

JUDICIAL ADVISORY BOARD MINUTES

March 19, 2025

The Judicial Advisory Board of the City of Mesa met in the lower-level meeting room of the former Council Chambers, 57 East 1st Street, on March 19, 2025, at 7:45 a.m.

BOARD PRESENT

Theo McCalvin, Chairperson
Kelley Durham, Vice Chair
Keith Berkshire
Kent Cattani
Kelli Flinchbaugh
Sonia Martinez

BOARD ABSENT

Joshua Rogers

STAFF PRESENT

Lisa Anderson
Kristin Hooker
Britanee Hudson
Carrie Pile
Kelly Whittemore

1. Meeting called to order and roll call.

Chairperson McCalvin called the meeting to order at 7:45 a.m. and conducted a roll call.

Chairperson McCalvin excused Boardmember Rogers from the entire meeting.

2. Approve minutes from the January 22, 2025, Judicial Advisory Board meeting.

It was moved by Vice Chairperson Durham, seconded by Boardmember Cattani, that the January 22, 2025, Judicial Advisory Board meeting minutes be approved.

Upon tabulation of votes, it showed:

AYES – McCalvin–Durham–Berkshire–Cattani–Flinchbaugh–Martinez

NAYS – None

ABSENT – Rogers

Chairperson McCalvin declared the motion carried unanimously by those present.

3. Convene an executive session.

It was moved by Vice Chairperson Durham, seconded by Boardmember Martinez, that the Board enter into an executive session at 7:49 a.m.

Upon tabulation of votes, it showed:

AYES – McCalvin–Durham–Berkshire–Cattani–Flinchbaugh–Martinez

NAYS – None

ABSENT – Rogers

Chairperson McCalvin declared the motion carried unanimously by those present.

- a. Discussion or consultation for legal advice with the City Attorney. (A.R.S. 38-431.03(A)(3)) 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)) 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)).
 - i. Review background materials for the reappointment of Magistrate Umayok Novell.

(At 8:13 a.m. the Executive Session adjourned, and the Board reconvened their regular meeting.)

4. Conduct a public hearing to receive comments on the reappointment of Magistrate Umayok Novell.

Chairperson McCalvin announced that this was the time and place for a public hearing regarding the reappointment of Magistrate Umayok Novell.

There being no citizens present wishing to speak on this issue, Chairperson McCalvin declared the public hearing closed.

5. Conduct an interview of Magistrate Umayok Novell.

The members of the Judicial Advisory Board posed selected interview questions to Magistrate Umayok Novell.

6. Convene an executive session.

It was moved by Vice Chairperson Durham, seconded by Boardmember Flinchbaugh, that the Board enter into an executive session at 8:35 a.m.

Upon tabulation of votes, it showed:

AYES – McCalvin–Durham–Berkshire–Cattani–Flinchbaugh–Martinez
NAYS – None
ABSENT – Rogers

Chairperson McCalvin 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)).
 - i. Reappointment of Magistrate Umayok Novell, to a second two-year term, including, but not limited to, a discussion with Presiding City Magistrate Stephen Umpleby.

(At 9:14 a.m. the executive session adjourned, and the Board reconvened their regular meeting.)

7. Discuss and approve recommendation to the City Council related to the reappointment of Magistrate Umayok Novell.

Boardmember Cattani explained after a thorough review of the materials related to the reappointment of Magistrate Novell, the positives are that she is a hard worker and wants what is best for the court. He mentioned concerns based on criticisms from staff, prosecutors, and defense attorneys, and not being mindful of staff and their roles. He went on to say there has been recognition by Magistrate Novell of the issues and she has made efforts to correct the concerns.

Boardmember Martinez said after talking to a variety of attorneys and reviewing the surveys, she is concerned to the point that the behaviors in the courtroom towards staff, attorneys, and the community are enough to not recommend the reappointment of Magistrate Novell.

It was moved by Boardmember Martinez, seconded by Boardmember Flinchbaugh, to not recommend the reappointment of Magistrate Umayok Novell based on the survey results, and concerns raised regarding her courtroom demeanor with attorneys, staff, and defendants detailed through interviews and information gathered as part of the reappointment process.

Upon tabulation of votes, it showed:

AYES – Flinchbaugh–Martinez
NAYS – McCalvin–Durham–Berkshire–Cattani
ABSENT – Rogers

Chairperson McCalvin declared the motion failed.

It was moved by Boardmember Berkshire, seconded by Vice Chairperson Durham, that the reappointment of Magistrate Umayok Novell be forwarded to full Council for consideration based on the corrective action that Magistrate Novell has taken to date to improve her behavior, her willingness to continue to improve her behavior, and the character letters provided.

Upon tabulation of votes, it showed:

AYES – McCalvin–Durham–Berkshire–Cattani
NAYS – Flinchbaugh–Martinez
ABSENT – Rogers

Chairperson McCalvin declared the motion carried by majority vote.

8. Approve granting Chairperson McCalvin the authority to draft a letter to the City Council regarding the reappointment recommendation of Magistrate Umayok Novell.

It was moved by Vice Chairperson Durham, seconded by Boardmember Berkshire, that Chairperson McCalvin be granted the authority to draft a letter to the City Council regarding the reappointment recommendation of Magistrate Umayok Novell.

Upon tabulation of votes, it showed:

AYES – McCalvin–Durham–Berkshire–Cattani–Flinchbaugh–Martinez

NAYS – None
ABSENT – Rogers

Chairperson McCalvin declared the motion carried unanimously by those present.

9. Approve granting Chairperson McCalvin the authority to review and approve the minutes from today's meeting and forward to the City Council for acknowledgement.

It was moved by Vice Chairperson Durham, seconded by Boardmember Berkshire, that Chairperson McCalvin be granted the authority 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 – McCalvin–Durham–Berkshire–Cattani–Flinchbaugh–Martinez
NAYS – None
ABSENT – Rogers

Chairperson McCalvin declared the motion carried unanimously by those present.

10. Scheduling of meetings and general information.

Next meeting:

May 7, 2025, 7:45 a.m. (if needed)
Former Council Chambers
57 E. First Street

11. Adjourn.

Without objection, the Judicial Advisory Board adjourned at 9:26 a.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 19th day of March 2025. I further certify that the meeting was duly called and held and that a quorum was present.

THEO MCCALVIN, CHAIRPERSON

vw/la