

## Special Joint Meeting

# Regional Transportation Authority (RTA) of Pima County Board of Directors and Pima Association of Governments (PAG) Regional Council Meeting

Meeting Summary of Thursday, May 22, 2025, Joint Meeting

Full Video Recording (YouTube): [YouTube Video Recording](#)

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**Regional Council Members Present:** Mayor Jon Post  
General Ted Maxwell  
Mayor Tom Murphy  
Supervisor Matt Heinz  
Mayor Roxanna Valenzuela  
Mayor Joe Winfield  
Chairman Verlon Jose

**Regional Council Members Absent:** Chairman Julian Hernandez  
Mayor Regina Romero

**Staff Lead:** Farhad Moghimi, Executive Director  
Secretary

The following is an audio-to-text transcription of the joint **Regional Transportation Authority (RTA) of Pima County Board of Directors and Pima Association of Governments (PAG) Regional Council Meeting held on Thursday, May 22, 2025**, and is being used as the written summary of the discussion. Minor changes were made to the transcription to include grammar or formatting for clarity, YouTube links/time stamps, spelling corrections and the addition of the agenda number or items based on the posted agenda.

## Agenda

### 1. Call to Order and Pledge of Allegiance

#### [Item #1 Video Link](#)

**Mayor Winfield:** Welcome everyone. I'd like to call to order the special joint meeting for the Regional Transportation Authority of Pima County, Board of Directors, and Pima Association of Governments Regional Council meeting, May 22, 2025, 3:00 p.m. Jacki, can we do roll call, please?

#### **MEMBERS PRESENT AT ROLL CALL:**

- Mayor Winfield
- Chairman Jose
- Mayor Murphy
- Mayor Valenzuela
- General Maxwell
- Mayor Post

**Mayor Winfield:** Thank you. We have five, six, so five here at the office and we have one, Mayor Valenzuela, that's joining us virtually. If you'd please stand and join us in the Pledge of Allegiance.

**All:** I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**Mayor Winfield:** For the record, we do have a quorum. The next item on the agenda is call to the audience, Mr. Ledford.

## 2. Call to the Audience (Remote Access Option)

### [Item #2 Video Link](#)

**Adam Ledford:** Good afternoon, Mr. Chair. There are no speakers today.

**Mayor Winfield:** OK, thank you. We'll go to item three, which is review and consideration of legal counsel procurement process. Mr. Moghimi, did you want to give any kind of opening?

## 3. Review and Consideration of Legal Counsel Procurement Process

### [Item #3 Video Link](#)

**Farhad Moghimi:** Yes, Mr. Chair, and members of the board, in coordination with the chairs, to discuss making sure that there's ample opportunity for the board today to talk about process for being able to retain an attorney, and the materials in your packet include some draft information about the steps in the process, as well as a draft request for qualifications. Again, all that information is draft at this point, but we want to make sure that you had something to start the conversation with, and at the board's pleasure, we can make any adjustments to those documents and proceed with your authorization.

**Mayor Winfield:** OK, thank you, Mr. Moghimi. I trust that everyone has had an opportunity to review the material that was provided, so if we can begin with just receiving any comments that you have in regard to this material, Mr. Maxwell.

**General Maxwell:** Mr. Chair, thank you very much. The first thing I would like to ask us to do as a board is to consider splitting this up into two separate conversations, because I think it's two separate processes. One is, I believe we are in an urgent need to have an interim or special counsel appointed so we can

continue to move forward. A formal process to select a permanent lawyer for the board or legal counsel for the board, I think is critical and we need to go through a process before we hire somebody full time, but I do feel very strongly that since the last meeting, we've gone almost four weeks, we've made no more progress prior to that, from September to December, we only had one meeting. We are in a position where we need to appoint a special counsel for an interim basis that can take us through the process that we need to work through and at the same time allow us to keep rolling everything else forward.

**Mayor Winfield:** OK. Any objections by members of the board for breaking up this discussion, interim and then discuss an interim counsel versus a permanent counsel, and for the record, Supervisor Heinz joined us at 3:05, welcome. We have Mayor Valenzuela who's joining us virtually, Supervisor Heinz. I'm hearing no objection, so let's go to the discussion on the interim counsel, Mr. Maxwell.

