



### ***PARTICIPATING AND ATTENDING MEETINGS***

**PARTICIPATING AND ATTENDING MEETINGS:** The public is welcome and encouraged to speak at Judicial Advisory Board meetings on an agenda item or on an issue that is not specifically on the agenda during “Items from Citizens Present.” The public may attend and participate in person, electronically, and telephonically. Speakers will generally be given three minutes.

**IN PERSON COMMENT:** Submit a public comment card to the Deputy City Clerk prior to the meeting. You have the choice to have your comments read aloud or to speak. If you choose to speak, your name will be called, and you will be asked to address the Board at the lectern.

**TELEPHONE COMMENT:** Submit an online comment card at least one hour prior to the meeting by going to <https://www.mesaaz.gov/government/advisory-boards-committees/judicial-advisory-board/online-meeting-comment-card> . At the start of the meeting, call **888-788-0099** or **877-853-5247** (toll free) using meeting ID **5301232921** and follow the prompts. You will be prompted to unmute your line when it is time for you to speak.

**ELECTRONIC COMMENT:** Submit an online comment card at least one hour prior to the start of the meeting by going to <https://www.mesaaz.gov/government/advisory-boards-committees/judicial-advisory-board/online-meeting-comment-card>.

For help with the online comment card, or for any other technical difficulties, please call 480-644-2099.

## Judicial Advisory Board

**Wednesday, February 2, 2022, 7:45 a.m.  
Meeting Agenda**

Gordon Sheffield, Chairperson  
Kent Cattani, Vice Chairperson  
Kelly Durham  
Kelli Flinchbaugh  
Daniel Kiley  
Theo McCalvin  
Wade Swanson

1. Meeting Called to Order.
2. Approve minutes from the December 6, 2021, meeting.
3. Items from Citizens Present.
4. Review and discuss the reappointment process of Presiding Magistrate John Tatz, Magistrates Elizabeth Arriola, Alicia Lawler, and Raymond Schumacher, whose terms expires June 30, 2022.
5. Convene an Executive Session.
  - a. Discussion or consideration of employment, assignment, appointment, promotion or resignation of a public officer, appointee, or employee of the City. (A.R.S. 38-431.03A(1));
    1. Review and discuss applications and background materials for Presiding Magistrate John Tatz and Magistrates Elizabeth Arriola, Alicia Lawler, and Raymond Schumacher.
6. Review, discuss, and take action on items related to the reappointment of the Presiding Magistrate John Tatz and Magistrates Arriola, Lawler, and Schumacher .
7. Scheduling of meetings and general information:

Next meeting:

**March 16, 2022, 4:30 p.m.  
Public Hearing and Interviews  
Lower Level Council Chambers  
57 E. First Street**
8. Adjourn.



# JUDICIAL ADVISORY BOARD MINUTES

December 6, 2021

The Judicial Advisory Board of the City of Mesa met in the lower-level meeting room of the Council Chambers, 57 East 1st Street, on December 6, 2021, at 7:46 a.m.

## BOARD PRESENT

Gordon Sheffield, Chairman  
Kent Cattani, Vice Chair  
Kelley Durham  
Kelli Flinchbaugh  
Daniel Kiley  
Theo McCalvin  
Wade Swanson

## BOARD ABSENT

None

## STAFF PRESENT

Nicole Fazzio  
Agnes Goodwine  
Carrie Pile  
Alfred Smith

(Items were discussed out of order, but for purposes of clarity will remain as listed on the agenda.)

### 1. Meeting called to order.

Chairman Sheffield called the meeting to order at 7:46 a.m. and conducted a roll call.

### 2. Approve minutes from the October 26, 2021, Board meeting.

It was moved by Boardmember Swanson, seconded by Boardmember Kiley, that the October 26, 2021, Judicial Advisory Board meeting minutes be approved.

Upon tabulation of votes, it showed:

AYES – Sheffield-Cattani-Durham-Flinchbaugh-Kiley-McCalvin-Swanson

NAYS – None

Carried unanimously.

