



City of Scottsdale
JUDICIAL APPOINTMENTS ADVISORY BOARD
Regular Meeting
Amended Notice and MARKED AGENDA
6:00 p.m., Wednesday, February 17, 2021
Virtual Public Hearing On-line

General Public Hearing Notice: Board and Commission meetings are currently being held electronically for the public to listen remotely. While physical meeting facilities are not yet open to the general public, Judicial Appointments Advisory Board Meetings will be open to the public to listen to the meeting in progress.

To join, Dial: 480-618-6983 or 1-888-859-0411 (toll free).

Public Comment

Spoken comment is being accepted on agenda items. Request to speak forms must be submitted no later than 90 minutes before the start of the meeting. To sign up to speak on these items, please [click here](#).

Written comment is being accepted on agenda items and should be submitted electronically at least 90 minutes before the meeting. These comments will be emailed to the Judicial Appointments Advisory Board Members. To submit a written public comment electronically, please [click here](#).

CALL TO ORDER 6:00 p.m.

ROLL CALL

PRESENT: Chair Robert Gruler, Vice-Chair Susan Galpin-Tyree, Board Members Brian Adamovich, Joseph Kiefer, Suzanne Marwil, Stanley Morganstern, and Tricia Schafer

Possible Executive Session

Notice is hereby given that at any time during this meeting, the Judicial Appointments Advisory Board may make a motion to recess into Executive Session for Item No. 5 with all reasonably necessary City Staff, to discuss and consult with the attorneys and representatives of the public body for legal advice and/or to discuss confidential records/information pursuant to A.R.S. §38-431.03(A) (2) and (A) (3).

1. **APPROVAL OF JANUARY 11, 2021 JUDICIAL APPOINTMENTS ADVISORY BOARD MEETING MINUTES**



Persons with a disability may request a reasonable accommodation by contacting Autumn Asmus at (480) 312-2777. Requests should be made 24 hours in advance or as early as possible to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Autumn Asmus at (480) 312-2777.

Action: Formal motion and vote.

APPROVED: 7-0; motion by Board Member Marwil; 2nd Board Member Morganstern; Chair Gruler, Vice-Chair Galpin-Tyree, Board Members Adamovich, Kiefer, Marwil, Morganstern, and Schafer voted in the affirmative; there were no dissenting votes

2. TERM EXPIRATION OF BOARD MEMBER

Announcement of term expiration of Board Member Morganstern and acknowledgment of service to the City of Scottsdale.

Action: For information only

3. PUBLIC COMMENT

The purpose of this item is to give the public an opportunity to give comments or input regarding the performance and reappointment of Associate City Judge Jejna.

Action: Hearing of public comment or input and possible dialogue between Board members and those giving comment or input related to the reappointment of Judge Jejna.

CLOSE PUBLIC COMMENT

APPROVED: 7-0; motion to close public comment by Board Member Morganstern; 2nd Vice-Chair Galpin-Tyree; Chair Gruler, Vice-Chair Galpin-Tyree, Board Members Adamovich, Kiefer, Marwil, Morganstern, and Schafer voted in the affirmative; there were no dissenting votes

4. DISCUSSION OF JUDICIAL SURVEY RESULTS ON ASSOCIATE CITY JUDGE OREST JEJNA

Action: For information and discussion only.

5. DISCUSSION OF CONFIDENTIAL RECORDS AND CONFIDENTIAL INFORMATION RELATED TO JUDGE JEJNA'S PERFORMANCE OR REAPPOINTMENT

The Board may generally discuss and consider confidential records related to Judge Jejna and may generally discuss and consider confidential information gathered during possible Board Member interviews of those who may have personal experience related to Judge Jejna's performance during the public meeting **in a manner which does not violate confidentiality requirements.**

Action: Discussion, consideration and possible action including a possible vote to move into an Executive Session for the purpose of discussing confidential records/information or receiving legal advice on this item.

6. DISCUSS QUESTIONS FOR INTERVIEW OF JUDGE JEJNA

The Board will discuss possible interview questions in preparation for the formal interview with Judge Jejna.



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Action: For discussion and possible action that may include a vote on the interview questions the Board will ask Judge Jejna.

7. INTERVIEW OF JUDGE JEJNA

The Board will conduct an interview with Judge Jejna for consideration of reappointment to the position of Associate City Judge.

Action: Hearing of Judge Jejna's comments or input and interview and dialogue between Board members and Judge Jejna related to his reappointment as an Associate City Judge.

8. DISCUSSION OF AND REAPPOINTMENT RECOMMENDATION REGARDING JUDGE JEJNA

The Board will have an opportunity to review and discuss all relevant public information and previously received public input pertaining to the reappointment application of Judge Jejna. If the Board is ready to proceed with a recommendation as to whether it does or does not recommend reappointment of Judge Jejna, this will be done through a formal motion, second and vote of the Board.

The Board will also discuss and take possible action to determine the process for communicating the Board's recommendation to the City Council, including making a presentation to the City Council and/or being available to answer questions, regarding its recommendation on Judge Jejna's reappointment.

Action: Formal motion and vote on recommendation to the City Council regarding reappointment; Discussion, possible motion and vote or direction to staff regarding communicating the Board's recommendation to the City Council.

APPROVED: 7-0; recommendation to reappoint Judge Jejna; motion by Board Member Marwil; 2nd Board Member Morganstern; Chair Gruler, Vice-Chair Galpin-Tyree, Board Members Adamovich, Kiefer, Marwil, Morganstern, and Schafer voted in the affirmative; there were no dissenting votes

APPROVED: 6-0; motion appointing Chair Gruler to draft a recommendation letter to City Council and to respond to questions from Council members; motion by Vice-Chair Galpin-Tyree; 2nd Board Member Morganstern; Vice-Chair Galpin-Tyree, Board Members Adamovich, Kiefer, Marwil, Morganstern, and Schafer voted in the affirmative; Chair Gruler abstained; there were no dissenting votes

9. JUDGE JAMES BLAKE'S JUDICIAL REAPPOINTMENT [TIMELINE](#)

HR staff will discuss the judicial reappointment timeline for Judge James Blake.

Action: For information, discussion and possible action.

10. FUTURE AGENDA ITEMS*

Action: No discussion, but possible direction to staff relating to placing items on future agenda(s).



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APPROVED: 7-0; motion to agendize a discussion of COVID-related impacts on survey collection and overall performance results; motion by Board Member Marwil; 2nd Board Member Kiefer; Chair Gruler, Vice-Chair Galpin-Tyree, Board Members Adamovich, Kiefer, Marwil, Morganstern, and Schafer voted in the affirmative; there were no dissenting votes

ADJOURNMENT

APPROVED: 7-0; motion by Vice-Chair Galpin-Tyree; 2nd Board Member Adamovich; Chair Gruler, Vice-Chair Galpin-Tyree, Board Members Adamovich, Kiefer, Marwil, Morganstern, and Schafer voted in the affirmative; there were no dissenting votes

*Note: The Board cannot discuss or vote on items not on the posted agenda, including items brought up as Board, staff or public comments, if any. If action by the Board is needed, the item should be placed on a future agenda in compliance with the Arizona Open Meetings Law.



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