**General Maxwell:** Mr. Chair, appreciate you turning to me. I think because it's of such an urgency, I would like to propose that we instruct the executive director to reach out and with cooperation from a member of the board, preferably, to make an offer to bring in Samuel Coffman as our interim and our special counsel. The reason I bring Sam Coffman up and I've got his bio which I put together, so it's not his official bio, Mr. Coffman is the current general counsel for the Maricopa Association of Governments. So all the issues that we are dealing with, he is very knowledgeable on. He's working already, his firm, Dickinson Wright, which is a national firm, has been representing MAG for over 25 years. He's the leader of their labor and employment practice group, which will be appropriate at this time as well, but the biggest thing is he focuses on in his practice is municipal law, commercial litigation and tribal law, and like I said, for the last eight years he's been the general counsel for the Maricopa Association of Governments and worked all their transportation issues as well as their governmental entity issues. I think he would be good. He's out of the region, so he's got no connection with anybody, any of us around this board in any way, shape or form. He does have

ties to the University or to Tucson because he got his JD at the University of Arizona, but I think he, one, has all the expertise for anything we're dealing with right now, and he is a neutral party that would be able to provide us the legal representation and advice to make sure that any actions we take as we go through the hiring of a new legal counselor, both legal and in compliance with the law, and keeps us out of trouble.

**Supervisor Heinz:** Mr. Chair, may I second that motion, please?

**Mayor Winfield:** I don't believe there was a motion, I think it was a proposal. If you'd like to make a motion –

**General Maxwell:** No, I will, the reason I put it on the table as a proposal, Mr. Chair, is if anybody else has any other individuals that they would like to bring forward at this time. If there is not, at that point, I'd be more than willing to make a motion.

**Mayor Winfield:** I wanted to check in with the board, so do board members have any questions for Mr. Maxwell in regard to his proposal or have you come forward today with a similar proposal with someone in mind that you would like to bring forward to the board?

**Supervisor Heinz:** Mr. Chair, I have had some discussions with other local firms that might be, I think, worthy of consideration once we enter into the process for consideration for permanent counsel, but I do believe that for the reasons that General Maxwell outlined, that it does make sense to pursue this gentleman as interim counsel at this time.

**Mayor Winfield:** Mr. Maxwell, would you like to make a motion?

**General Maxwell:** Yes, sir, Mr. Chair. I would move that we instruct the executive director, with the help of a member of the board, to in a swift and immediate effort to enter into an agreement with Samuel Coffman of the Dickinson Wright Law Firm, who is also the general counsel of the Maricopa Association of Governments, to serve in an interim and temporary status as our special counsel until we have hired a full-time permanent legal counsel for the board.

**Mayor Winfield:** OK. There's a motion on the table, seconded by Supervisor Heinz. Discussion.

**Mayor Murphy:** Mr. Chair, does the General have any thoughts on who that board member would be?

**Mayor Winfield:** That's the question I had.

**Mayor Murphy:** Yeah, you as the chair, obviously, of RTA, but Mayor Winfield, that's if you're willing to do it, but –

**General Maxwell:** Mr. Chair, I would recommend that it would either be the chair, if it's not the chair, then at that point I'm more than willing to serve with this. Full disclosure, I have talked with Mr. Coffman, I was not going to put his name forward if he was unwilling or not wanting to get involved in this. Because of his experience and his ties to Tucson, he's more than willing to take this role. I do believe I'd be available, if necessary, to expedite this. I truly want to target the March 28 is the date to get this done, because I think we can get it done. They have municipality rates. It's not going to require retainer. It's literally just an hourly fee for the services that we ask of him.

**Supervisor Heinz:** Point of clarification, do you mean May 28?

**General Maxwell:** Sorry. Yes. May 28, prior to our May 29 meeting.

**Mayor Winfield:** I had the same, I thought it was March.

**General Maxwell:** No, sorry. I was born March 24, so it's still on my mind. I'm getting old and they're few and far between, but I'm comfortable, Mr. Chair, with any of us serving that capacity to work with the executive director. Every week we lose of not having legal counsel puts us farther behind on getting a plan to the point where we can get it to the voters, as I think is our responsibility.

