



JUDICIAL ADVISORY BOARD MINUTES

May 7, 2018

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 May 7, 2018 at 7:47 a.m.

BOARD PRESENT

Teresa Sanders, Chairman
David P. Brooks
Michael Brown
May Costa
Gordon Sheffield
Wade Swanson

BOARD ABSENT

Peter Lesar

STAFF PRESENT

Michael Claspell
Nicole Fazzio
Melissa Hollenbeck
Alfred Smith

1. Approve minutes from the March 26, 2018 meeting.

It was moved by Boardmember Swanson, seconded by Boardmember Sheffield, that the minutes from the March 26, 2018 Board meeting be approved.

Chairman Sanders declared the motion carried unanimously by those present.

2. Items from citizens present.

Jim Kirk, a Phoenix resident, offered a series of comments in support of City Magistrate candidate Michael Kielsky. He advised he met Mr. Kielsky 15 years ago while both participated in a discussion group. He explained Mr. Kielsky was an excellent leader and kept the group on track. He described Mr. Kielsky as a very thoughtful and reasonable person.

Marc Victor, a criminal defense attorney, offered comments in support of City Magistrate candidate Michael Kielsky. He advised he has had many deep philosophical discussions with Mr. Kielsky on a wide variety of issues and he holds Mr. Kielsky in the highest regard. He described Mr. Kielsky as scrupulously fair and completely unbiased. He stated the opinion that he cannot think of anyone better than Mr. Kielsky to be a City Magistrate for the City of Mesa Municipal Court and the City would be well served.

Jessica Sanchez, an attorney at Udall Shumway, offered comments in support of City Magistrate candidate Mina Mendez. She pointed out she has known Ms. Mendez since she was a law student and advised Ms. Mendez is well regarded among the members of the bench within the Maricopa County Superior Court. She stated Ms. Mendez is a tireless advocate for law students, for diversity, and for women. She described Ms. Mendez as a very fair-minded

and wonderful person. She noted Ms. Mendez meets with countless students to connect those individuals with potential employers and works to bring the community together. She remarked Ms. Mendez would serve any judicial position with honor, with ethics, and with professionalism.

Garrett Smith, an attorney, offered a series of comments in support of City Magistrate candidate Robert Jarvis. He stated he has known Mr. Jarvis professionally and personally for many years. He added their relationship increased within the last 10 years and he has had the opportunity to work with Mr. Jarvis on several cases. He explained Mr. Jarvis is an excellent jurist and he conducts himself in a very professional manner. He pointed out Mr. Jarvis would be an asset to the Mesa Municipal Court and he has a willingness to work with others and share ideas. He described Mr. Jarvis as a very honest and wonderful individual.

Ron Hergert, a licensed private investigator and retired law enforcement officer, offered his comments in support of City Magistrate candidate Michael Kielsky. He advised he met Mr. Kielsky three years ago and assisted him on a case. He noted Mr. Kielsky to be a very competent individual who treats everyone professionally. He stated Mr. Kielsky has an impressive work ethic and he believes Mr. Kielsky would be a terrific addition to the Mesa Municipal Court.

David Enevoldsen, an attorney, offered a series of comments in support of City Magistrate candidate Michael Kielsky. He advised he met Mr. Kielsky in 2012 where he had the opportunity to shadow and observe Mr. Kielsky. He noted Mr. Kielsky was very generous with his time and treated him as an equal. He described Mr. Kielsky as very intelligent, to have a great temperament, and always seemed calm. He commented that Mr. Kielsky exhibits many qualities needed to be a great judicial officer.

Chris Rike, an attorney, offered comments in support of City Magistrate candidate Michael Kielsky. He advised he has known Mr. Kielsky for 11 years and has observed Mr. Kielsky during different circumstances. He noted Mr. Kielsky is a well-trained and good attorney. He described Mr. Kielsky as having a great demeanor and calm voice. He explained Mr. Kielsky maintains his composure and delivers unwelcome news to his clients with empathy. He stated Mr. Kielsky would make an excellent judicial officer.

Sandra Schenkat, a Scottsdale resident and appointed member of the Judicial Appointments Advisory Board for the City of Scottsdale, offered her comments in support of City Magistrate candidate Michael Kielsky. She stated Mr. Kielsky is superior in overall demeanor and professionalism compared to other judges she has observed. She noted her observations of Mr. Kielsky in court and found him to be thoughtful and having an empathetic demeanor. She explained Mr. Kielsky goes above and beyond to help defendants understand the process and he shows his concern for those that appear before him. She described Mr. Kielsky as a team player with great integrity and professionalism.

Sarah Randolph, a Mesa resident and law student, offered a series of comments in support of City Magistrate candidate Michael Kielsky. She stated she met Mr. Kielsky at a law school event and he guided her with respect and as a mentor. She explained Mr. Kielsky's most impactful characteristic is his dedication to the community. She advised Mr. Kielsky is passionate about helping law students and would make an excellent candidate for the City Magistrate position.

3. Hear and discuss the ideal qualities for a Mesa City Magistrate from the perspective of Presiding Mesa City Magistrate Matt Tafoya.

Presiding Mesa City Magistrate Matt Tafoya described a City Magistrate as someone who has integrity, honesty, and experience. He advised the most important attribute of a City Magistrate is someone who has a calling to be a municipal judge. He explained the ideal candidate is committed to being in court and focusing intently on the last case as much as the first case. He stated a City Magistrate should be people oriented and have a great temperament. He added a Mesa City Magistrate should be committed to the City and understand the automated system of the Mesa Municipal Court.

4. Convene an Executive Session.

It was moved by Boardmember Swanson, seconded by Boardmember Brooks, that the Board adjourn the meeting at 8:20 a.m. and enter into Executive Session.

Chairman Sanders declared the motion carried unanimously by those present.

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 – Background Materials

(The Executive Session adjourned and the Board meeting reconvened at 9:18 a.m.)

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

The members of the Judicial Advisory Board posed selected interview questions to the following candidates: Danielle Harris, Mina Mendez, Alicia Lawler, Michael Kielsky, Robert Jarvis, John Lamb, and Wendy Reasons.

Chairman Sanders excused Boardmember Brown during the interview of John Lamb due to a conflict of interest.

6. Recess interviews and reconvene an Executive Session.

It was moved by Boardmember Swanson, seconded by Boardmember Brown, that the Board adjourn the meeting at 12:47 p.m. and enter into Executive Session.

Chairman Sanders declared the motion carried unanimously by those present.

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

(The Executive Session adjourned and the Board meeting reconvened at 2:12 p.m.)

7. 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 Boardmember Sheffield that Danielle Harris, Alicia Lawler, and Mina Mendez be recommended to the City Council as candidates for the vacant position of City Magistrate.

Chairman Sanders declared the motion carried unanimously by those present.

8. Scheduling of meetings and general information.

Chairman Sanders stated that there were no scheduled meetings in the near future.

9. Discuss, consider and approve granting Chairman Sanders the authority to review and approve the minutes from today's meeting and forward to the City Council for acknowledgement.

It was moved by Boardmember Brooks, seconded by Boardmember Sheffield, to grant Chairman Sanders the authority to review and approve the minutes from the May 7, 2018 Judicial Advisory Board meeting and to forward the minutes to the City Council.

Chairman Sanders declared the motion carried unanimously by those present.

10. Adjournment.

It was moved by Boardmember Swanson, seconded by Boardmember Brooks, that the meeting of the Judicial Advisory Board be adjourned at 2:14 p.m.

Chairman Sanders declared the motion carried unanimously by those present.

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 7th day of May, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

DEE ANN MICKELSEN, CITY CLERK

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