### 3. Items from citizens present.

Bobbie Dawson-Hooks, a Mesa resident, spoke in support of City Magistrate candidate Kina Harding. She stated she met Ms. Harding approximately six years ago at the historical Mount Calvary Baptist Church. She described Ms. Harding's outstanding leadership skills and work in the community. She said Ms. Harding would be an asset to the Court as City Magistrate.

Leroy Davis, a Mesa resident and former educator for Mesa Public Schools, said he is present to support Kina Harding as Mesa City Magistrate. He stated that Ms. Harding is a professional in every sense of the word, is dedicated, professional, committed, and will be an asset in helping the City move forward.

Judge Patricia George with the Phoenix Municipal Court spoke on behalf of Umayok Novell, whom she has known for over 20 years. She said she has observed Ms. Novell excel at her career as an attorney and then as a pro tem judge with the Cities of Mesa and Chandler. She mentioned that Ms. Novell was instrumental in helping set up the Veteran's Court in the City of Phoenix because she understands business systems and how the court works. She talked about the work Ms. Novell does in the community. She added that Ms. Novell has the demeanor to be fair and impartial in the courtroom and said she has no reservations about recommending Ms. Novell for the bench in the City of Mesa.

Paul Morris submitted comments to be read in support of James Mitchell which include that Mr. Mitchell has demonstrated many admirable qualities in his role as a neighbor and citizen by his selfless service. He stated Mr. Mitchell demonstrates prudence, a wealth of knowledge, and shrewd intellect, as well as kindness, a quick wit, and loyalty. He strongly recommends Mr. Mitchell for the appointment as City Magistrate.

Chairperson Sheffield thanked the public for their comments.

4. Hear a presentation and discuss the State of the Court update.

Presiding City Magistrate John Tatz displayed a PowerPoint presentation. **(See Attachment 1)**

Presiding Magistrate Tatz commented on the recruitment for a new magistrate after the retirement of Judge Boyer-Wells. He commended Judge Boyer-Wells for her 13 years of service to the bench and congratulated her on her retirement. He stated, despite the changes in administration, 78% of court employees indicated morale had significantly improved in the past six months based on the results of an employee satisfaction survey.

Presiding Magistrate Tatz remarked jury trials began again in April with a modified courtroom that is compliant with the Supreme Court and Superior Court mandates on public health. He reported the Court has applied for a grant to fund two positions to cover the Domestic Violence Court. (See Page 2 of Attachment 1)

Presiding Magistrate Tatz provided court filing numbers for the years 2019 through 2021 to compare pre-pandemic numbers. He mentioned filings in August 2021 outpaced the filings in August 2019. (See Page 3 of Attachment 1)

Presiding Magistrate Tatz presented the comparison of resolved DUIs for 2019 through 2021, which shows 2021 numbers are back to normal. (See Page 4 of Attachment 1)

Presiding Magistrate Tatz described Community Court as a treatment court rather than a punishment court. He stated Community Court connects homeless individuals who have committed crimes with navigators from non-profit organizations to provide services that address issues such as substance abuse and shelter; and those who successfully complete the program will have their cases dismissed. He explained in January 2021 an additional Community Court was added to handle individuals designated as seriously mentally ill. (See Page 5 of Attachment 1)

Presiding Magistrate Tatz noted Mesa Municipal Court is in the process of starting a Domestic Violence Court with the help of the Mesa City Prosecutor's Office, which is aimed at being an accountability court to connect people to immediate intervention. He outlined key dates for the Domestic Violence Court. (See Page 6 of Attachment 1)

Responding to a question from Boardmember Swanson regarding what the Boardmembers should be looking for when interviewing potential magistrate candidates, Presiding Magistrate Tatz indicated the best candidate will possess qualities that show they are knowledgeable, fair, and will be able to hear both sides of a case by being an active listener. He expressed the opinion that humility is also an important factor to continue the great morale with staff.

