

## Museum and Cultural Advisory Board – Meeting Minutes

The Museum and Cultural Advisory Board met in a regular hybrid meeting via Zoom and at Arizona Museum of Natural History on Thursday January 25, 2024.

### **Members Present:**

Kerry Lengel  
Annalisa Alvrus  
Colleen Byron  
Katelyn Armbruster  
Nick Willis  
Melvin Van Vorst  
Angela Buer  
Brad Peterson  
Greg DeSimone  
Karen Rolston

### **Members Absent:**

### **Staff Present:**

Illya Riske  
Sarah Goedicke  
Jarrad Bittner  
Simon Tipene Adlam  
Mandy Tripoli

Nick Willis called the meeting to order at 4:02pm.

**Public Comments:** There were members of the public observing but no public comments.

### **Presentation: Review of open meeting law – Illya Riske:**

Illya Riske gave a presentation (**Exhibit A**) on open meeting law as a refresher for the board. This will be done for the board on an annual basis moving forward. Some board members had questions regarding social media and Illya Riske stated he would look into that and get clarification for the board.

### **Presentation: Arroyo repair – Illya Riske:**

Illya Riske also gave a presentation (**Exhibit B**) on the status of the Arroyo repair at Mesa Arts Center. The Arroyo is the main water feature that runs through the center of the Mesa Arts Center campus. It was originally intended to run periodically as a flash flood, but because flash floods are dangerous it was changed to run continuously as a stream. The Arroyo needs significant repairs and the city has engaged an on-call contractor to complete design work and give detailed options. The city is also looking at reduced water flow for the feature. The impact to campus depends on the repairs and options selected but are expected to disrupt activity on campus and could last between six and eight months. The Shadow Walk will have to be partially closed for the duration of the repair and retrofit, depending on the option selected. Cost for repairs will also depend on the option selected. Options will be brought to this board and community members before moving forward.

Melvin Van Vorst asked how guests were going to enter the theater building with this area being torn up and Illya stated that staff are looking at options to see how to best mitigate that. Melvin Van Vorst questioned why water is being used at all. Nick Willis also asked about using water and where the funds were coming from. Illya stated they are working with City Management and the Office of Management and Budget to find solutions. Nick also asked about prioritization of repairs across campus. Illya responded that the facility is over 18 years old, so a number of things are starting to pop up. However, there is a small fee on each ticket that is used to fund the facility's restoration fund that covers these repairs.

Kate Armbruster asked if staff had considered alternatives to repairing the Arroyo. Illya stated they considered other options such as not repairing it and creating more event space on campus but the guidance they received was to pursue a retrofit and repair.

**AzMNH Updates – Simon Tipene Adlam:**

Simon Tipene Adlam gave updates regarding the Arizona Museum of Natural History. He shared that the museum is now almost fully staffed and has started accepting applications for their new paid internship program. Annalisa Alvrus commented that Mesa Community College has been advertising that program to students and Simon stated it has been exciting to work with local community colleges. Simon also shared that the education department is re-envisioning its programming. There is now a live paleo lab in the museum lobby where guests can watch scientists work, and those workspaces can be live streamed into Title I schools. Simon also announced that the museum now has the Mesa Mammoth back from ASU, meaning that the museum now basically has all the mammoths in the metro in their collection.

**Discuss projects or presenters of interest and report on events attended:**

Karen Rolston asked if there had been any movement on the open Director position and Illya Riske stated that the director was hired in December and will be at the next board meeting in March.

Nick Willis asked about getting an update on the neon sign garden at a future board meeting.

Brad Peterson asked if there was a META/i.d.e.a. Museum collaboration going on. Jarrad stated he would present more information at the March meeting with more project details and upcoming exhibit information. The museum is preparing for the October launch of the new exhibition. META has been an exciting partner for the museum.

Kerry Lengel announced his resignation from the board due to a move out of state.

***The next scheduled meeting date is March 28, 2023 and will be a hybrid meeting on zoom and at the i.d.e.a. Museum.***

There being no further business, Melvin Van Vorst moved to end the meeting and Karen Rolston seconded. The meeting adjourned at 4:55pm.

