



LABOR-MANAGEMENT RELATIONS BOARD
Friday, March 23, 2018
600 2nd Street NW, 7th Floor, Albuquerque, NM 87102
HEARING ROOM 1

MEMBERS PRESENT:

Chairman Ted Baca
Juan Montoya
Michael Wartell

OTHERS PRESENT:

Melissa Kountz *Robert Rivera*
Jessica Enriquez *Diane Kimberle*
James Montalbano

Minutes

- PO Box 1293
- Albuquerque
- NM 87103
- www.cabq.gov
- I. **CALL TO ORDER.**
Chairman Ted Baca called the meeting to order at 9:04 a.m. Board members Juan Montoya and Michael Wartell were also present.
 - II. **REVIEW AND APPROVAL OF AGENDA FOR FRIDAY, MARCH 23, 2018.**
Mr. Montoya moved to approve the agenda for March 23, 2018. Mr. Wartell seconded. Vote taken and passed 3-0.
 - III. **REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR MARCH 14, 2018.**
Mr. Montoya moved to approve the minutes for March 14, 2018. Mr. Wartell seconded. Vote taken and passed 3-0.
 - IV. **PUBLIC COMMENTS *Limited to three (3) minutes total time per person.**
No public comments.
 - V. **RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS.**
None.
 - VI. **PRESENTMENT OR ORDERS.**
None.
 - VII. **STATUS ON VACATED MOTIONS HEARINGS:**
 - **LB 15-01, CITY'S MOTION TO DISMISS AND PETITIONER'S RESPONSE TO CITY'S MOTION TO DISMISS.**
Melissa Kountz, Assistant City Attorney appeared on behalf of the City and stated that settlement documents have been provided to Rocky Gutierrez and the parties are still working on finalizing an agreement. Chairman Baca rescheduled this matter for April 5, 2018.

VIII. MOTIONS HEARING.

- **LB 16-07, CITY'S AMENDED MOTION TO DISMISS AND MOTION FOR SUMMARY JUDGMENT AND PETITIONER'S RESPONSE TO CITY'S MOTION TO DISMISS AND RESPONSE TO CITY'S MOTION FOR SUMMARY JUDGMENT.**
- **LB 16-08, CITY'S AMENDED MOTION TO DISMISS AND MOTION FOR SUMMARY JUDGMENT AND AFSCME'S RESPONSE TO CITY'S MOTION TO DISMISS AND MOTION FOR SUMMARY JUDGMENT.**

Ms. Kountz appeared on behalf of the City. James Montalbano, Attorney from Youtz and Valdez appeared on behalf of AFSCME. Ms. Kountz stated that LB 16-07 and LB 16-08 have similar Motion's and asked the Board to allow the parties to present and argue the two cases at the same time. Mr. Montalbano did not object. Ms. Kountz presented the City's Motion to Dismiss and Motion for Summary Judgment and Mr. Montalbano presented Petitioner's Response to the Motion to Dismiss and Motion for Summary Judgment.

Juan Montoya made a Motion that the Board go into closed session pursuant to Section 10.15.1.H.3 of the Open Meetings Act which allows for the closing of meetings for deliberation by a public body in connection with an administrative adjudicatory proceeding. Mr. Wartell seconded. A roll call vote was taken and passed 3-0.

Mr. Montoya made a Motion to return to open session. The meeting had been in closed session pursuant to Section 10.15.1.H.3 of the Open Meetings Act. Mr. Wartell seconded. A roll call vote was taken and the Motion passed 3-0. The Board was in closed session to discuss LB 16-07 and LB 16-08 and no other cases were discussed.

Mr. Montoya moved to grant the City's Motion to Dismiss LB 16-07 and LB 16-08. Chairman Baca seconded. Vote taken and passed unanimously 3-0.

Next scheduled meetings are April 5, 2018 and April 11, 2018.


IX. ADJOURNMENT.

Mr. Montoya moved to adjourn. Mr. Wartell seconded. Vote taken and passed 3-0. The meeting was adjourned at 9:55 a.m.

APPROVED:



TED BACA, CHAIR
City Labor Management Relations Board

4/11/18


DATE

cc: Tim Keller, Mayor
Trina Gurule, Interim City Clerk