



MINUTES

TOWN OF MIAMI

WORK SESSION OF THE MAYOR AND COUNCIL MONDAY, NOVEMBER 27, 2023 AT 5:00 PM

1. CALL TO ORDER:

Mayor Medina calls the meeting to order at 5:00 p.m.

2. PLEDGE OF ALLEGIANCE/INVOCATION:

Councilmember Sosh led the pledge of allegiance and Mayor Medina gave the invocation.

3. ROLL CALL OF COUNCIL MEMBERS:

PRESENT: Mayor Medina, Councilmember Black, Councilmember Licano, Councilmember Reiman and Councilmember Sosh.

EXCUSED: Vice Mayor Moat and Councilmember Gonzales.

STAFF PRESENT: Town Manager Rivera, Town Attorney Estes, Finance Director Lopez and Town Clerk Norris.

4. BUSINESS:

- A. Information and discussion only:** Council discussion regarding sale of Inspiration School and the construction contract to Chicanos Por La Causa (CPLC), and discussion regarding concerns of permitting, traffic control, safety and road conditions.

Mayor Medina explains that this was brought to his attention a couple weeks ago and he was not sure how to handle it. Mayor Medina introduces Mr. Alfredo Gutierrez to help explain what is happening with this issue. Mr. Gutierrez gives a brief history of the Inspiration School Project. When the project was first proposed to the Town of Miami there were issues of concern that were expressed by the Town and residents. A few of those concerns were construction traffic in the project area, heavy equipment causing damage to the Town's roads, using local contractors for the project and public information in regards to the project. An agreement was reached that the construction companies would have a worksite area on Live Oak Street, where employees would park and be shuttled up to the worksite. There would be an effort made to use local contractors. The project contractor would make any necessary repairs Town roads if damaged by the heavy equipment. Also, there would be a continuing newsletter published regarding the project. Butler Housing has since sold the project to Chicanos Por La Causa (CPLC). The question regarding these

agreements were brought to the attention of CPLC and there was a memo that stated that they were not bound to the promises that were previously made. They informed Town Manager Rivera that they will attend to issues as they arose. At this point there is no promise of outreach to the community nor honor of the original agreements. It is questioned what will happen to the apartments when they finish the project. Town Attorney Estes states this project is an Arizona Department of Housing Grant for low-income housing so it must remain low-income housing. The funding for the project is from ADOH and they approved the sale of the bonds for this project to CPLC. Open discussion and comments as to what the Town can do to make sure the agreements are honored and the Town is protected from costly issues and infrastructure damage. The Town can request the State to suspend the bonds until CPLC comes to Miami and meets with the Town to work out these concerns. It is unsure that the State will do this though. Discussion what the Town can do if the State does not suspend the bonds. Discussion regarding the Towns option of denying permitting for the project and setting weight limits on the roads. Discussion regarding if the Town does not stop this project, the cost will be something the Town cannot afford. Councilmember Sosh asks if Town Manager Rivera has reached out to CPLC to see what they plan to do. Town Manager Rivera states that he has reached out to them but they have not replied. Town Attorney Estes explains the next course of action should be is to have the Town Attorney send them an email to try to get them to meet with us and come to an agreement, as to specific terms and commitments, and get those incorporated into a development agreement, and get that recorded. Open discussion and comments regarding getting CPLC up here to meet with the Town and work this out. Mr. David Berrey states his concern with the water line supplying water to this site.

B. Information and discussion only: Open meeting law training provided by the Town Attorney.

Town Attorney Estes states he is a little behind on doing this training as he likes to do this training every couple of years; more of a refresher course. Brief review of what Open Meeting Law is. An Act mandating open deliberations and proceedings to the public and prohibiting public bodies from making decisions in secret. Public's business must be done in public. Review of required 24-hour notice of public meetings. Explains circumventing Open Meeting Law and what is prohibited. Review of what constitutes a quorum and Open Meeting Law pitfalls. Town Attorney Estes explains serial meetings, a series of gatherings of less than a quorum may constitute a meeting if Council business is discussed or proposed. Review of issues with emails. Brief review of pitfall in regards to social media and technological means. Review of Actual Emergency Exceptions; applicable in very limited circumstances. Review of executive sessions and authorized topics for executive sessions. Review of agendas and public notices, must contain date, time and place of meeting. Agendas must list the specific matters to be discussed, considered, or decided at the meeting and action may only be taken, discussed, or considered on listed items. Review of Call to the Public: the public may only address the public body on issues within its jurisdiction, public body may not discuss the matter. At the conclusion, members may respond to criticism, ask staff to review a matter, or request a future agenda item. Town Attorney Estes also advises to not use generic agenda items topics such as: "personnel", "new business", "old business" or "other matters", must be specific. Town Attorney Estes reviews agenda items of Reports, may include reports on the agenda but must list items that will be reported on and state whether discussion or action will be taken. These must be separately listed agenda items containing information reasonably necessary to inform the public of matters to be

discussed or decided. Council cannot discuss matters not on the agenda. If an Open Meeting Law violation is determined all actions taken are null and void. Review of Open Meeting Law violation penalties.

5. ADJOURNMENT:

Councilmember Black moved to adjourn the work session. Seconded by Councilmember Reiman. Mayor Medina calls for the vote. Vote – Mayor Medina – aye, Vice Mayor Moat - excused, Councilmember Black – aye, Councilmember Gonzales – excused, Councilmember Licano – aye, Councilmember Reiman – aye and Councilmember Sosh - aye. MOTION PASSED.

Meeting adjourned at 6:08 p.m.

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the Town Council of the Town of Miami, AZ held on the 27th day of November, 2023.


I further certify that the meeting was duly called and that a quorum was present.

DATED this 11th day of December 2023.



Karen Norris, Town Clerk

APPROVED:



Jose "Angel" Medina, Sr., Mayor