Respectfully submitted,

Illya Riske,  
Interim Director of Arts & Culture

January 25, 2024  
Museum and Cultural Advisory  
Board

Open Meeting Law

**Arizona Open Meeting Law  
Arizona Revised Statutes  
Title 38, Chapter 4, Article 3.1**

**A.R.S. § 38-431.09**

**“It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided.”**

# Open Meeting Law (OML)

## Private

Only in limited circumstances:  
Executive Session

Examples:  
Confidential Records, Legal Advice, Contract Negotiations

- No Legal Action (Collective Decision, Commitment or Promise)

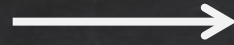
Public's business must be done in public.

## Public

Properly noticed meeting with a posted agenda

Lawful Meeting if a quorum.  
MCAB Quorum = 6  
\*Subcommittee Quorums\*

What  
actually is a  
meeting?



A meeting occurs ANY  
TIME a quorum of the  
public body discusses,  
proposes, or takes legal  
action on a subject that  
is reasonably likely to  
come before the public  
body.

Traditional Meetings



Electronic Meetings



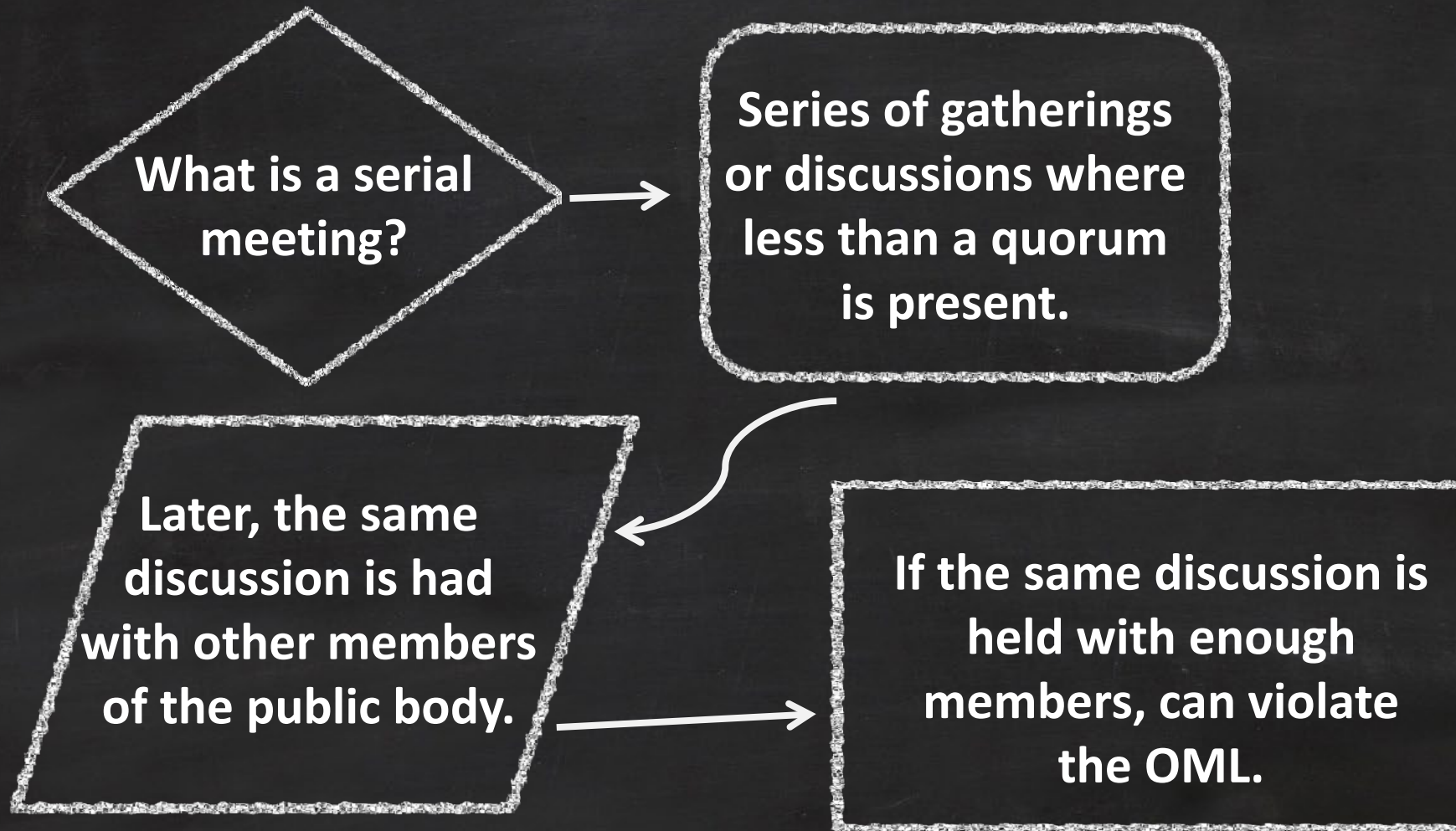
# Pitfalls in OML

## 1. Social Events

- ✓ If quorum will be present at an event, post the event
- ✓ Identify date, time, location and purpose
- ✓ State no legal action will be taken

# Pitfalls in OML

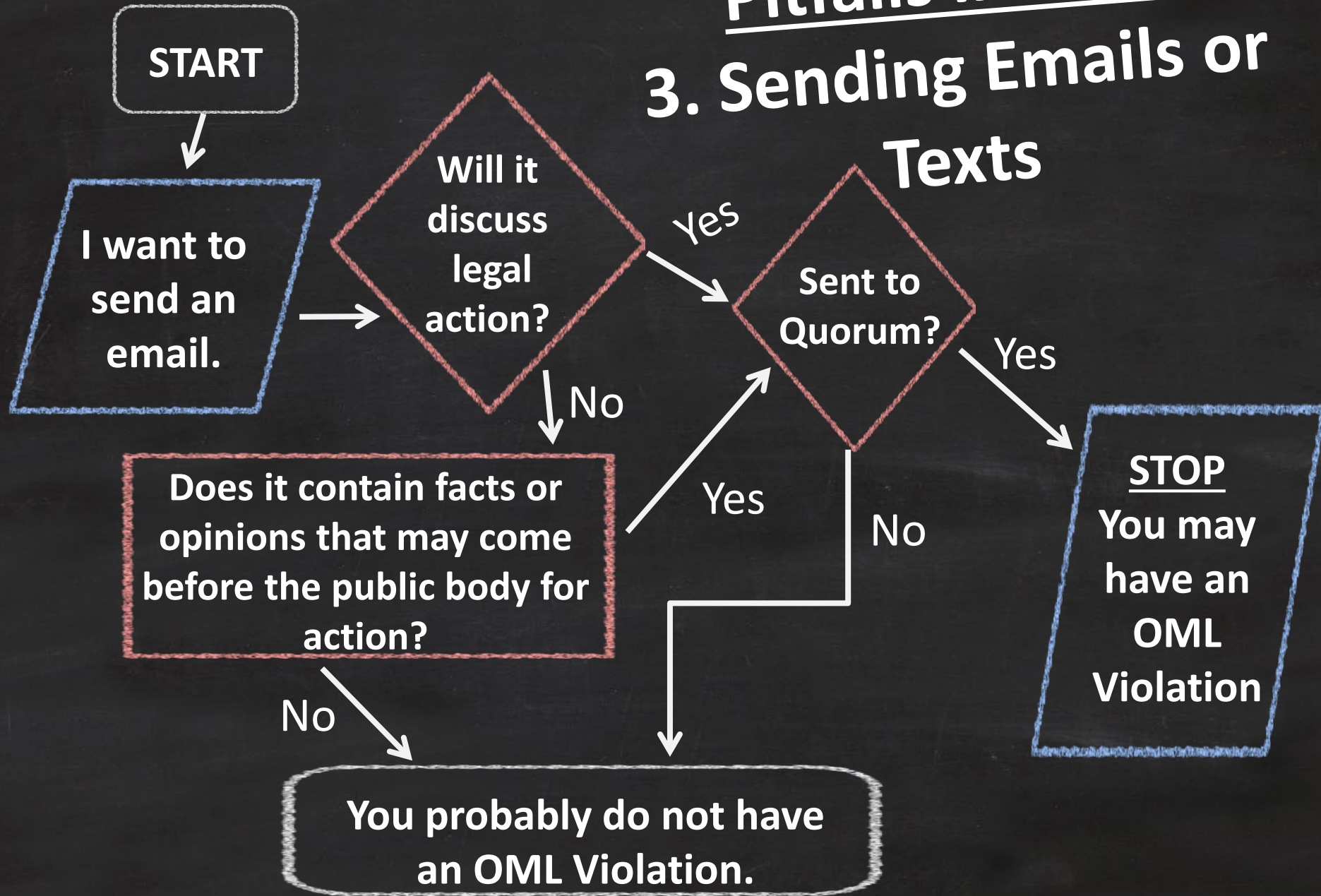
## 2. Serial Meetings





# Pitfalls in OML

## 3. Sending Emails or Texts



Lesson: Be careful responding to emails and text messages.

