

CITY OF SURPRISE
Board and Commission Nomination
Committee Meeting
16000 North Civic Center Plaza
Surprise, AZ 85374

Friday, April 10, 2020 – 1:00 p.m.

Call to Order @ 1:00 p.m.

Roll Call – All Committee members were present.

Councilmember Roland F. Winters, Jr. (Chair) called the **Board and Commission Nomination Committee** to order at 1:00 p.m. at Surprise City Hall, Council Chambers 16000 North Civic Center Plaza Surprise, Arizona 85374, on Friday, April 10, 2020. Also in attendance with Chair, Roland F. Winters, Jr., Committee Member, Ken Remley and Committee Member, Nancy Hayden.

Staff Present: City Clerk, Sherry Ann Aguilar and City Attorney, Robert Wingo.

Other attendees: Arts & Cultural Advisory Commission Chair, Margaret Lieu, Arts & Cultural Advisory Commission Member, Jack Hastings and WHAM Director, Connie Whitlock.

CALL TO THE PUBLIC - none.

REGULAR AGENDA ITEMS:

Consideration and action pertaining to an investigation and/or resolution of allegations against Arts and Cultural Advisory Commission member Jack Hastings pursuant to Surprise Municipal Code Sec. 2-295(b)(5).

Chair Winters asked the Arts Chair, Margaret Lieu to give her testimony and was allowed 7 minutes. Ms. Lieu commented that she may have a witness to testify today, Connie Whitlock, WHAM Director.

Ms. Lieu submitted her comments in writing outlining why she filed the complaint against Mr. Hastings.

Chair Winters asked if there are any questions from the sub-committee members?

Committee Member Hayden asked if all of the commission members know about this situation?

Ms. Lieu said that she has not discussed with other members since it would be a conflict.

Committee Member Remley asked Ms. Lieu if she was present at the time of the commission applicant interviews? At the time we made our decision, it was partially based on your recommendation, correct? Ms. Lieu confirmed participating with the interviews when Mr. Hastings was selected.

Chair Winters asked Ms. Lieu to expand on the Fiesta Grande incident.

Ms. Lieu commented that The Arts Commission had a booth at this event, Mr. Hasting signed up for booth time, but he cancelled to do a ride a long with the Fire Department.

Committee Member Remley asked if there was a question asked if the person selected be able to attend all of the meetings and scheduled events. Do you remember this being asked?

Ms. Lieu - Yes, this was a question all of the members were asked. This is a very active committee.

Committee Member Hayden recalled that Ms. Lieu was excited when Mr. Hastings came on board, is that correct?

Ms. Lieu commented, yes he is very charming and caring when he talks with people.

Chair Winters asked Mr. Hastings to come forward to give his presentation and commented that he has 7 minutes to present his case.

Mr. Hastings thanked the Commission for being here and thanked them for the opportunity to respond.

Mr. Hasting hand delivered a copy of the presentation to the committee members to follow along and proceeded to read aloud the pages submitted. Mr. Hasting commented that this is happening because I am a candidate for District 5 Council seat, and Ms. Lieu and Mr. Cepon are supporters of Councilmember, David Sanders. I feel that this is a conflict of interest.

Committee Member Hayden asked Mr. Hastings if he was made aware that this is a very active commission?

Mr. Hastings commented "Yes, I was very aware, the complaint addresses being late or a few times that I called out".

Chair Winters - on the project for WHAM, were you involved in this project at all?

Mr. Hastings responded "No I was not involved, WHAM is not part of our Arts Commission, I know Ms. Lieu is heavily involved with WHAM". I became involved when Ms. dejong asked for assistance with this project. I made comments on Facebook and offered to go and pick up the cards due to COVID-19.

Chair Winters responded that he has a number of pages here from your Facebook page. When you are on your page, you mention Arts Commission, then you say you are running for office.

Mr. Hastings commented that "No, I keep those separate".

Committee Member Hayden - I ran for office and I understand where you are at, I understand the process.

Chair Winters asked for a motion to enter Executive Session to discuss this issue.

Executive Session:

Committee Member, Ken Remley made the motion to enter Executive Session at 1:38 p.m. Seconded by Committee Member, Nancy Hayden. Motion carried.

Consideration and action to recess into executive session for discussion and consultation with the City Attorney for legal advice pertaining to the Nomination Committee's obligations under Surprise Municipal Code Sec. 2-295(b)(5) pursuant to A.R.S. 38-431.03(A)(3).

Reconvened at 2:03 p.m.

Chair Winters asked for clarification from Ms. Lieu about Fiesta Grande and campaigning at the booth.

Ms. Lieu clarified that the Fiesta Grande issue is not the reason I wrote the letter, it is the history wall picture release.

Chair Winters asked Mr. Hastings to comment on the same issue.

Committee Member Remley asked Ms. Lieu to specifically what was said at the Fiesta Grande booth, what did the people tell you happened at that event?

Ms. Lieu commented that some attendees made an off hand comment, insinuating that they were surprised that a commission member was running for office, he had just told them that he was running.

City Attorney Wingo gave an overview of the committee's responsibility and recommended making a record of findings of fact and conclusion. He went through the allegations to create a record based on this criteria following the City Code.

- 1 - Mishandling Tinker time event. Sustain – Consensus of the Committee
- 2 - Fiesta Grande event – Consensus of the Committee
- 3 - Canceling booth time at Thunderbird Art Festival - Consensus of the Committee
- 4 - Card Campaign - Consensus of the Committee
- 5 - Posting City History wall photos - Consensus of the Committee

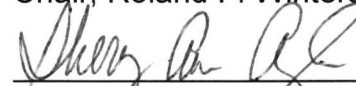
Committee Member Remley made the motion to make a recommendation of removal of Mr. Hastings from the Arts and Cultural Advisory Commission based on the findings to the Mayor and Council at

the next Regular Council Meeting. Committee Member Hayden seconded the motion. Motion carried.

Adjournment:

Committee Member Hayden made the motion to adjourn the **Boards and Commissions Nomination Committee** of April 10, 2020 @ 2:16 p.m. Seconded by Committee Member, Ken Remley. Motion carried.


Chair, Roland F. Winters, Jr.


City Clerk/Deputy Clerk

ATTEST: