



**MERIT SYSTEM COMMISSION  
LAW ENFORCEMENT MERIT SYSTEM COUNCIL**

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MINUTES  
Open Meeting  
Tuesday, May 14, 2019

*Members Present:*  
John Fink, Chair  
David P. Freund  
Paul Rubin

*Also Present Were:*

Barry Corey	Counsel for the Commission/Council
Donna Tobias	Recording Secretary, Human Resources
Aurora Hernandez	Human Resources
Daniel Jurkowitz	Deputy County Attorney, Pima County Attorney's Office
Jennifer Blum	Deputy County Attorney, Pima County Attorney's Office
Lenora Anderson	Paralegal, Pima County Attorney's Office
Joshua Kitts	Appellant

The Open Meeting of the Pima County Merit System Commission was called to order by John Fink, Chair, at 9:00 a.m. All persons in attendance were asked to state their names for the record.

**Item C.** Approval of Minutes

None

**Item D.** Other Business

*Discussion and Action:*

1. Joshua Kitts V Pima County Wastewater Reclamation Department
  - a. Motion to Dismiss
  - b. Request for Continuance

Jennifer Blum presented a Motion to Dismiss the appeal for appellant's failure to attend the Pre-Hearing Conference and his failure to submit the discovery requested by the Respondent. Discussion ensued.

Respondent's First Witness: Lenora Anderson, paralegal, Pima County Attorney's office was sworn in by Counsel Barry Corey, Counsel to the Commission and provided testimony in this hearing.

Joshua Kitts requested a continuance for thirty (30) days and discussion ensued.

**ACTION:** Mr. Fink made a motion to go into Executive Session for the purpose of legal consultation with Barry Corey, Counsel to the Commission. Mr. Freund seconded the motion. Motion passed unanimously.

The Commission recessed for Executive Session at 9:30 am and reconvened at 9:37 am.

**ACTION:** Mr. Rubin made a motion to grant the Motion to Dismiss and reject the request to continue. Mr. Fink seconded the motion. Discussion ensued.

Upon vote being taken the Motion passed unanimously.

**ACTION:** Mr. Fink made a motion to adjourn the Open Meeting. Mr. Rubin seconded the motion. Motion passed unanimously. The Commission adjourned at 10:02 a.m.

The digital recording of the official proceedings and the minutes were prepared by the Recording Secretary.

Minutes approved on July 22, 2019.