- Using “**Reply All**” & **Forwarding** Emails may lead to OML trouble.

Mass texts or forwarding text messages can lead to a serial meeting in violation of the OML.



# Pitfalls in OML

## 4. Social Media (emerging issues)

You post comments about the public meeting on your private Facebook page—where you just happen to be “friends” with other members of your public body.

OML  
Problems

?

- Not necessarily...
- Be careful “Liking” comments
  - Do not direct comments to other board members

# Meeting Agenda

Date,  
Time  
and  
Place

Rule:  
If no posted agenda  
24 hours in advance,  
no meeting

Public has right to  
attend a public  
meeting, does not  
have right to speak

Agenda must  
contain the  
matters to be  
discussed or  
decided, or say  
where a detailed  
agenda can be  
obtained

*Can we discuss matters  
not on the agenda?*

No, must be  
reasonably  
related to an  
agenda item



# Violations of the OML

**ACTIONS taken by the Board are NULL and VOID.**



**The Attorney General or County Attorney may INVESTIGATE.**

## Potential Penalties

- ✓ **\$500 civil penalty each violation**
- ✓ **REMOVAL of a board member if the court makes a finding of intent**
- ✓ **Assess the board member with ALL COSTS awarded to the plaintiff**
- ✓ **MAY NOT spend public monies for legal counsel**