**Mayor Murphy:** Right. Mr. Chair, just a point of clarification, I'm not sure if you've had any further thoughts about, I know you're going to be out of state on the 29th.

**Mayor Winfield:** I was just going to look at my calendar.

**Mayor Murphy:** I think we were looking at June 5, if I'm not mistaken, potentially.

**Mayor Winfield:** I don't know what, Mr. Moghimi, can you provide us with an update because that's in flux for next week's meeting.

**Farhad Moghimi:** Mr. Chair, members of the board, be happy to. As you recall, back in March when we discussed dates for meetings, there were a couple members at the time, including the chair, that mentioned you would not be in town for, so at the time, we did state that we'll try to identify an alternative date given the fact that if this motion passes, I think we would need a little time to be able to bring a contract to you. I would suggest that, at least for the purpose of this discussion, having the additional time would be helpful.

**Mayor Winfield:** For full disclosure, I will be out of town beginning tomorrow, I get back Sunday evening, and then I leave for out of state. In both instances, I'd

leave to go out of State on the 28th and we'll return on the 31st.

**General Maxwell:** Mr. Chair, for the record, I'll be out of town or out of the country for two weeks starting June 1, but I will make every effort to join virtually, if that's what's required to get to a quorum. I do believe time is of an essence now and we need to do it, but I'm very comfortable moving it to June 5, and if the executive director believes that that will give us enough time to get Mr. Coffman lined up, I'm comfortable with the shifting of the date as well, but I do believe it's important that we get this moving.

**Mayor Murphy:** Mr. Chair, I was going to be out of town, I won't be out of state, but I'll be out of town on the 29th as well, so I looked at June 5 and have that, I moved some things to have that locked in as well.

**Mayor Winfield:** Mr. Moghimi, do we have other board members, have you reached out for that June 5 meeting?

**Farhad Moghimi:** Not yet. Obviously, as soon as we're done here, we'll reach out to all the members that are not here and make sure that they're available, and we can have a quorum, but again, given the fact that if this motion passes, I think we need a few days to put a contract together and add it to the agenda, so I think, hopefully that's a reasonable time.

**Mayor Winfield:** June 5 would be reasonable?

**Farhad Moghimi:** Yes.

**Mayor Winfield:** Any objections?

**Supervisor Heinz:** No objections. I just wanted to let you know that Mayor

Romero has indicated that, through staff, that June 5 would be an available day for her.

**Mayor Winfield:** OK.

**General Maxwell:** Mr. Chair, do I need to amend the motion as such to reflect, so since June 5 is the meeting, I'd say no later than June 4. Have a package prepared to go to the board at the same time as we're negotiating or working with Mr. Coffman on that agreement, I think we can let him know that June 5 is the first day that we need his services, so I'll offer the amendment if I get a second –

**Supervisor Heinz:** I will accept that amendment, and with one point of clarification, Mr. Chair and General Maxwell, then we anticipate that our interim counsel will be present for our meeting starting June 5, just to clarify.

**General Maxwell:** Yeah. He said he would do everything he can and in coordination with the meeting schedule as we provide to him to be either physically present here in Tucson or be present via remote if necessary. Like I said, he does have some ties down here, so he's willing to come down to Tucson.

**Mayor Winfield:** OK. Any more discussion? All in favor say Aye.

**Members:** Aye.

**Mayor Winfield:** Any opposed? The ayes have it, 7-0. Is my math, right? OK, let's go to the discussion on the permanent counsel. Yes, General Maxwell.

**General Maxwell:** Mr. Chair, I know Mayor Murphy's got to get to a graduation tonight, I do believe the discussion of the permanent is important. I think we can have a cursory thing on it. I'd hate to move it too far down the avenue of setting

up firm and hard, fast process yet until we can get in and put in, we've got the majority, obviously, we have a quorum, but I think we'd like to get everybody's voices as well and it gives us more time to look at. I thought the executive did a nice job of outlining a possible process, but I know there's probably other things that we can plan to, and you are all way more experienced with hiring legal counsel. So I'll defer to you, but I'm willing to continue the conversation at your discretion or I'm also willing to move it, too.

