



## JUDICIAL ADVISORY BOARD MINUTES

March 20, 2019

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 March 20, 2019 at 4:10 p.m.

### BOARD PRESENT

Wade Swanson, Chairperson  
Michael Brown  
May Costa  
Kevin Humphrey  
Daniel Kiley  
Gordon Sheffield  
Charles Wirken

### BOARD ABSENT

None

### STAFF PRESENT

Nicole Fazzio  
Agnes Goodwine  
Alfred Smith  
Matt Tafoya

Chairman Swanson excused Boardmember Kiley from the beginning of the meeting; he arrived at 4:25 p.m.

### 1. Approve minutes from the February 6, 2019 Board meeting.

It was moved by Boardmember Sheffield, seconded by Boardmember Wirken, that the minutes of February 6, 2019 be approved.

Upon tabulation of votes, it showed:

AYES – Brown-Costa-Humphrey-Sheffield-Swanson-Wirken

NAYS – None

ABSENT – Kiley

Chairman Swanson declared the motion carried unanimously by those present.

### 2. Convene an Executive Session.

It was moved by Boardmember Wirken, seconded by Boardmember Sheffield, that the Board adjourn the meeting at 4:11 p.m. and enter into Executive Session.

Upon tabulation of votes, it showed:

AYES – Brown-Costa-Humphrey-Sheffield-Swanson-Wirken

NAYS – None

ABSENT – Kiley

Chairman Swanson declared the motion carried unanimously by those present.

- a. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law [A.R.S. 38-431.03(A)(2)];
  1. Information Regarding Magistrate Reappointment Candidates and the Reappointment Process (interview questions and survey results)
  2. Appointment of City Magistrate – Background Materials

(The Executive Session adjourned and the Board meeting reconvened at 4:39 p.m.)

3. Conduct a public hearing to receive comments on the reappointment of Magistrate Lisa Johnson.

Chairman Swanson declared the public hearing open for the purpose of receiving comments on the reappointment of Magistrate Lisa Johnson.

Chairman Swanson acknowledged Presiding Magistrate Matt Tafoya, Court Administrator Paul Thomas and former Maricopa County Superior Court Commissioner, Robert Colosi, who were present in the audience.

Mr. Colosi expressed his support and recommendation of Magistrate Lisa Johnson's reappointment.

Magistrate Tafoya stated that he was honored to recommend the reappointment of Magistrate Johnson. He commented that Magistrate Johnson is committed to her work, is ethical, honest, and a leader in the courtroom. He noted that one of the principles of case management is controlling the pace of each case, which she applies in the courtroom and specifically during Rule 11 competency hearings.

Chairman Swanson stated that there being no further comments, he declared the public hearing closed.

4. Interview Magistrate Lisa Johnson for reappointment.

The members of the Judicial Advisory Board posed selected interview questions to Magistrate Lisa Johnson.

Chairman Swanson thanked Magistrate Johnson for her input.

5. Conduct a public hearing to receive comments on the reappointment of Magistrate Craig Fujii.

Chairman Swanson declared the public hearing open for the purpose of receiving comments on the reappointment of Magistrate Craig Fujii.

Presiding Magistrate Matt Tafoya stated that he was honored to recommend the reappointment of Magistrate Craig Fujii. He commented that Judge Fujii is diligent in his work, which transfers to his courtroom. He noted that the City is fortunate to have Magistrate Fujii who has a background in transactional law and private practice. He also added that in his 35 year career on the bench, he has never seen someone work on a case as hard as Magistrate Fujii, who he mentioned, also writes his court opinions, which is a practice highly admired by court attorneys.

Chairman Swanson thanked Magistrate Tafoya for his input.

6. Interview Magistrate Craig Fujii.

The members of the Judicial Advisory Board posed selected interview questions to Magistrate Craig Fujii.

Chairman Swanson thanked Magistrate Fujii for his input.

