

COUNCIL MEETING RESULTS



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



Tuesday, December 6, 2016 @ 6:00 PM
COUNCIL CHAMBERS

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- A. **CALL TO ORDER @ 6:00 P.M.**
- B. **ROLL CALL – WOLCOTT, TANDE, HALL, WILLIAMS, HAYDEN AND WINTERS WERE PRESENT. VILLANUEVA WAS EXCUSED.**
- C. **PLEDGE OF ALLEGIANCE – LED BY PARADISE EDUCATION CENTER STUDENTS.**
- D. **PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS**
- E. **CITY MANAGER REPORT: PARADISE EDUCATION CENTER STUDENTS AZTECHCELERATOR EVENT**
- F. **CITY ATTORNEY REPORT: NONE**
- G. **CITY CLERK REPORT: NONE**
- H. **CALL TO THE PUBLIC: NONE**

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: WINTERS 2ND: TANDE VOTE: 6 YES VOTES, 1 EXCUSED (VILLANUEVA).

1. District 5 Consideration and action pertaining to approval of the re-plat of the final plat entitled "Marketplace at the City", dated November 2, 2016, a property generally located at the southwestern corner of North Litchfield Road and West Statler Boulevard. **APPROVED**
Hobart Wingard - Community Development
2. District Internal Consideration and action pertaining to approval of an Intergovernmental Agreement with Maricopa County for acceptance of HOME grant funding in the amount of \$136,692 as part of the Maricopa County Housing Consortium; Resolution # 2016-129. **APPROVED**
Christina Ramirez, Human Service & Community Vitality
3. District Citywide Consideration and action on FY2017 budget amendment in the amount of \$129,200 by reallocating appropriations from contingency within the Grants Fund to the General Capital fund to provide additional funding for two (2) projects for the Cactus Road Medians and the 107th Avenue and Union Hills projects; Resolution # 2016-147. **APPROVED**
Mike Gent, Public Works Director
4. District 6 Consideration and action pertaining to approval of street maintenance of the north half of Cactus Road, from N. Bullard Avenue to N. 143rd Avenue. This roadway was constructed as a part of Marley Park Phase 3, generally located on the northeast corner of Cactus Road and Bullard Avenue; Resolution # 2016-134. **APPROVED**
Karl Zook, Public Works Department
5. District Citywide Consideration and action pertaining to a Fiscal Year 2017 budget amendment in the amount of \$843,253 for receipt of grant funding from the Department of Defense (DoD) Office of Economic Adjustment to help prevent the siting of energy projects from adversely affecting DoD's test, training, and military operations; Resolution #2016-150. **APPROVED**
Eric Fitzer - Community Development
6. District 1 Consideration and action on the Final Plat to a 4.978 acre lot into four (4) new lots on a property generally ¼ mile south of Pinnacle Peak Road and east of 223rd Avenue. **APPROVED**
Sergio Angulo - Community Development
7. District 6 Consideration and action pertaining to a Fiscal Year 2017 budget amendment in the amount of \$86,000 reallocating appropriations within the Sewer Utility Capital Fund from **APPROVED**
Terry Lowe Water

the SPA1 Recharge Expansion project to the Sluice Gate Repairs project for repairs within the Peoria Ave & Litchfield Rd Junction Structure of the Sluice gate; Resolution # 2016-148. Resource Management Director

8. District 1 Consideration and action to approve a request by applicant, Nicholas Guttilla on behalf of Winco #127, for a Sampling License to accompany an already existing liquor license (Series 09 - 09070343) located at 16925 W. Bell Road, Surprise, AZ. 85388. **APPROVED**
Sherry Ann Aguilar, City Clerk
9. District 6 Consideration and action to approve a request by applicant, NGA Pham for a Series 12 (1207A817) - New License, LLC for PT Noodles located at 13749 N. Litchfield Road, G109, Surprise, AZ. 85374. **APPROVED**
Sherry Ann Aguilar
10. District Citywide Consideration and action on the minutes of November 15, 2016 Regular City Council Meeting and the Special City Council Meeting of November 23, 2016. **APPROVED**
Sherry Ann Aguilar, City Clerk
11. District Internal Consideration and action to approve the 2017 Council Meeting Calendar. **APPROVED**
Sherry Ann Aguilar, City Clerk

REGULAR AGENDA ITEM - PUBLIC HEARING:

12. District 6 Consideration and action pertaining to rezoning approximately 8.1 acres of property located on the west side of Litchfield Road ½ mile north of Peoria Avenue from Rural Residential (RR) to Business Park (BP); Ordinance # 2016-33. **APPROVED**
Hobart Wingard - Community Development
- M: TANDE 2ND: WINTERS
VOTE: 6 YES VOTES, 1 EXCUSED
(VILLANUEVA).**

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

13. District Citywide Consideration and action pertaining to approval of inter-fund cash transfers and loans for FY2016; Resolution # 2016-121. **APPROVED**
Lindsey Duncan, Finance Director
- M: WINTERS 2ND: WILLIAMS
VOTE: 6 YES VOTES, 1 EXCUSED
(VILLANUEVA).**
14. District Citywide Consideration and action pertaining to the approval of two new fees; the residential assisted living fire inspection fee in the amount of \$150 and the treat and refer transport fee in the amount of \$203.80; Resolution #2016-92. **APPROVED**
Tom Abbott, Fire Chief

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

15. District Internal **Consideration and action pertaining to adoption of the City's 2016 State Legislative Agenda.**

APPROVED
Deputy City
Manager
Nicole
Lance

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

- J. OTHER BUSINESS AND FUTURE AGENDA ITEMS:
WOLCOTT – REQUEST TO RENGAGE THE BOND COMMITTEE FOR
OVERVIEW OF NOVEMBER 2016 BOND ELECTION.**

**WILLIAMS – REQUESTED STATUS REPORT OF WHERE THE 911 CALLS
FOR SERVICE ARE COMING FROM THROUGHOUT THE CITY.**

- K. MAYOR/COUNCIL REPORTS:**

- L. EXECUTIVE SESSION M: HALL 2ND: WILLIAMS VOTE: 6 YES VOTES, 1
EXCUSED (VILLANUEVA) @ 7:33 P.M.**

16. District Internal **Consideration and action to enter into Executive Session to discuss and consider the Annual Performance Evaluations and 2016 position objectives for the City Manager and City Clerk pursuant to A.R.S. 38-431.03 (A)(1).**

No Action
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).

COUNCIL RECONVENED THE REGULAR MEETING AT 9:02 P.M.

M. ADJOURNMENT: M: HALL 2ND: WILLIAMS VOTE: 6 YES VOTES, 1 EXCUSED (VILLANUEVA) @ 9:02 P.M.

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: December 7, 2016 at 7:30 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.