

DR. MATT HEINZ

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Pima County Board of Supervisors

To: Melissa Manriquez, Clerk of the Board
From: Dr. Matt Heinz, Supervisor, District 2
Date: Thursday December 1, 2022
RE: Item for the December 6, 2022, Addendum Agenda

A handwritten signature in blue ink, appearing to read "M. Heinz", is written over a horizontal blue line.

Please add the following to the Pima County Board of Supervisors Addendum Agenda for Tuesday December 6, 2022:

Board of Supervisors

Discussion/direction/action: Resolution in support of Pima Community College and respectfully asking the Arizona Attorney General to investigate alleged violations of Arizona's Open Meeting laws by members of the PCC Governing Board (attached).

Thank you.

RESOLUTION NO. 2022 - _____

RESOLUTION OF THE PIMA COUNTY BOARD OF SUPERVISORS CALLING ON THE ARIZONA ATTORNEY GENERAL TO INVESTIGATE ALLEGED VIOLATIONS OF OPEN MEETING LAWS BY MEMBERS OF THE PIMA COMMUNITY COLLEGE GOVERNING BOARD

WHEREAS for over 50 years Pima Community College has been a vital cornerstone and driver of Pima County’s economy and public higher education system, providing comprehensive and flexible learning opportunities and access to every resident of Pima County.

WHEREAS Pima Community College is a valued partner to the County in the growth, attraction, and retention of businesses to Southern Arizona, ensuring that Pima County residents have well-paid job opportunities that lead to lifelong careers, providing economic stability and upward mobility.

WHEREAS having invested millions of dollars in educational programs at Pima Community College, Pima County has a vested interest in ensuring good governance and fiduciary responsibility at the College.

WHEREAS Pima Community College is led by an elected Governing Board comprised of five members who have taken the oath of office and are subject to state law.

WHEREAS in a letter dated April 14, 2022, the Office of the Arizona Attorney General delivered a finding that two members of the Pima Community College Governing Board have repeatedly violated the State’s Open Meeting Law “...by disclosing confidential executive session information to a third party that was not authorized to receive such information pursuant to A.R.S. § 38-431.03(B), (F).”

WHEREAS recently resigned Governing Board Chair Catherine Ripley, in a letter distributed to the Pima County Board of Supervisors dated November 18, 2022, alerted the Arizona Attorney General of numerous subsequent allegations of violations of the same law and noted, “Since assuming the role of Chair in early 2022 I experienced firsthand with shock and horror a brazen and total disregard for the law by these two board members which have, and continue, to directly undermine the mission of this public institution and the ability of the board to conduct business, and destroy the public trust.”

WHEREAS Ms. Ripley’s letter continued by saying that the “refusal to comply with Arizona Open Meeting Law and maintain the confidentiality of the executive sessions is an audacious dereliction of duty, an abdication of fiduciary responsibility, and extreme abuse of power that has undermined the democratic authority of the board, costing taxpayers, and eroding the ability of the College to effectively operate.”

WHEREAS the continued existence and success of Pima Community College is of utmost importance to all the residents of Pima County and violations of the law by Board members directly threatens its institutional viability as it is under current review by the Higher Learning Commission.

NOW, THEREFORE, UPON MOTION DULY MADE, SECONDED AND CARRIED, BE IT RESOLVED THAT:

1. The Pima County Board of Supervisors reaffirms its support for the mission of Pima Community College and attests to the crucial role the College plays in providing affordable, accessible educational opportunities to all Pima County residents.
2. The current situation at Pima Community College constitutes a crisis that, left unresolved, will erode public trust in the institution and lead to irrevocable harm to the College and therefore the community.
3. The Pima County Board of Supervisors respectfully asks the Office of the Arizona Attorney General to swiftly investigate the actions of members of the Pima Community College Governing Board, particularly regarding adherence to Arizona's Open Meeting Law, and take immediate action for any Board Member found to have knowingly and repeatedly violated the law pursuant to A.R.S. § 38-431.07 or any other relevant statute or law.

PASSED AND ADOPTED this _____ day of _____, 2022.

Sharon Bronson, Chair,
Pima County Board of Supervisors

ATTEST:

Melissa Manriquez,
Clerk of the Board

APPROVED AS TO FORM:



Sam Brown,
Chief Civil Deputy County Attorney