**Mayor Winfield:** I think it'd be helpful to have some discussion, we've convened the meeting, folks have made an effort to come here. Again, my presumption is that you've reviewed the packet, but we don't necessarily need to prolong this, so I recognize –

**General Maxwell:** Mr. Chair, are you saying I have to slip my tee time?

**Mayor Winfield:** Comments on the, Supervisor Heinz.

**Supervisor Heinz:** Thank you, Chair. I do think that for any, I guess, any voting for process on permanent counsel, I would appreciate if we had you yourself as well as Mayor Romero present, just so we have the chair of both the RTA and PAG and I will just share recent experience. I was out of state recently and went to a similar-sized jurisdiction with a similar organization and sat down with their leadership just because I'm kind of still doing my homework a little bit myself here and I'm new to this, so I wanted to kind of see how other similar organizations run things, and I was really struck to find out that they did not have a lawyer present for their meetings, that they almost never went into executive session, and they were kind of confused when I asked how they handled that, because they don't really do that, and I said, well, what about an evaluation, for example, performance review, personnel issues, and for that they had like some outside counsel on retainer, of course, but there was not like an actual person, a counsel, an attorney at their meetings. For the evaluation specifically of their leadership of

their executive director on a whatever basis their committee did that, the director of HR went into the meetings, so they didn't even pull in the retained counsel for that. I only share that perspective, I'm not suggesting that that is the way we go forward, but as we talk about the need for or not a permanent legal counsel, it was a really surprising conversation for me to see that they just did not have an operating plan that really involved that much regular input from an attorney.

**Mayor Winfield:** Thank you, Supervisor Heinz.

**Mayor Murphy:** Mr. Chair.

**Mayor Winfield:** Mayor Murphy.

**Mayor Murphy:** Well, being the mayor for nine years down in Sahuarita, we've never not had an attorney present, not only at our meetings, but kind of as we've grown, including our commission meetings, especially our planning and zoning, we've always had an attorney present, and certainly if there's been any personnel issues, if nothing else, for the strict admonishment for open meeting laws, executive sessions, those types of things, so we've actually increased our presence just because of the scrutiny of the public and others to stay good and within the lines. I think as we're working through this process, I would want to, and we also have a fiduciary responsibility to our citizens, especially, well, on both sides, but especially the RTA side, to be well within the playing field, so to speak, I think that would be very important. My expectation would be we would have somebody here in person even with a firm that we work with, and he's based out of Phoenix, he's there every town council meeting and including our PNC meeting, so that's just my thoughts.

**Mayor Winfield:** Thank you, Mayor Murphy. I have a similar experience in my role as mayor for the past seven years. We certainly have an attorney that is at our council meetings, we have a number of boards and commissions, we have

an attorney present actually at each of those boards and commission meetings as well. I think that's a best practice, personally. Any other thoughts about, I have a couple thoughts on the material and I'm fine deferring this to the June 5 meeting for a more robust discussion, but I did note in the kind of list of responsibilities that there was no reference as far as the parliamentarian, so typically the attorney is the parliamentarian at board meetings like this. Also, I don't know if it's important to include dates of when we typically would meet as a board, as part of this, so there's some, that's not the breadth of their responsibilities, but I think it would be helpful so that they have a sense of how frequently we meet, and then the other is that it only makes reference to RTA, and I believe at least Mr. Benavidez was the attorney for PAG and RTA. Any thoughts about that? I think it's important that we have legal representation across both of those groups.

