

Adelita S. Grijalva, District 5

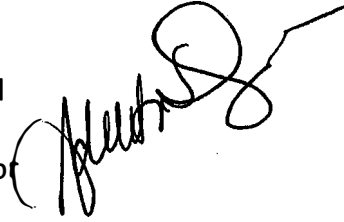
M E M O R A N D U M

DATE: May 20, 2022

TO: Melissa Manriquez, Clerk of the Board

FROM: Adelita Grijalva, District Five Supervisor

REGARDING: Item for the June 7, 2022 agenda



Please add the following to the June 7, 2022 agenda:

Board of Supervisors

Discussion/direction/action. The five Board of Supervisors-appointed members of the Pima County Merit System Commission and Law Enforcement Merit System Council unanimously object to the attorney hired for them by way of a procurement process (see attached May 10, 2022, letter). The Commissioners want to hire their own attorney when the current attorney's contract is up for renewal on February 8, 2023. The Commission hiring an attorney outside of the procurement process is permissible under Pima County Code 11.04.020 (C). Board action is proposed to direct the quasi-judicial Commission to hire its own attorney, effective February 8, 2023. (District 5)

Thank you

MAY 20 2022 P0441 P CLK OF BD

PIMA COUNTY MERIT COMMISSION
LAW ENFORCEMENT MERIT SYSTEM COUNCIL
150 W. Congress, 4th Floor
Tucson, AZ 85701

May 10, 2022

Pima County Board of Supervisors
33 N. Stone Avenue
Tucson, Az 85701

RE: MA-PO-22-090 Contract for Legal Representation for Merit Commission

The above-referenced contract was issued as a consequence of a procurement procedure controlled by Human Resources, which summarily dismissed the objections of the Merit Commission; client for the services in question. The legal counsel selected by the procurement department is not one the Merit Commission wished to have represent it. The fact that Human Resources selects our attorney to advise us in cases involving Pima County-imposed discipline presents a serious conflict of interest for the County.

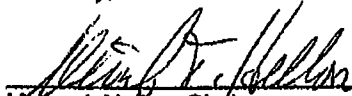
The Merit Commission is an independent, quasi-judicial body, created pursuant to state law. The undersigned believe that, as such, it is entitled to the legal representation IT desires, not the representation desired by procurement and Human Resources.

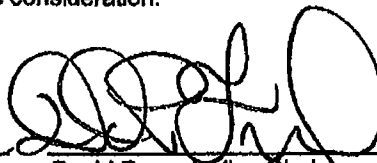
The contract in question expires as of February 9, 2023. We hereby request that it not be renewed; that instead, one of the following two alternatives be adopted:

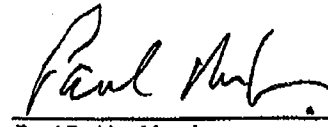
1. A new request for proposals be issued and a selection process undertaken, which reflects the wishes of the Merit Commission, or;
2. The Merit Commission be allowed to select its own legal representation, without interference from procurement or Human Resources.

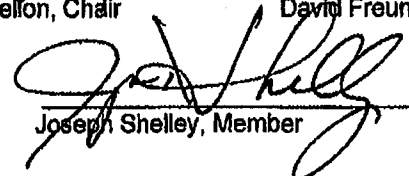
With respect to alternative 2, it is hereby noted that the Pima County Corrections Officer Retirement Board, the Pima County Public Safety Personnel Retirement Board and the Pima County Attorney Investigators Retirement Board are independent quasi-judicial bodies, created pursuant to state law, as is the Merit Commission. All three retirement boards have the right to select their own legal counsel. The Merit Commission deserves the same consideration.

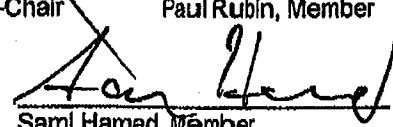
Sincerely,


Michael Helton, Chair


David Freund, Vice-Chair


Paul Rubin, Member


Joseph Shelley, Member


Sami Hamed, Member

CLERK'S NOTE:
COPY TO SUPERVISORS
COUNTY ADMINISTRATOR

DATE 5-10-22 cc
cc: Procurement: Terri Spencer
cc: Human Resources: Cathy Bohland

MAY 10 2022 11:29 AM PC CLK OF BO cc