# Questions



# Museum and Cultural Advisory Board

January 25, 2024

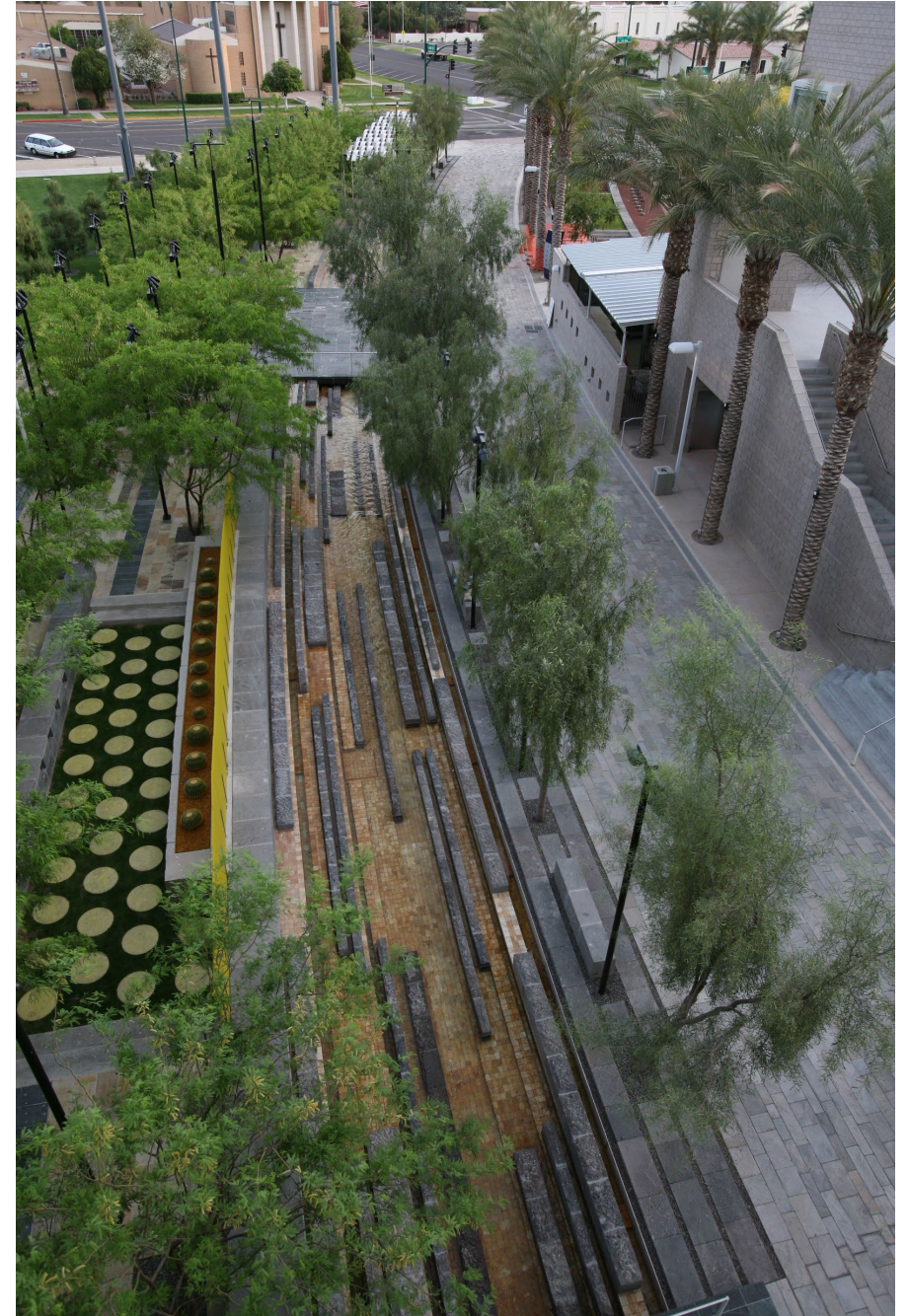
## Mesa Arts Center Arroyo Update





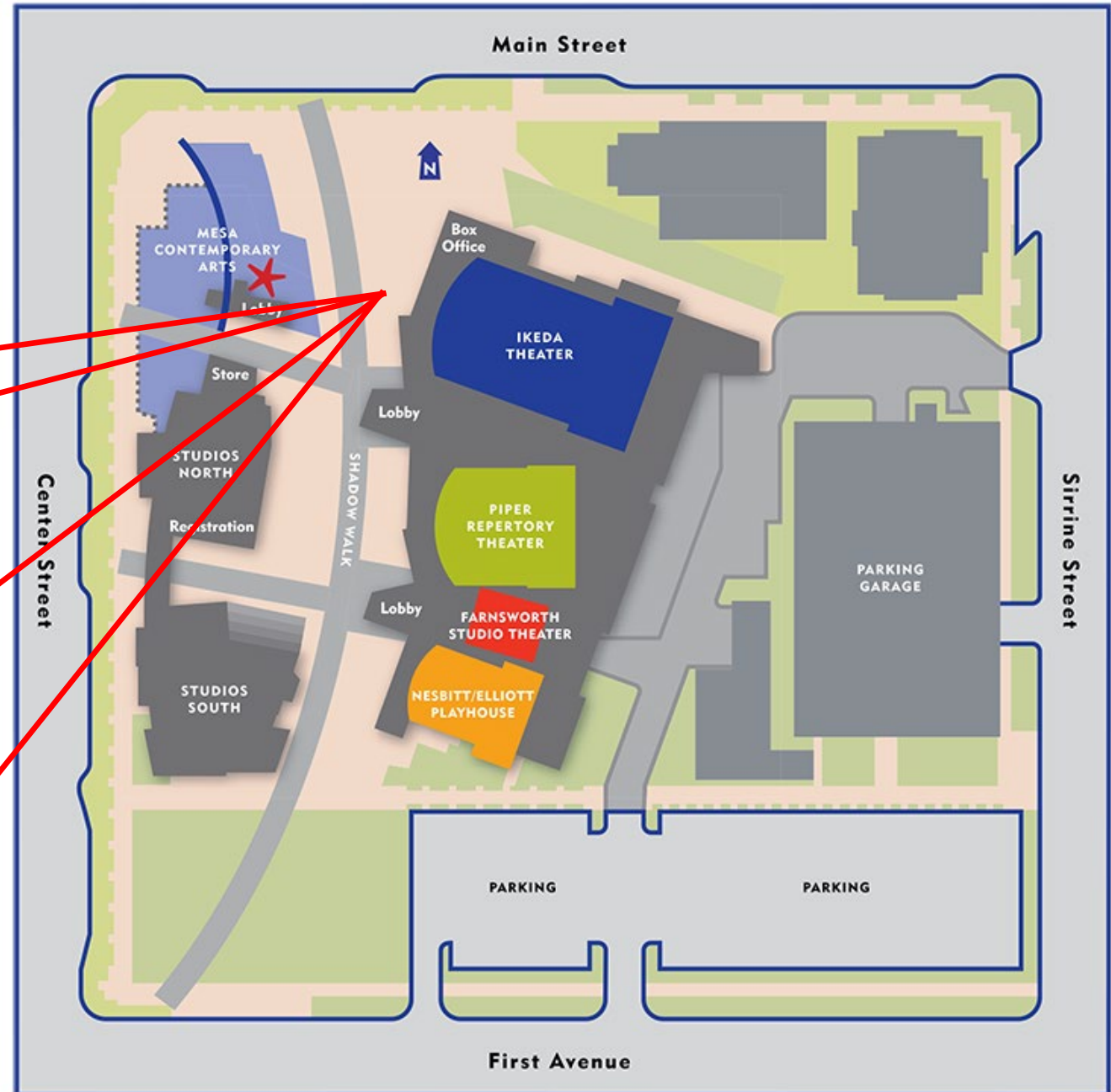
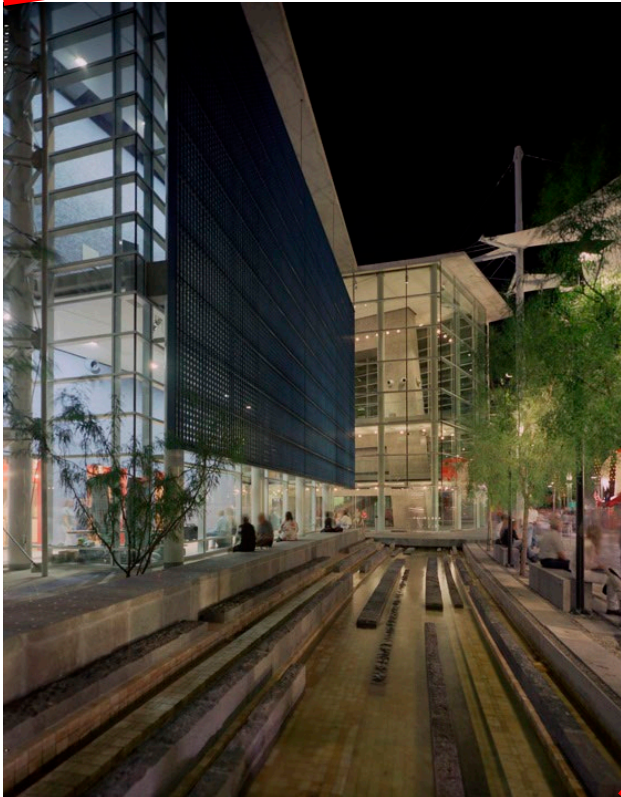
# The Arroyo

- The Arroyo is the main water-feature in the center of the Mesa Arts Center's campus
- Original design intent of the feature was to run with water periodically through campus like a flash flood
- When in operation, was continuously running
- Pairs with the environmental design focus of the rest of MAC Campus



# The Arroyo: Location

- Runs next to the Shadow Walk
- Between the Theaters and the Studios and Contemporary Arts Museum



# Arroyo Needs Significant Repairs



- In 2018, we noticed that the Arroyo was losing significant amounts of water
- We stopped running the Arroyo to prevent the loss of water
- Engaged MAC's Facilities Maintenance team to begin identifying the cause and location of system failures