**General Maxwell:** Mr. Chair, I had the same question because it does reference to RTA, and I actually had, It took me a while to figure out that Mr. Benavidez was our counsel, and that's some of you are all, again, much more familiar. I personally agree that having a legal counsel present, the statement's always on there and under the title that we can enter into executive session at any time if we have, need legal advice on any of the issues we've got, but without counsel there, then we really can't, we can't get that advice, so we could get stuck. I fully agree and I do believe it's important that we recognize because I believe the answer to that question is it is PAG and RTA, and then the only other question I'd have, and the executive director may be able to help on this, too, is it really doesn't describe who signs the contract or who they're reporting to. There's a statement in there as part of their package that they have to say which member of the RTA personnel, so I assume that would also be the PAG personnel, would be the one that would oversee their performance. I do believe if the legal counsel is for us as a board, that should be one of our responsibilities, and we're the one that is overseeing their performance and we're the one they come to. Doesn't mean the executive director wouldn't have a role in coordination and facilitation

with that legal counsel, but I think it would be a stronger statement of delineation of the responsibilities of that counsel both to the board and what from our guidance provides the responsibility to the RTA, because I don't know if we've, I've heard we have other counsel that work specifically inside the PAG/RTA entity that doesn't work for us as a board. But I don't know that, and I just need more clarification on that role. I have been confused over that as we've dealt with issues in the past and even more so lately.

**Mayor Winfield:** Supervisor Heinz.

**Supervisor Heinz:** Thank you, Mr. Chair. To General Maxwell's point, I agree I've been a little confused, it's a little schizophrenic because it's the same nine of us that are the PAG and the RTA, but maybe the chair of RTA signs that agreement for the, maybe there are two contracts with the same firm, RTA and PAG, and then the chair of PAG signs one and the chair of RTA signs the other. Whatever we have to do, maybe we can ask our soon to be interim legal counsel what they recommend unless someone else understands that.

**Mr. Chair:** Mr. Moghimi.

**Farhad Moghimi:** I can respond to that. Correct, it's both PAG and RTA and attorney represents the governing body. The template specifically said RTA initially because we want to make sure that we have a conversation about that, and the reason for it is that when the RTA was created, there was also a memorandum of agreement between RTA and PAG, so basically sharing of resources and staff. That agreement spells out a little bit more that personnel, including the attorney, serve both entities, but I agree that it's probably helpful to have that additional information in here as well.

**Mayor Murphy:** Mr. Chair.

**Mayor Winfield:** Yeah. Mayor Murphy.

**Mayor Murphy:** When it was Mr. Benavidez, was it PAG that paid the whole bill or was the bill split between PAG meeting and RTA meeting on who pays?

**Farhad Moghimi:** Great question. Mr. Chair, members of the board, it's well defined depending on what services are being provided, there's certain services that are eligible for federal funding, so those are typically on the PAG side of the business, so the invoices were separate between PAG and RTA for that reason. But at the same time, we want to make sure that we have a good record of when services are provided for each entity and keep those records separate as well, but it's important to note, since you brought up the question, that there are certain services that are not eligible for federal funding, and we have to make sure that we identify those services if it's rendered, and then we don't get refunded from ADOT and federal agencies.

**Mayor Winfield:** Prior to the RTA, Mr. Moghimi, of course, PAG predated RTA, was there an attorney prior to RTA?

**Farhad Moghimi:** Good question. I was trying to remember if that was the case. To my knowledge, RTA was the main reason that PAG/RTA started bringing an attorney on, but Jacki was here before me, if you don't mind. Jacki do you remember before Thomas, we didn't have an attorney?

**Jacki Ontiveros:** I don't believe so.

**Mayor Winfield:** OK.

**Farhad Moghimi:** Yeah.

**Mayor Murphy:** Mr. Chair, to another point, our council, we hire three people.

We hire the magistrate, the town manager, and the attorney, which allows them to report to the board, and we do the evaluation with the attorney, so I don't know how everybody else does it, but that's how that's how we do it.

**Mayor Winfield:** Yeah, ours is the same, with one exception, we also have the chief of police who falls under the council of the Town of Oro Valley. Any other input in terms of what's been provided, General Maxwell?

**General Maxwell:** Mr. Chair, if it's a question we don't need to have answered today, that's fine, too, but it has nothing to do with that, it's more like, do we have more than just Mr. Benavidez that represents PAG and RTA at all as attorneys, either in house or out?

**Farhad Moghimi:** No, we do not. Over time we've had HR-related training sessions and opportunities that in coordination with Thomas, we've been able to bring other folks in to support that but not representing the governing body or the organization.

