



JUDICIAL ADVISORY BOARD MINUTES

June 29, 2016

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 June 29, 2016 at 7:50 a.m.

BOARD PRESENT

David P. Brooks, Chairman
Phillip Austin
Margaret Downie
Pat Esparza
Peter Lesar
Teresa Sanders

BOARD ABSENT

Robin Harris

STAFF PRESENT

Michael Claspell
Nicole Fazzio
Kelly Gregan
Matt Tafoya
Paul Thomas

1. Approve minutes from the June 13, 2016 meeting.

It was moved by Boardmember Lesar, seconded by Boardmember Esparza, that the minutes from the June 13, 2016 Board meeting be approved.

Chairman Brooks declared the motion carried unanimously by those present.

2. Items from Citizens Present.

There were no items from citizens present.

3. Convene an Executive Session.

It was moved by Boardmember Esparza, seconded by Boardmember Austin, that the Board adjourn the meeting at 7:51 a.m. and enter into Executive Session.

Chairman Brooks declared the motion carried unanimously by those present.

- a. Discussion or consultation for legal advice with the City Attorney. (A.R.S. §38-431.03A(3)) Discussion or consideration of employment, assignment, appointment, promotion, demotion, salaries, discipline, dismissal, or resignation of a public officer, appointee or employee of the City. (A.R.S. § 38-431.03(A)(1))

1. Interview the following City Magistrate Candidates:
 - A. John Tatz

- B. Bruce Owens
- C. Alicia Lawler

2. Discussion or consideration on appointment of City Magistrate

(The Executive Session adjourned and the Board meeting reconvened at 9:35 a.m.)

4. Discuss and take action on a recommendation to the City Council, identifying the recommended candidates for the vacant position of City Magistrate and summarizing the strengths and weaknesses of each recommended candidate.

Chairman Brooks summarized the process the Judicial Advisory Board used in making a recommendation to the City Council.

It was moved by Boardmember Downie, seconded by Boardmember Austin, that John Tatz be recommended to the City Council as a candidate for the position of City Magistrate.

Upon tabulation of the votes, it showed:

AYES – Austin–Brooks–Downie–Lesar– Sanders

NAYS – Esparza

Chairman Brooks declared the motion carried by majority vote of those present.

It was moved by Boardmember Sanders, seconded by Boardmember Lesar, that Mina Mendez be recommended to the City Council as a candidate for the position of City Magistrate.

Chairman Brooks declared the motion carried unanimously by those present.

It was moved by Boardmember Lesar, seconded by Boardmember Austin, that Lori Metcalf be recommended to the City Council as a candidate for the position of City Magistrate.

Chairman Brooks declared the motion carried unanimously by those present.

It was moved by Boardmember Esparza, seconded by Boardmember Downie, that Alicia Lawler be recommended to the City Council as a candidate for the position of City Magistrate.

Upon tabulation of the votes, it showed:

AYES – Esparza

NAYS – Austin–Brooks–Downie–Lesar–Sanders

Chairman Brooks declared the motion failed by majority vote of those present.

Chairman Brooks clarified that the candidates recommended to the City Council would be Mina Mendez, Lori Metcalf and John Tatz.

Chairman Brooks reported on City Magistrate candidate Mina Mendez's qualifications as follows:

- Admitted to the Arizona Bar in 1995.

- Retired from the Superior Court Commission.
- Served as a Judge Pro Tem for Maricopa County Superior Court Commissioner and at the Arizona Attorney General's Office.
- Currently works at her husband's private legal practice.
- Comes highly recommended and was praised for being a terrific judicial officer, smart, prepared, and a "complete people person."
- Capable of handling heavy caseloads and respectfully gives everyone appearing before her "their day in court."
- Strengths are her intelligence, preparedness and demeanor on the bench.

Boardmember Brooks concluded that Ms. Mendez is highly involved in the Latina Mentoring Project, which assists many Latinas to become involved in the law.

Boardmember Lesar reported on City Magistrate candidate Lori Metcalf's qualifications as follows:

- Served as a City of Phoenix prosecutor.
- Served as a Judge Pro Tem in Phoenix, Tempe, Scottsdale, and Glendale Municipal Courts.
- Previously worked in private practice and as a solo practitioner in her own firm.
- Currently a Magistrate with the City of Phoenix Municipal Court.
- Extensive legal experience with success both as a lawyer and as a judge.
- Adjunct professor at Arizona State University, Summit Law School, and Phoenix College.
- Currently serves as co-chair of the judge training committee for new judges coming into the Phoenix Municipal Court.
- Strengths are her work ethic, character, and knowledge of the law.

Boardmember Lesar concluded that Ms. Metcalf is an excellent candidate to move forward for consideration by the City Council.

Boardmember Sanders reported on City Magistrate candidate John Tatz's qualifications as follows:

- Admitted to the Arizona Bar in 1993.
- Graduated from the University of Iowa School of Law.
- Served as both a prosecutor and as a defense attorney.
- Extensive Municipal Court experience in Mesa, Phoenix, Peoria, and Scottsdale.
- Currently serves as a Judge Pro Tem for the Maricopa County Superior Court.
- Well regarded by judges, attorneys, opposing counsel and community members.
- Strengths are his work ethic, knowledge, and excellent judicial demeanor.

Boardmember Downie stated that she was impressed by Mr. Tatz's community involvement which included his work with the Special Olympics, the Veterans Court program, and providing pro bono legal services. She stated that it is telling that Mr. Tatz enjoys an excellent reputation for competence and professionalism among judges at every level from municipal courts to appellate courts.

Chairman Brooks explained that a letter from the Board chair, summarizing the candidate's qualifications would be submitted to the City Council.

5. Scheduling of meetings and general information.

Chairman Brooks stated that the next meeting of the Judicial Advisory Board will be in the fall with the start of a new reappointment cycle.

Boardmember Austin said that this was his last meeting with the Judicial Advisory Board and expressed his appreciation and respect for all of the members. He thanked the Board members for their work on behalf of the City of Mesa and noted that the City has been well served by the professionalism, care and concern exhibited by the Board members. He also thanked the City staff for their hard work.

Chairman Brooks thanked Boardmember Austin for his service to the City of Mesa.

6. Adjournment.

It was moved by Boardmember Downie, seconded by Boardmember Sanders, that the meeting of the Judicial Advisory Board be adjourned at 9:51 a.m.

Chairman Brooks 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 29th day of June, 2016. 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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