# Arroyo Repair

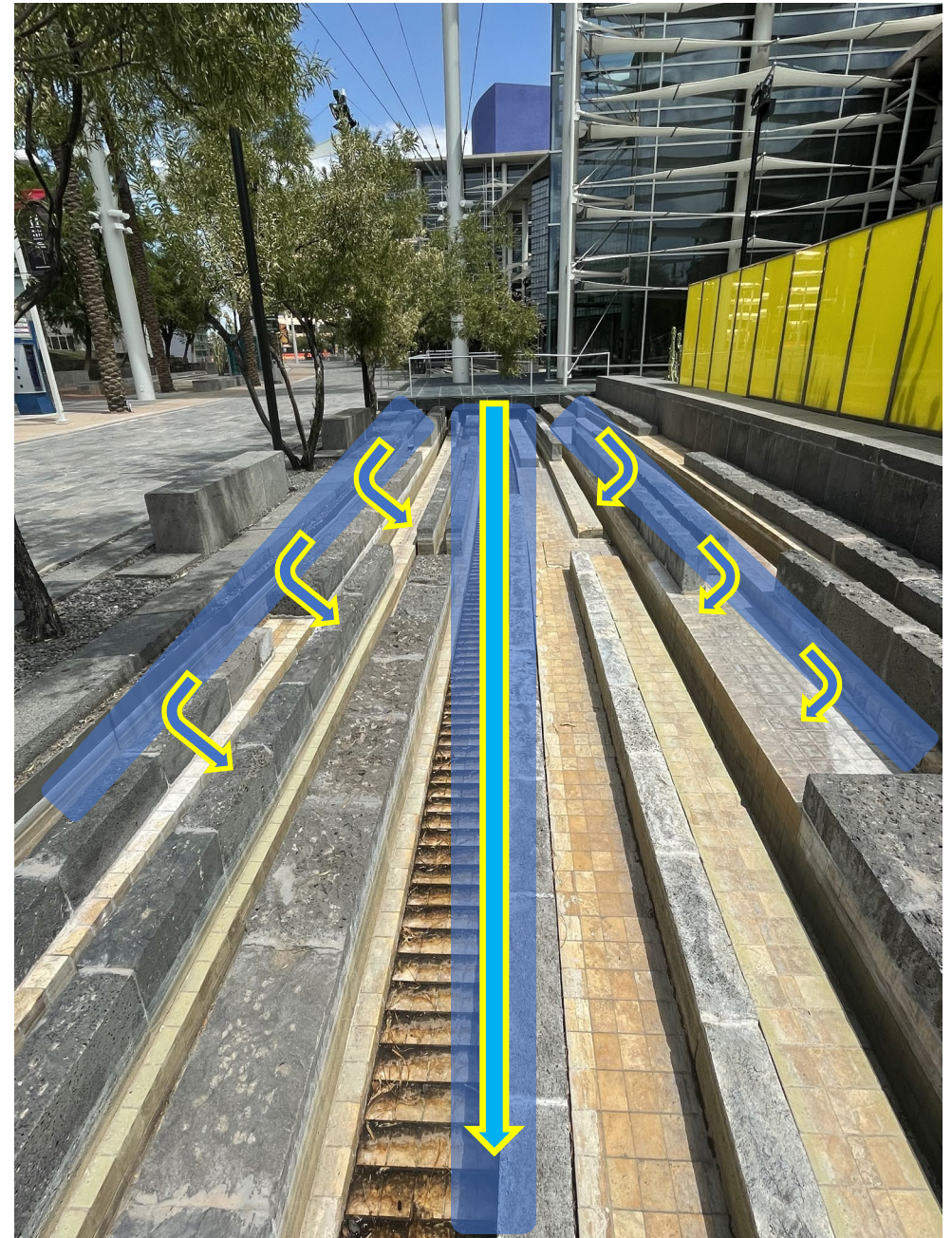
- MAC and City of Mesa Engineering have engaged an on-call contractor
  - Contractor will complete the design work needed
  - Will provide us with detailed options for repair of the Arroyo.
- City Council's Climate Action Plan includes a focus area of Water Stewardship
- Looking at reduced water flow for the feature



# Arroyo

## Retrofit – Reduced Water Flow

- \$1.7M estimate – August 2023
  - Piping, one pump and electronics
- Shadow walk partially closed during repairs
- Less-Intrusive than full restoration – 6-8 months
- Current design uses three pumps
- Reduces water use - eliminates 2 pumps, replaces 1



# Arroyo: Impact to Shadow Walk

- This project will significantly impact the Mesa Arts Center's campus
- Expectation is that it will take six to eight months for construction
- High cost estimates largely due to labor to remove and replace the stonework on the shadow walk
- 8 feet of reinforced concrete underneath the shadow walk

## Estimated Timeline:

- Design – November, 2023 – October, 2024
- Outreach – October, 2024 – March, 2025
- RFP – March, 2025 – October, 2025
- Construction – October, 2025 – October, 2026

