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Via Email & By Certified Mail, Return Receipt Requested

Pinal County Community College District Governing Board  
c/o James Mannato, Board Attorney  
P.O. Box 2256  
Queen Creek, AZ 85142  
[James.mannato@centralaz.edu](mailto:James.mannato@centralaz.edu)

Re: Open Meeting Law and the Pinal County Community College District Governing Board  
Board Members and Mr. Mannato:

As you know, the Office of the Attorney General (the "Office") received a complaint alleging that the Pinal County Community College District Governing Board (the "Board") violated Arizona's Open Meeting Law. The Office has concluded its review of the allegations and determined that there was an Open Meeting Law violation in connection with the November 16, 2021 executive session. The facts recited in this letter serve as a basis for this conclusion, but are not administrative findings of fact and are not made for purposes other than those set forth in A.R.S. § 38-431 *et seq.*

**Violation**

The complaint alleged that the Board took legal action on an item that was the subject of executive session without properly agendaizing the item. While reviewing the complaint allegations and the publicly available information on the Board's website, *available at* <https://centralaz.edu/about-cac/governance/board-meeting-agendas-minutes/>, the Office noted that although the agenda for the Board's November 16, 2021 meeting included a "[p]ossible [a]ction [i]tem relative to [e]xecutive [s]ession," it did not include a general description of the matters to be considered for the executive session. *See* A.R.S. § 38-431.02(I).

Here, the Board's response admitted that the November 16, 2021 executive session was improper as the agenda did not provide proper notice of the executive session and the subsequent legal action taken once the Board resumed the public session. Accordingly, the Board violated the Open Meeting Law.

### Remedy

To remedy this violation, the Office considered the readily available records documenting whether the Board has had any recent open meeting violations and the Board's response.

Having weighed these factors, and in order to resolve this matter, the Office has determined that the Board must share the contents of this violation letter with the public at the next practicable public meeting, and a copy of this letter must be posted on the Board's website for at least one year from the date of this letter. Additionally, the Office requires that the Board submit copies of all Board meeting notices and agendas to its legal counsel for review and approval prior to holding its meeting for one year from the date of this letter. The Office has noted this occurrence as a violation, which will be considered in determining the response to any further Open Meeting Law violations by the Board and its current members.

This letter relates solely to the disposition of the aforementioned Open Meeting Law complaint; it is not a formal opinion of the Attorney General's Office and should not be cited as authority in other matters.



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Open Meeting Law Enforcement Team