



CITY OF SURPRISE
Regular City Council Work Session
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, March 7, 2023 @ 4:00 PM
COUNCIL CHAMBERS

A. Call To Order

Mayor Hall called the Regular City Council Work Session of Tuesday, March 7, 2023 to order at 4:00 p.m., located at Surprise City Hall, 16000 N. Civic Center Plaza, Surprise, AZ. 85374.

B. Roll Call

In attendance with Mayor Hall were Vice-Mayor Chris Judd, Councilmembers Jack Hastings, Patrick Duffy, Aly Cline, and Nicholas Haney. Councilmember Ken Remley was excused.

C. Pledge of Allegiance

Mayor Hall led the Pledge of Allegiance.

D. Proclamation and Community Acknowledgements

E. City Manager Report

F. City Clerk Report

G. Call To The Public

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 only on issues within the jurisdiction of the City Council which are not an item 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.

Please be aware that Council Members may not discuss or respond to matters raised during call to the public that are not specifically identified on the agenda. Council Members may however, in their discretion, discuss or respond to relevant matters raised during a noticed public hearing or agenda item.

H. Regular City Council Work Session Agenda

CONSENT AGENDA:

REGULAR AGENDA ITEM - PUBLIC HEARING:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

1. Citywide Presentation and discussion pertaining to proposed amendments to the Surprise Municipal Code regarding City Council and Boards and Commissions policies and procedures. Robert Wingo Legal

Attorney Wingo presented proposed revisions and amendments to the municipal code. He reviewed the history of the topic which led to the current approach to the changes. He reviewed the parliamentary procedures and addressed the differences between current procedures and proposed changes in league with Robert's Rules of Order. Another provision identified with the legal department was consolidated meetings, identified the current code as an obsolete revision. He suggested either strike the mandate or follow it. Mr. Wingo went on to talk about Bylaws and the City Code. He put forth for consideration a clause about prohibiting employees as candidates for a public body.

Councilmember Hastings commented about starting out on the arts commission and being a part-time employee at the same time. He asked if our current code distinguishes from full time and part time employees participating as candidates? Wingo state that the current code simply says that employees may not serve on a public body. Councilmember Duffy said he started out similarly to Councilmember Hastings. Attorney Wingo asked for further direction from council, saying that right now it requires anyone applying would need to resign. Mayor Hall said it was Draconian to ask the candidate to resign prior to getting a job. Councilmember Hastings agreed and said it made more sense to resign if you get the job instead of right when applying. Wingo stated that his office would advise more caution should that situation be brought to his office now.

Vice-Mayor Judd asked about potential conflicts of interested with a hiring board in that type of situation. Wingo stated that they would refer to state law if there was any conflict of interests.

Vice-Mayor Judd said he wouldn't be against having part time employees participate in public bodies. Councilmember Hastings wanted to remind everyone that they were all part time as council members.

Councilmember Cline agreed with her colleagues, she stated that it would be more difficult if the Board and Commission aligned with the job you were applying for it would make it more difficult. she wants people involved in the city to enjoy the opportunities of being involved with the city further.

Councilmember Haney asked if past practice comes into play? Could an employee reference past practice to continue forward now. Attorney Wingo replied and said it wouldn't set precedence. He said that the code should be followed but said he would do further research. Wingo then asked if it should allow for part-time employees.

Attorney Wingo continued to the next topic about Political Activity. He said that for some reason the term "Salaried" position was exempt from the code and would like to bring it in to be in line with state law.

Attorney Wingo next addressed the topic of term limits in regards to being a chair or vice-chair for a board and commission. He suggested limiting the terms to two consecutive terms. He then asked for council input. Mayor Hall suggested two years. Councilmember Cline stated that she had been on number of public bodies previously. She thinks it would make sense for two-year limits but have the limit reset with a full new term of services. Councilmember Hastings stated that he supported term limits across the board. He compared the Planning & Zoning to the City Council with how they rotate chairs and vice-chairs. Vice-Mayor Judd agreed with the sentiment.

Attorney Wingo then asked about term limits for sitting on boards, and asked to weigh the pros and cons of such a proposal. He suggested two consecutive terms and no limit on the number of

nonconsecutive terms. Councilmember Cline stated that some people get on these boards because it is their passion. She said she would hate for people not to be able to get on and suggested that they interview for the position at the end of a term should they want to continue to make sure they are still interested. Mayor Hall agreed with the suggestion. Councilmember Hastings liked the points made but said they should alternate. He is in favor of setting a limit of 12 years with a break of 4 years. Councilmember Haney was concerned about outing someone who is passionate about that particular board and not having enough people able to serve on a board. Mayor Hall asked the City Clerk if that had happened. Clerk Aguilar stated that it had in the past.