Chairperson Sheffield thanked Presiding Magistrate Tatz for the presentation.

5. Convene an Executive Session.

It was moved by Boardmember Swanson, seconded by Vice Chairperson Cattani, that the Board enter into an Executive Session at 8:07 a.m.

Upon tabulation of votes, it showed:

AYES – Sheffield-Cattani-Durham-Flinchbaugh-Kiley-McCalvin-Swanson  
NAYS – None

Carried unanimously.

- a. Discussion or consideration of employment, assignment, appointment, promotion or resignation of a public officer, appointee, or employee of the City. (A.R.S. 38-431.03(A)(1)).
  1. Review and discuss application and background materials of the candidates for the position of City Magistrate.

(At 9:02 a.m. the Executive Session adjourned, and the Board reconvened their regular meeting.)

6. Public interview of candidates for the position of City Magistrate.

- James Mitchell
- David Allen
- Eileen Sullivan
- Yancy Jencsok
- Samantha Kluger
- Laurel Workman
- Umayok Novell
- Kina Harding

The members of the Judicial Advisory Board posed selected interview questions to the following candidates: James Mitchell, David Allen, and Eileen Sullivan.

(Chairman Sheffield declared a recess at 10:24 a.m. The interviews reconvened at 10:32 a.m.)

The members of the Judicial Advisory Board posed selected interview questions to the following candidate: Yancy Jencsok.

(Chairman Sheffield declared a recess at 11:01 a.m. The interviews reconvened at 11:09 a.m.)

The members of the Judicial Advisory Board posed selected interview questions to the following candidates: Samantha Kluger, Laurel Workman, Umayok Novell, and Kina Harding.

7. Recess interviews and reconvene an Executive Session.

It was moved by Boardmember Swanson, seconded by Boardmember Kiley, that the Board enter into an Executive Session at 1:00 p.m.

Upon tabulation of votes, it showed:

AYES – Sheffield-Cattani-Durham-Flinchbaugh-Kiley-McCalvin-Swanson

NAYS – None

Carried unanimously.

- a. Discussion or consideration of employment, assignment, appointment, promotion or resignation of a public officer, appointee or employee of the City. (A.R.S. 38-431.03(A)(1)).

1. Appointment of City Magistrate

(At 1:27 p.m. the Executive Session adjourned, and the Board reconvened their regular meeting.)

8. Discuss and take action on a recommendation to the City Council, identifying the recommended candidates for the vacant position of City Magistrate.

It was moved by Boardmember Swanson, seconded by Vice Chairperson Cattani, that the following candidates be recommended to the City Council for the vacant position of City Magistrate:

- David Allen
- Umayok Novell
- Laurel Workman

Upon tabulation of votes, it showed:

AYES – Sheffield-Cattani-Durham-Flinchbaugh-Kiley-McCalvin-Swanson

NAYS – None

Carried unanimously.

9. Discuss, consider, and approve granting Chairperson Sheffield the authority to draft a letter to City Council regarding the recommendation of candidates for the vacant position of City Magistrate.

It was moved by Boardmember Swanson, seconded by Vice Chairperson Cattani, that the Board approve Chairperson Sheffield's authority to draft a recommendation letter to the City Council for the recommended candidates.

Upon tabulation of votes, it showed:

AYES – Sheffield-Cattani-Durham-Flinchbaugh-Kiley-McCalvin-Swanson

NAYS – None

Carried unanimously.

10. Scheduling of meetings and general information:

Next meeting:

Wednesday, February 2, 2022, 7:45 a.m.

Lower-Level Council Chambers

57 E. First Street

11. Adjourn.

Without objection, the Judicial Advisory Board adjourned at 1:30 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Judicial Advisory Board meeting of the City of Mesa, Arizona, held on the 6<sup>th</sup> day of December 2021. I further certify that the meeting was duly called and held and that a quorum was present.

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DEE ANN MICKELSEN, CITY CLERK

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(Attachments – 1)