7. Conduct a public hearing to receive comments on the reappointment of Magistrate John Tatz.

Chairman Swanson declared the public hearing open for the purpose of receiving comments on the reappointment of Magistrate John Tatz.

Presiding Magistrate Matt Tafoya recommended the reappointment of Magistrate John Tatz. He stated that before Magistrate Tatz served on the Mesa Municipal Courtroom bench, he served as a Pro Tem Judge, and possesses an incredible reputation with the judges, prosecutors, and defense attorneys. He noted that Magistrate Tatz manages a high volume of cases in the arraignment court, jail court and community court, and has a good rapport with the court attendees. In addition, he stated that Magistrate Tatz is attentive and patient with court attendees while maintaining efficient caseload management.

Chairman Swanson thanked Magistrate Tafoya for his input.

8. Interview Magistrate John Tatz.

The members of the Judicial Advisory Board posed selected interview questions to Magistrate John Tatz.

Chairman Swanson thanked Magistrate John Tatz for his input.

9. Convene an Executive Session.

It was moved by Boardmember Wirken, seconded by Boardmember Humphrey, that the Board adjourn the meeting at 6:11 p.m. and enter into Executive Session.

Upon tabulation of votes, it showed:

AYES – Brown-Costa-Humphrey-Kiley-Sheffield-Swanson-Wirken

NAYS – None  
ABSENT – None

Chairman Swanson declared the motion 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

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. Reappointment of Magistrate Lisa Johnson for a four-year term
2. Reappointment of Magistrate Craig Fujii for a four-year term
3. Reappointment of Magistrate John Tatz for a two-year term

(At 6:25 p.m., the Executive Session adjourned and the Board reconvened their regular meeting.)

10. Discuss and make recommendations to the City Council on the reappointment of Magistrates Lisa Johnson, Craig Fujii and John Tatz.

Chairman Swanson commended each of the Magistrates and stated that the board is impressed with the performance, work product, and commitment to the service of the City.

It was moved by Boardmember Wirken, seconded by Boardmember Sheffield, that Magistrate Craig Fujii be reappointed for a four-year term.

Upon tabulation of votes, it showed:

AYES – Brown-Costa-Humphrey-Kiley-Sheffield-Swanson-Wirken  
NAYS – None  
ABSENT – None

Chairman Swanson declared the motion carried unanimously.

It was moved by Boardmember Kiley, seconded by Boardmember Humphrey, that Magistrate Lisa Johnson be reappointed for a four-year term.

Upon tabulation of votes, it showed:

AYES – Brown-Costa-Humphrey-Kiley-Sheffield-Swanson-Wirken  
NAYS – None  
ABSENT – None

Chairman Swanson declared the motion carried unanimously.

It was moved by Boardmember Brown, seconded by Boardmember Sheffield, that Magistrate John Tatz be reappointed for a two-year term.

Upon tabulation of votes, it showed:

AYES – Brown-Costa-Humphrey-Kiley-Sheffield-Swanson-Wirken  
NAYS – None  
ABSENT – None

Chairman Swanson declared the motion carried unanimously.

11. Discuss and consider granting Chairman Wade Swanson 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 Wirken, seconded by Boardmember Kiley, granting Chairman Swanson the authority to draft the recommendation letter to reappointment Magistrates Fujii, Johnson, and Tatz and to review and approve the minutes from today's meeting and forward to the City Council for acknowledgement.

Upon tabulation of votes, it showed:

AYES – Brown-Costa-Humphrey-Kiley-Sheffield-Swanson-Wirken  
NAYS – None  
ABSENT – None

Chairman Swanson declared the motion carried unanimously.

12. Scheduling of meetings and general information:

Chairman Swanson advised that the next meeting of the Judicial Advisory Board would be held on October 9, 2019 at 7:45 a.m.

13. Adjourn.

Without objection the Judicial Advisory Board adjourned at 6:29 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 20<sup>th</sup> day of March 2019. 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

abg