



City Magistrates Merit
Selection Commission
P.O. Box 27210
Tucson, Arizona 85726-7210
(520) 791-4213

CITY MAGISTRATES MERIT SELECTION COMMISSION

LEGAL ACTION REPORT

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the City Magistrates Merit Selection Commission and to the general public that the Commission will hold the following meeting which will be open to the public on:

Wednesday, February 26, 2024, at 1:00 p.m.
City Manager's Conference Room
First Floor, City Hall
255 W. Alameda St., Tucson, Arizona

1. Call to Order/Roll Call

Meeting was called to order by Chair James Rappaport at 1:08 p.m. Those present and absent were:

Members Present:

James Rappaport Chair
Dina Dieglio Vice Chair
Jeanne M. Gacke
Zaira Livier
Dee Dee Samet
Heidi Steiner

Members Absent/Excused:

Mariam Ferguson
Suzette Jimenez

Others Present:

Danny Garcia, City Clerk's Office
Delma Sanchez, City Clerk's Office
Jon Paladini, Pierce-Coleman Law Offices

2. Introduction of New Commissioners – Jeanne M. Gacke and Heidi Steiner

New Commissioners Gacke and Steiner introduced and gave a brief background on themselves. The rest of the Commissions also introduced themselves to the new members.

3. Discussion: City Attorney's cancellation of prior meeting without notice or valid reason.

The Commissioners expressed their concerns and disappointment about the late notification on the cancellation of the January 31, 2025 scheduled CMMSC meeting.

Discussion ensued. No action was taken.

Jon Paladini, Pierce-Coleman Law Offices, introduced himself and informed the Commission that he has been assigned as independent legal counsel to attend the CMMSC meetings.



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4. Approval of Minutes for the December 17, 2024, meeting.

It was moved by Commissioner Samet, duly seconded, and passed by a roll call vote of 6 to 0 (Commissioners Ferguson and Jimenez absent/excused), to approve the minutes from December 17, 2024.

5. Call to the Audience

Donna Bradley, City of Tucson Prosecutor's Office addressed the Commission and commented on the proposed reappointment of City Magistrate Lisa Surhio for another 4-year term as City Magistrate.

RECESS: 1:54 P.M.

RECONVENED: 2:02 P.M.

COMMISSION MEMBERS: All present (Commissioners Ferguson and Jimenez absent/excused)

**STAFF PRESENT: Danny Garcia, City Clerk's Office
Delma Sanchez, City Clerk's Office
Jon Paladini, Independent Legal Counsel**

It was moved by Commissioner Samet, duly seconded, and passed by a voice vote of 6 to 0 (Commissioners Ferguson and Jimenez absent/excused), to enter Executive Session as noticed on the agenda.

- *6. Executive Session – Relating to the reappointment of City Magistrate Lisa Surhio (Commissioners, Independent Legal Counsel, and City Clerk staff only)**
- a) Review/discuss documents relating**
 - b) Reappointment interview**
 - c) Adjourn Executive Session**

Commissioner Livier departed at 2:49pm and returned at 3:23pm.

RECESS: 3:54 P.M.

RECONVENED: 4:01 P.M.

COMMISSION MEMBERS: All present (Commissioners Ferguson and Jimenez absent/excused)

**STAFF PRESENT: Danny Garcia, City Clerk's Office
Delma Sanchez, City Clerk's Office
Jon Paladini, Independent Legal Counsel**

Executive Session was held from 2:03 p.m. to 5:14 p.m.

Chair Rappaport announced the Commission was back in Regular Session.



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7. Resume Regular Session – Direction Regarding Executive Session – Relating to the reappointment of City Magistrate Lisa Surhio

It was moved by Commissioner Gacke, duly seconded, and passed by a roll call vote of 5 to 1, (Commissioner Samet dissenting, Commissioners Ferguson and Jimenez absent/excused), to not reappoint City Magistrate Surhio to another 4-year term.

8. Future Agenda Items:

a) Set date for City Magistrate Wendy Million's interview

The Commission scheduled April 4, 2025, to conduct City Magistrate Wendy Million's interview for consideration of reappointing her to another 4-year term.

b) Application received from City Magistrate Geraldine Hale

The Commission was informed that City Magistrate Geraldine Hale had submitted her application for reappointment for another 4-year term. The interview date will be scheduled in the near future.

9. Adjournment

The meeting was adjourned at 5:29 p.m.

*The City Magistrates Merit Selection Commission may conduct an executive session pursuant to A.R.S. Section § 38-431.03(A)(1) for the purpose of discussion or consideration of appointment to the position of City Magistrate (A)(2) for the purpose of discussion of records exempt by law from public inspection and (A)(3) discussion or consultation for legal advice with attorney staff.