Mayor Hall said that P&Z was statutory and asked about other boards and commissions and state law requirements for those boards? Attorney Wingo stated that he didn't believe it was. Councilmember Duffy said that sometimes someone terms out and no body applies. He said he agreed with Cline to open it back up to make it competitive but not to force anyone out. Mayor Hall agreed. Councilmember Cline asked if we could make the requirements consistent across the board.

Attorney Wingo brought up constancy with the Veterans, Disability, and Human Service Commission stating it was an anomaly with 11 members. He suggested reducing the number of members for this Commission to go down to 7 and that would accrue through attrition. Councilmember Cline said that this particular board was composed of two different commissions and why it is the number it is. She agreed with having that board reduce through attrition. Mayor Hall said he agreed.

Attorney Wingo thanked everyone and said he would return in the future with their suggestions.

- | | | | |
|----|----------|---|-------------------------|
| 2. | Citywide | Presentation and discussion pertaining to the FY2023 Financial Status Report through December 2022. | None |
| | | | Andrea Davis
Finance |

Andrea Davis introduced the FY 2023 General Fund Sources.

Mayor Hall said that it didn't look like the state share wasn't as big as originally thought. Andrea stated that these were still conservative estimates. She said they are still waiting to hear back from the state in the next week or so. She then proceeded go over the FY23 General Fund Uses. Mayor Hall noted that the report was different from what was shown. Andrea said that they revised the numbers to be closer to the estimates.

- | | | | |
|----|----------|--|-------------------------|
| 3. | Citywide | Presentation and discussion pertaining to the FY2024 Budget Department Overview - Public Safety, General Government, & Community Services. | None |
| | | | Andrea Davis
Finance |

Andrea Davis introduced the FY 24 Budget Department Overview. She cautioned about an inflation increase in the costs and packages. All the directors are present for any of the departments being addressed in the presentation. She gave details for the City Court, and Police budgets respectively.

Councilmember Hastings asked the Chief Pina how many officers do we have in the schools in surprise and how are they paid for? Chief Pina talked about SROs and the grants that help with the costs. We're in a 50/50 split with the district for the costs. We are currently evaluating. We could get a request for more officers and possible staffing needs.

Andrea then introduced the Fire budget, and broke down the operating costs. Vice-Mayor Judd asked about Overtime increases and further asked about positions vs overtime costs. Andrea and Fire Chief Espie talked about the factors involved with hiring people to compensate for overtime and the current strategy used to staff the fire department. Vice-Mayor Judd asked when 309 would be opening? Chief Espie said they were hoping for September/October of 2024. Vice-Mayor Judd then asked the average cost of overtime? Andrea said it was averaging \$2 million. Mayor Hall said that there is a point where hiring more people is more cost effective than granting

overtime. Andrea and Chief Espie explained the challenges of hiring quality candidates for the type of work done in the Fire Department, and what they could practically do offer now. Councilmember Duffy asked if there was any plans for a fire truck out for 309 due to the bigger residential buildings. Chief Espie agreed that they would need one in the next few years. Andrea mentioned that the cost of a truck was almost as much as a new station. Mayor Hall asked about the Fulfillment time for a ladder truck? Chief Espie said it takes about 3 years. Further discussion about financing versus buying outright and the pros and cons of that approach.

Andrea proceeded to talk about the budgets for: Community Services, Arts Culture and Library, Parks and Recreation, and Sports and Tourism.

Eric Boyles introduced the General Government Budget for the following departments: Mayor and Council, City Manager's Office, City Auditor, Marketing and Communications, City Attorney, City Clerk, Finance, Human Resources, and Information and Technology.

I. Other Business and Future Agenda Items

J. City Council Reports

K. Executive Session

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));

L. Adjournment

Councilmember Cline made the motion to adjourn. Seconded by Councilmember Hastings. Unanimous yes vote to adjourn at 5:32 p.m.


Skip Hall, Mayor

ATTEST:


Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Work Session of Tuesday, March 7, 2023.


SHERRY ANN AGUILAR, CITY CLERK, MMC