

JUDICIAL ADVISORY BOARD MINUTES

March 22, 2023

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 22, 2023, at 4:30 p.m.

BOARD PRESENT

Kent Cattani, Chairperson
Theo McCalvin, Vice Chairperson
Kelley Durham
Kelli Lane Flinchbaugh
Sonia Martinez
Joshua Rogers
Cody Turley

BOARD ABSENT

None

STAFF PRESENT

Holly Moseley
Carrie Pile
Alfred Smith

1. Meeting called to order.

Chairperson Cattani called the meeting to order and conducted a roll call.

2. Introduce new board members.

Chairperson Cattani welcomed new Boardmembers Sonia Martinez and Joshua Rogers.

Judge Rogers stated he is a Mesa resident and has been a Judge for Maricopa County Superior Court for the past eight years. He reported he is currently located at the Juvenile Department Southeast Facility in Mesa.

Ms. Martinez remarked that she is the State Bar designee and a Mesa resident. She stated she has been practicing law as an attorney for the past 15 years at her law office in Mesa. She reported she practices mainly in domestic relations and has served as a Judge Pro Tem in the Justice Courts.

3. Approve minutes from the February 1, 2023, Board meeting.

It was moved by Boardmember Flinchbaugh, seconded by Boardmember Turley, that the February 1, 2023, Judicial Advisory Board meeting minutes be approved.

Upon tabulation of votes, it showed:

AYES – Cattani–McCalvin–Durham–Flinchbaugh– Martinez– Rogers–Turley

NAYS – None

ABSENT – None

Carried unanimously.

4. Convene an Executive Session.

It was moved by Boardmember Durham, seconded by Boardmember Flinchbaugh, to convene to Executive Session at 4:34 p.m.

Upon tabulation of votes, it showed:

AYES – Cattani–McCalvin–Durham–Flinchbaugh– Martinez– Rogers–Turley

NAYS – None

ABSENT – None

Carried unanimously.

- a. Discussion or consultation for legal advice with the City Attorney [A.R.S. § 38-431.03A (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. §38-431.03A(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)];

1. Review background materials for Magistrate Stephen Umpleby reappointment.

(At 4:50 p.m. the Executive Session adjourned, and the Board reconvened their regular meeting.)

5. Conduct a public hearing to receive comments on the reappointment of Presiding Magistrate Stephen Umpleby.

Chairperson Cattani announced that this was the time and place for a public hearing regarding the reappointment of Magistrate Stephen Umpleby.

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

6. Interview of Magistrate Stephen Umpleby.

The members of the Judicial Advisory Board posed selected interview questions to Magistrate Stephen Umpleby.

7. Convene an Executive Session.

It was moved by Boardmember Durham, seconded by Boardmember Turley, to convene to Executive Session at 5:10 p.m.

Upon tabulation of votes, it showed:

AYES – Cattani–McCalvin–Durham–Flinchbaugh– Martinez– Rogers–Turley

NAYS – None

ABSENT – 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. 38-431.03A (1));

1. Reappointment of Magistrate Stephen Uempleby, to a second two-year term.

(At 5:16 p.m. the Executive Session adjourned, and the Board reconvened their regular meeting.)

8. Discuss and approve recommendations to the City Council related to the reappointment of the Magistrate Stephen Uempleby.

It was moved by Boardmember Durham, seconded by Boardmember Turley, that Presiding Magistrate Stephen Uempleby be reappointed.

Upon tabulation of votes, it showed:

AYES – Cattani–McCalvin–Durham–Flinchbaugh– Martinez– Rogers–Turley

NAYS – None

ABSENT – None

Carried unanimously.

9. Approve granting Chairperson Cattani the authority to draft a letter to the City Council regarding the recommendation of Magistrate Stephen Uempleby.

It was moved by Boardmember Flinchbaugh, seconded by Boardmember Durham, that Chairperson Cattani be granted the authority to draft a letter to the City Council regarding the recommendation of Magistrate Stephen Uempleby.

Upon tabulation of votes, it showed:

AYES – Cattani–McCalvin–Durham–Flinchbaugh– Martinez– Rogers–Turley

NAYS – None

ABSENT – None

Carried unanimously.

10. Approve granting Chairperson Cattani the authority to review and approve the minutes from today's meeting and forward to the City Council for acknowledgment.

It was moved by Boardmember Flinchbaugh, seconded by Boardmember Durham, that Chairperson Cattani be granted the authority to review and approve the minutes from today's meeting and forward to the City Council for acknowledgment.

Upon tabulation of votes, it showed:

AYES – Cattani–McCalvin–Durham–Flinchbaugh– Martinez– Rogers–Turley

NAYS – None

ABSENT – None

Carried unanimously.

11. Scheduling of meetings and general information:

Next meeting:

October 4, 2023, 7:45 a.m.

Lower-Level Council Chambers

57 E. First Street

12. Adjourn.

Without objection, the Judicial Advisory Board adjourned at 5:19 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 22nd day of March 2023. I further certify that the meeting was duly called and held and that a quorum was present.

HOLLY MOSELEY, CITY CLERK

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