
Sherry Ann Aguilar, City Clerk

M: WINTERS 2ND: HALL VOTE: 6 YES VOTES, 1 ABSENT (WILLIAMS).
2. District 6 Consideration and action to approve a request by Nikollas Arapi for a Series 12 New License/LLC, for Nick's Diner II located at 13765 N. Litchfield Road, Surprise, Arizona 85379. **APPROVED**
Sherry Ann Aguilar, City Clerk
3. District 5 Consideration and action to approve a request by Cori Infranco for a Series 12 liquor license for Grand Central Eatery, LLC, located at 17300 N. Sun Village Parkway #D, Surprise, AZ. 85374 (Sun Village - New License/LLC). **APPROVED**
Sherry Ann Aguilar, City Clerk
4. District 1 Consideration and action to approve a Series 12 Liquor license request by Mark Russell for Oregano's Pizza Bistro located at 16914 W. Bell Road, Surprise, AZ. 85374 (New License, Corporation). **APPROVED**
Sherry Ann Aguilar, City Clerk
5. District Citywide Consideration and action on the minutes of June 7, 2016 Regular City Council Work Session and Regular City Council Meeting. **APPROVED**
Sherry Ann Aguilar, City Clerk
6. District 3 Consideration and action pertaining to approval of a replat of a final plat entitled "A Replat of Lot 6 of the 'Replat of Lot 1 of the Final Plat for Sierra Montana Crossing' " dated April 25, 2016, a 5.38 acre parcel generally located at the southwestern corner of North Cotton Lane and West Greenway Road within the Sierra Montana PAD. **APPROVED**
Hobart Wingard - Community Development
7. District 3 Consideration and action declaring the City's intent to create the "City of Surprise, Arizona, Sycamore Farms Parcel 12 Phase 2 #138 Lighting Improvement District" pursuant to A.R.S. 48-616; Resolution # 2016-82. **APPROVED**
Karl Zook, Public Works Department

8. District 3 **Consideration and action pertaining to approval of the final plat entitled "The Retreat at Sycamore Farms Parcel 12, Phase 2" dated May 9, 2016, a 16.62 acre 69 lot, 8 tract property generally bounded by SR303 to the west, West Cholla Street to the north, and North 165th Drive to the east.** **APPROVED**
Hobart Wingard - Community Development
9. District Citywide **Consideration and action pertaining to approval and acceptance of contract and grant funds for fiscal year 2017 in the amount of \$50,000 from Area Agency on Aging Region One; Resolution # 2016-91.** **APPROVED**
Seth Dyson, Human Service & Community Vitality Department Director
10. District Citywide **Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County to continue providing Community Action Program services for fiscal year 2017 and acceptance of grant funding in the amount of \$87,452 to support operations of the Surprise Resource Center; Resolution # 2016-88.** **APPROVED**
Seth Dyson, Human Service & Community Vitality
11. District Internal **Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County Community College District for water technology education at Surprise-Gateway Training Center; Resolution # 2016-05.** **APPROVED**
Terry Lowe, Water Resource Management Director
12. District Citywide **Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County for access to, and participation in, AZLink criminal justice information sharing system; Resolution # 2016-93.** **APPROVED**
Terry Young, Police Chief
13. District Internal **Consideration and action pertaining to approval of an Intergovernmental Agreement with the Arizona State Forestry Division for providing assistance in suppressing wildland fires; Resolution # 2016-94.** **APPROVED**
Tom Abbott, Fire Chief
14. District Citywide **Consideration and action pertaining to approval of an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) for the Intelligent Transportation System (ITS) Strategic Plan; Resolution # 2016-83.** **APPROVED**
Michael Boule, Public Works Department
15. District Citywide **Consideration and action pertaining to approval of an Intergovernmental Agreement with the Maricopa County Sheriff's Office to provide access to and participate in the Arizona Automated Fingerprint Identification System Full** **APPROVED**
Terry Young, Police Chief

Access System Terminal Site; Resolution # 2016-96.

