



COUNCIL MEETING RESULTS

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

Tuesday, August 2, 2016 @ 6:00 PM
COUNCIL CHAMBERS

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- A. CALL TO ORDER @ 6:00 P.M.
- B. ROLL CALL – MAYOR WOLCOTT, VICE-MAYOR BIUNDO, COUNCILMEMBERS TANDE, HALL, WILLIAMS & WINTERS. VILLANUEVA WAS EXCUSED.
- C. PLEDGE OF ALLEGIANCE
- D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS
- E. CITY MANAGER REPORT:

District Citywide	<u>Update on the Surprise Youth Employment Program - by Seth Dyson.</u>	No Action City Manager Wingenroth
District Internal	<u>Bell/Grand Update</u>	None Robert Wingenroth, City Manager

- F. CITY ATTORNEY REPORT:
- G. CITY CLERK REPORT:

District Citywide	<u>2016 PRIMARY ELECTION UPDATE</u>	No Action Sherry Ann Aguilar, City Clerk
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- H. CALL TO THE PUBLIC: OLGA PEREZ

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: TANDE VOTE: 6 YES VOTES, 1 EXCUSED (VILLANUEVA).

1. District Citywide Consideration and action on the minutes of June 21, 2016 Regular City Council Work Session; Special City Council Meeting and Regular City Council Meeting. Approved
Sherry Ann Aguilar,
City Clerk
2. District Citywide Consideration and action pertaining to amending the Surprise Municipal Code Chapter 54, Article I, Section 54-3, definition of a "truck" relating to the establishment of truck routes; Ordinance # 2016-24. None
Mike Gent,
Public Works
Department
3. District 6 Consideration and action pertaining to approval of a final plat amendment entitled "Re-Plat of Marley Park Square Amended", dated June 6, 2016, a property generally located at the southwestern corner of Waddell and Litchfield Roads. Approved
Hobart Wingard -
Community Development
4. District Citywide Consideration and action pertaining to modification of the Intergovernmental Agreement between the City of Surprise and Arizona Department of Revenue regarding Transaction Privilege Tax Administration; Resolution # 2016-105. Approved
Lindsey Duncan,
Finance
Director

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

5. District Citywide Consideration and action setting forth the FY2017 levy of property tax rates for Street Light Improvement Districts (SLID) within the city; Resolution # 2016-100. Approved
Lindsey Duncan,
Finance
Director

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

6. District Citywide Consideration and action levying a certain sum of money for FY2017 to be assessed against the valuation of Approved
Lindsey

property for primary and secondary tax purposes;
Resolution # 2016-99.

Duncan,
Finance
Director

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

7. District Citywide Consideration and action pertaining to the
Comprehensive Financial Management Policies. Approved
Lindsey
Duncan,
Finance
Director

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

8. District Internal Consideration and action pertaining to delegation to the
City Manager or his or her designee the exemption
authority for the marking of City of Surprise vehicles in
accordance with A.R.S. Section 38-538.03; Resolution #
2016-97. Approved
Robert
Wingo, City
Attorney

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

9. District 4 Consideration and action pertaining to the termination of
the Dysart and Bell Development Agreement; Resolution #
2016-101. Approved
Greg Seibt,
Attorney's
Office

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

10. District Citywide Consideration and action pertaining to amending the
Surprise Municipal Code with the addition of the Percent
and One-Third for Public Art Program which would
dedicate 1 1/3% of the total costs of applicable City capital
projects to fund public art and setting an effective date of
July 1, 2017; Ordinance # 2016-13. Approved
Bob
Wingenroth,
City
Manager

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

11. District Citywide Consideration and action amending Surprise Municipal
Code Chapter 2, Article VIII, Section 2-299 (d) pertaining to
the Arts and Cultural Advisory Commission's powers,
duties and responsibilities needing to be supplemented to
reflect the additional responsibilities pertaining to the One
and One-third Percent for Public Art Program; Ordinance
2016-15. Approved
Bob
Wingenroth,
City
Manager

**M: BIUNDO 2ND: WILLIAMS
VOTE: 6 YES VOTES, 1 EXCUSED**

(VILLANUEVA).

J. **OTHER BUSINESS AND FUTURE AGENDA ITEMS:
WINTERS – DISCUSS NEW FARES FOR DIAL-A-RIDE SERVICES.
SECONDED BY WOLCOTT.**

K. **MAYOR/COUNCIL REPORTS:**

L. **EXECUTIVE SESSION: M: WINTERS 2ND: WILLIAMS VOTE: 6 YES
VOTES, 1 EXCUSED (VILLANUEVA) – ENTERED E-SESSION @ 7:06 P.M.**

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| 12. District Citywide | <u>Consideration and action to enter into executive session for discussion and consultation for legal advice with the City's attorneys pertaining to litigation in Homebuilders Assoc. of Central Arizona v. City of Surprise pursuant to Arizona Revised Statutes 38-431.03 (A)(3).</u> | None
Robert
Wingo, City
Attorney |
| 13. District 5 | <u>Consideration and action to recess into executive session for the purpose of discussion or consultation with the city's attorney(s) regarding City Council's position regarding the incentive agreement relating to Surprise Center Development Company, Inc. pursuant to A.R.S. 38-431.03 (A)(4).</u> | None
Robert
Wingo, City
Attorney |
| 14. District Internal | <u>Consideration and action to recess into executive session for the purpose of conducting mid-year performance reviews of the City Manager and City Clerk pursuant to A.R.S. 38-431.03 (A)(1).</u> | None
Mark
Schott, HR
Director |

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 REGULAR MEETING AT 9:51 P.M.

**M. ADJOURNMENT: M: WILLIAMS 2ND: HALL VOTE: UNANIMOUS
VOTE TO ADJOURN AT 9:52 P.M.**

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: Wed. August 3, 2016 @ 7:20 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.