



ALBUQUERQUE HOUSING AUTHORITY

"Improving quality of life through housing opportunities"

Minutes of the AHA Board of Housing Commissioners

Special Meeting

Monday, April 2, 2012

1:30 p.m. (MDT)

Manuel Cordova Conference Room
& Closed Meeting in Small Conference Room
1840 University Blvd SE
Albuquerque, NM 87106

1. Call to Order

The meeting was called to order by Chairperson Stephen J. Vogel at 1:31 p.m. with four members present. Currently one seat on the Board is vacant. A quorum was present to conduct business.

2. Roll Call

AHABHC MEMBERS PRESENT

Ms. Rebecca Chavez (Resident Commissioner)

Mr. Tom Growney (Vice Chairperson)

Mr. Stephen J. Vogel (Chairperson)

Ms. Roxanne Rivera-Wiest (Member at Large)

STAFF PRESENT

Ms. Robin Dozier Otten, Director, Department of Family and Community Services

Ms. Dolly Newman, Executive Director, Board Secretary, AHA

Mr. Brian Eagan & Ms. Rebecca Wardlaw, Assistant City Attorneys, COA Legal Dept.

Ms. Evett Birdsong, Executive Assistant

Detective A. Wickline, Albuquerque Police Department, AHA Liaison

Detective F. Muñoz, Albuquerque Police Department, AHA Liaison

Mr. Sam Vivian, Deputy Director, AHA

Ms. Janice Wright, Housing Paralegal, COA Legal Dept.

Mr. Robert J. Perry, Chief Administrative Officer (CAO), City of Albuquerque

Chairperson Vogel had some concerns regarding the media's announcement that this was an Emergency Meeting of the Board. Chairperson Vogel explained that this meeting was called as a Special Meeting, and not as an Emergency Meeting. The Chairperson wanted to make this legal point clear just in case it became an issue in the future. Additionally, Chairperson Vogel wanted to make it clear that this Special Meeting of the Board was called by the Albuquerque Housing Authority Board of Housing Commissioners (AHABHC), and not by any other entity (the Mayor, or the City Council). AHABHC invited the City of Albuquerque Chief Administrative Officer Robert J. Perry, to address the City of Albuquerque's concerns regarding AHA Executive Director Dolly Newman's involvement in actions and management issues which have been the subject of recent media coverage.

Furthermore, Chairperson Vogel explained that the AHABHC would be recessing the Open to the Public portion of the Board Meeting and then going into a Closed Session in which only the Board members would be present. Chairperson Vogel explained that the Board Members during the Closed Session then had the discretion to invite Executive Director Dolly Newman, AHA management, City staff members, and/or attorneys from City Legal city attorneys into the Closed Session for private questions and discussion. The Board members would then later leave the Closed Session and reconvene the Open to the Public meeting to vote on the Resolutions they discussed and agreed upon, although, there is no guarantee that an actual vote will take place regarding Executive Director Dolly Newman's employment status.

3. Approval of Minutes

There were no Minutes of a past meeting of the Board to approve during this Special Meeting of the Board. Minutes will be reviewed and voted on during the next Regular Meeting of the Board, which is set to occur on April 18, 2012.

4. Public Comment

No members of the Public offered their comments to the Board during the meeting.

5. Consent Agenda

There were no items listed on the consent agenda.

6. Bills and Communications

(a) Report from Chief Administrative Officer (CAO) Robert J. Perry, concerning Management Issues at the Albuquerque Housing Authority (AHA)

Mr. Perry announced that the media contacted him to investigate alleged claims regarding Executive Director Dolly Newman. Mr. Perry acknowledged his appreciation for the Board calling and organizing the Special Meeting of the Board. He recognized the need to follow proper procedures in this personnel matter, and offered the Board the use of City of Albuquerque staff to assist the Board in their assessment of the issues in this case and appropriate remedies, if needed. In closing, Mr. Perry stated that the Office of the Inspector General (O.I.G.) of the City of Albuquerque was also contacted to investigate this matter further.

7. Closed Session

After CAO Perry spoke, Chairperson Vogel announced that the Board is going into a Closed Session under §10-15-1(H)(2) NMSA 1978- to discuss limited personnel matters regarding AHA Executive Director Dolly Newman.

Vice Chairperson Growney amended the announcement to include the word "closed".

At 2:06 p.m., Vice Chairperson Growney moved the Board to proceed to a Closed Session, seconded by Member Chavez, and the motion was carried by a vote of 4-0.

"Limited personnel matters" exception.-If a public policy-making body desires to meet in executive session to discuss an individual employee's dismissal, promotion, resignation, complaint or shortcomings, then such a meeting could properly be closed pursuant to the "limited personnel matters" Subsection H(2). 1990 Op. Att'y Gen. No. 90-28.

The Board members then got up and left the Manuel Cordova Conference Room. The Board members held a Closed Session in the small conference room across the hallway. The only persons allowed into the Closed Session were persons invited individually by the Board to come into the small meeting room. Dolly Newman was invited to speak to the Board as well as Brian Eagan and Rebecca Wardlaw, Assistant City Attorneys.

8. **Re-Convene in Open Session**

The Open Session re-convened at 3:29 p.m., and Chairperson Vogel announced that a limited personnel matter involving Executive Director Dolly Newman was the only topic discussed by the Board during the Closed Session and that no vote was taken during the closed session of the Special Meeting of the AHA Board.

- (a) Vice Chairperson Growney then moved to approve "Resolution 2012-05, Predetermination Hearing" which required that Assistant City Attorney Brian Eagan to obtain a Hearing Officer to conduct a Predetermination Hearing regarding Dolly Newman. The Resolution also requires that written report by the Hearing Officer with his Conclusions and Findings be formally drafted and forwarded to the Board for their review by Monday, April 16, 2012. The motion was seconded by Member Chavez, and the motion was carried by a vote of 4-0.
- (b) Chairperson Vogel moved to approve "Resolution 2012-06, Administrative Leave with Pay", Until Further Notice for AHA Executive Director Dolly Newman who is hereby advised to report to the City's Human Resources Director between 8 am to 5 pm until further notice. The motion was seconded by Member Chavez and the motion was carried by a vote of 4-0.
- (c) Member Rivera-Wiest moved to approve "Resolution 2012-07, Vacancy of the AHA Executive Director Position"; which states that the Board hereby selects City of Albuquerque Family and Community Services Department (FCSD) Director Robin Dozier Otten to accept the responsibility for the AHA Executive Director position until further notice. The motion was seconded by Vice Chairperson Growney and the motion was carried by a vote of 4-0.

Chairperson Vogel announced that the regular Board Meeting would take place on April 18, 2012 at AHA Manuel Cordova Conference Room at noon. During that meeting, a closed session would convene to address Resolutions 2012-05, 2012-06 and 2012-07. The Board Members then each personally announced that since this case is a limited personnel matter, they would not be answering any questions about it from the media.

9. Old Business

There was no old business.

10. New Business

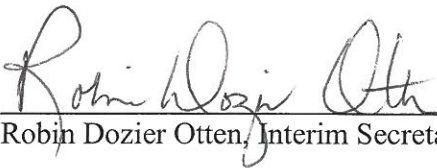
There was no new business.

11. Other Business

There was no other business.

12. There being no further business brought before the Board, a motion was made by Member Chavez to adjourn the meeting at 3:36 p.m. , and then seconded by Member Riviera-Wiest, and the motion was carried by a vote of 4-0.

SUBMITTED:


Robin Dozier Otten, Interim Secretary

READ AND APPROVED:


Stephen J. Vogel, Chairperson of the Board