REGULAR AGENDA ITEM - PUBLIC HEARING:

16. District Citywide Consideration and action pertaining to approval of a non-exclusive License Agreement with Cox Communications Arizona, LLC, for the use of public rights-of-ways; Resolution # 2016-78. **APPROVED**
Tammie Hollowell - Information Technology
- M: BIUNDO 2ND: VILLANUEVA**
VOTE: 6 YES VOTES, 1 ABSENT (WILLIAMS).
17. District 4 Consideration and action pertaining to declaring as a public record the document entitled, "Code of Ordinances, Part II-Land Development Ordinances, Chapter 122-Surprise Unified Development Code, Article 6 - Zoning Districts, Division 9 Flexible Zoning"; Resolution # 2016-95. **APPROVED**
Joshua Mike, Community Development
- M: VILLANUEVA 2ND: HALL VOTE: 6**
YES VOTES, 1 ABSENT (WILLIAMS).
18. District 4 Consideration and action pertaining to approval of a zoning text amendment repealing Section 122-67, Original Town Site, of the Surprise Uniform Development Code and adopting Section 122-69.1 establishing the Surprise Heritage District and two corresponding overlay zones; Ordinance # 2016-16. **APPROVED**
Joshua Mike - Community Development
- M: VILLANUEVA 2ND: BIUNDO**
VOTE: 6 YES VOTES, 1 ABSENT (WILLIAMS).
19. District 4 Consideration and action pertaining to approval of a rezoning action to apply the Residential Overlay (SHD-RO) zone to 1135 parcels within the Original Townsite; Ordinance #2016-17. **APPROVED**
Joshua Mike - Community Development
- M: VILLANUEVA 2ND: TANDE VOTE:**
6 YES VOTES, 1 ABSENT (WILLIAMS).
20. District 4 Consideration and action pertaining to approval of a rezoning action to apply the Commercial Overlay (SHD-CO) zone to 224 parcels within the Original Townsite; Ordinance # 2016-18. **APPROVED**
Joshua Mike - Community Development
- M: VILLANUEVA 2ND: TANDE VOTE:**
6 YES VOTES, 1 ABSENT (WILLIAMS).
21. District 4 Consideration and action pertaining to approval of a text amendment to Surprise Municipal Code Chapter 109, Sections 46 through 53, to update Infill Incentive **APPROVED**
Joshua Mike - Community

provisions, definitions, and confirming the Plan for the Infill Incentive District; Ordinance # 2016-14. Development

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

22. District Citywide Consideration and action pertaining to ordering and calling a special election for November 8, 2016, to submit to the qualified electors of the City of Surprise one question authorizing the issuance and sale of \$63,000,000 principal amount of general obligation bonds; Resolution # 2016-98. APPROVED
Bob Wingenroth,
City Manager

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

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

23. District 4 Consideration and action approving an Original Townsite Incentive Program to pay for building permit and building plan review fees for the Dysart Mini Storage Project; Resolution # 2016-76. APPROVED
Hobart Wingard -
Community Development

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

J. OTHER BUSINESS AND FUTURE AGENDA ITEMS: N/A

K. MAYOR/COUNCIL REPORTS:

- L. EXECUTIVE SESSION: M: WINTERS 2ND: TANDE VOTE: 6 YES VOTES,
1 ABSENT (WILLIAMS).**

24. District Internal Consideration and action to enter into executive session for discussion or consultation with staff in order to consider the City Council's position and instruct staff regarding negotiations for the lease of real property for a sport related mixed-use facility in the proximate vicinity of Surprise Stadium pursuant to ARS 38-431.03(A)(7). APPROVED
TO ENTER INTO E-
SESSION @ 8:43 P.M.

NO ACTION TAKEN – DISCUSSION ONLY.

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).

ADJOURNED E-SESSION AT 9:04 P.M. AND RECONVENED REGULAR MEETING.

M. ADJOURNMENT:

**M: TANDE 2ND: BIUNDO VOTE: 6 YES VOTE TO ADJOURN THE
REGULAR COUNCIL MEETING AT 9:05 P.M.**

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: June 22, 2016 @ 9:07 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.**