**General Maxwell:** Thank you. I think as we go through this process, it would be helpful to me to learn more about, and obviously it's insightful that we didn't have one before RTA or it doesn't appear, but it'd be more insightful for me to understand what that the person we're hiring's role inside the entities and inside the organization that the executive director runs would be so we understand where there are potential conflicts.

**Mayor Winfield:** Agreed.

**Mayor Murphy:** Mr. Chair, the other thing, go ahead, Chairman, that's OK.

**Mayor Winfield:** Chairman Jose.

**Chairman Jose:** Chairman and members of the board, I believe that I think it's a little bit premature, I think we need to work on getting an interim legal counsel and then we can kind of iron out all those valid questions that are being asked and move forward and to even kind to cover some of the areas that are kind of shady on representation of both PAG and RTA, I think moving forward, when we secure a permanent legal counsel. My thoughts are that we would move forward to secure an interim legal counsel and develop the process moving forward. Thank you.

**Mayor Winfield:** Thank you, Chairman Jose. I'm not in disagreement. We've made that motion and so that's going to move forward. I think there's some value in having at least preliminary discussion on some of these issues that have been raised. That way it'll make for a more fruitful conversation on June 5 would be my hope, and we're not going to belabor this, but any more input?

**Mayor Murphy:** One last thing was, we didn't have really a time frame, so I think coming back, I don't know what's necessarily reasonable on submittal due dates and how long do we put it out on the street, those are always conversations that we have when we do hire, how long do we put it out there. I think we've had good conversation on tweaking some of the requirements on there, but really just be at least be thinking about how long do we want to put it out there, and maybe the interim attorney can really weigh in from a perspective of what's reasonable, when they're busy and they have other things on their plate, what would be a good time frame to put out there. So kind of to Chairman Jose's point, they might have some good input on some of the things that we brought up today.

**Mayor Winfield:** OK. Well, with that, we will adjourn the PAG/RTA special meeting.

**Supervisor Heinz:** Did we vote?

**Mayor Winfield:** We already did vote.

**Supervisor Heinz:** OK.

**Mayor Winfield:** Vote for adjournment?

**Supervisor Heinz:** No, I just meant, but in terms of the next meeting, should we discuss, because we have unfinished business that we need to make sure is properly agendaized, so would we want to ensure that we have the items we voted on previously on both of the June 5 meetings. I just want to make sure that happens, and if you need me to make a motion to make sure that happens, I will.

**Mayor Winfield:** Sure, Supervisor Heinz.

**Supervisor Heinz:** OK. I just want to make sure that we place on the agendas for both the PAG Regional Council and RTA Board of Directors meetings now for June 5, 2025, discussion, direction, action on executive director's current employment contract, consideration of appointment of interim executive director, as well as the continued consideration of the agenda item from today with regard to discussion for review of a process to hire permanent legal counsel for the RTA and PAG as needed.

**Mayor Winfield:** Second, is there a second?

**Mayor Valenzuela:** I'll second that.

**Mayor Winfield:** Mayor Valenzuela, discussion? Discussion. OK. All in favor, say aye.

**Members:** Aye.

**Mayor Winfield:** Any opposed? Nay. The ayes have it, 7-0. Now we can adjourn?

**Mayor Murphy:** Up to the chair.

**Mayor Winfield:** All right, the meeting is adjourned.

#### 4. Adjournment

The meeting was adjourned at 3:31 p.m.

### CERTIFICATION

I hereby certify that the foregoing is a meeting summary of the joint Regional Transportation Authority (RTA) of Pima County Board of Directors and Pima Association of Governments (PAG) Regional Council meeting held on May 22, 2025. This summary is not intended to be verbatim. It serves as the summary of action items taken at the meeting upon approval by the PAG Regional Council. An audio recording is available upon request and serves as the official minutes. I further certify that a quorum was present.

*Dave Adler*

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Dave Adler, Acting Executive Director

*In compliance with the Arizona Open Meeting Law, the PAG Regional Council legal actions and this meeting summary are posted online, and an audio recording which serves as the official minutes of the meeting is available upon request. In addition, a meeting video is also available at: [YouTube Video Recording](#)*