



**PIMA COUNTY
MERIT SYSTEM COMMISSION/LAW ENFORCEMENT MERIT SYSTEM COUNCIL**

An Open Meeting of the Pima County Merit System Commission/Law Enforcement Merit System Council will be held on **Thursday, September 22, 2022, convening at 9:00 a.m.** in the Human Resources Training Room, located on the **5th floor, 150 West Congress**, Tucson, Arizona to discuss the business of the Pima County Merit System Commission/Law Enforcement Merit System Council. The Pima County Merit System Commission/Law Enforcement Merit System Council may take action on any agenda item. **This is a Microsoft Team Meeting click on the link to listen to the hearing. [Click here to join the meeting.](#) The call in number is 1-602-649-0382, code 116 257 949.**

AGENDA

Participation During COVID-19

Access will be limited and compliance to the following conditions are required:

- Anyone exhibiting COVID-19 or influenza-like symptoms will not be admitted to the hearing.
- It is recommended that all persons entering a County facility wear a mask as follows:
 1. In common areas, lobbies and elevators
 2. In areas where proper physical distancing is not possible (less than 6 feet)
 3. In areas where there is not a protective barrier.

A. Roll Call

B. Pledge of Allegiance

C. Status of Administrative Appeals to Superior Court.

1. Status update regarding Pima County Sheriff's Department v. Pima County Merit System Commission, Case No. 20222761, Judicial Review of the Commission's decisions in the matters of Ray, Schlueter, Fimbres, Garcia, and Mason and the cross appeals filed under other case numbers by Schlueter, Fimbres, Garcia and Mason.
2. Status update regarding Pima County Sheriff's Department v. Pima County Merit Commission, Case No. 20223760, Judicial review of the Commission's decision in the consolidated matters of Acedo, Delgado, Fletes, Laughlin, Mejia, Moreno, Gracia Ramos, Rangel Flores, and Ruiz.

D. Decision in the appeal of Benjamin Rothacker v. Pima County Sheriff's Department, Case #22A-20:

Consideration of Hearing Officer's Report and any written responses submitted to the Report; Commission's decision. Benjamin Rothacker v. Pima County Sheriff's Department. (Appealing Termination as set forth in Merit System Rule 11.5B through D) and possible action by the Commission.

E. Appeal Hearings by Pima County Merit System Commission:

Discussion and Action.

Note: The Commission may elect to consolidate all or part of the hearings listed.

- 1. Alyssa Burgos, Case #22A-19 v. Pima County Sheriff's Department
(Appealing Termination as set forth in Merit System Rule 11.5B through D)
- 2. Jesus Quintero, Case #22A-16 v. Pima County Sheriff's Department
(Appealing Termination as set forth in Merit System Rule 11.5B through D)

F. Possible Executive Session

The Pima County Merit System Commission/Law Enforcement Merit System Council may vote to go into one or more Executive Sessions concerning any matter on the Agenda for any or all of the following purposes:

- (1) discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee, or employee of the County of Pima, pursuant to ARS § 38-431.03(A)(1); and/or
- (2) discussion or consideration of records exempt from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law, pursuant to ARS § 38-431.03(A)(2); and/or
- (3) discussion or consultation for legal advice with the attorney or attorneys for the Commission/Council, pursuant to ARS § 38-431.03(A)(3); and/or
- (4) discussion or consultation with the attorneys for the public body in order to consider its position and instruct its attorneys regarding the Commission/Council's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation, pursuant to ARS § 38-431.03(A)(4).

G. Lunch Break

This meeting may include a lunch break at which two or more members of this panel may dine together at a public location within walking distance of this meeting. No time during the pendency for this appeal out of the hearing room will any of these panel members discuss any aspects of the matter currently under consideration, and any and all persons who may wish to come to the lunch location are welcome to do so. The intended location of the lunch will be announced at the time of any lunch break.

H. Adjournment

Pursuant to A.R.S. § 38-431.02, notice is hereby given that a meeting will be conducted at the time and date set forth above, and on any subsequent date or dates to which this meeting or any hearing which is a party thereof may be continued.

Questions regarding this meeting can be directed to Pima County Human Resources, by calling (520) 724-2732. Copies of the agenda may be obtained by contacting Trina Bergen at (520) 724-2719 or at [Pima County Merit Commission and Law Enforcement Merit System Council](#)

Should you require ADA accommodations, please contact Employment Relations/Rights prior to the meeting at (520) 724-8028.