

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PERSONNEL BOARD

**K. LEE PEIFER, CHAIRMAN
CHRISTOPHER HOLLAND
THOMAS MANNING
MARIE JULIENNE
T. ZANE REEVES**

TUESDAY, NOVEMBER 10, 2015
2:30 P.M.

600 2ND STREET NW, 7TH FLOOR, ALBUQUERQUE, NM 87102

MEMBERS PRESENT:

*K. Lee Peifer
Thomas Manning
Christopher Holland
T. Zane Reeves
Marie Julienne*

OTHERS PRESENT:

<i>Jeremy Dear</i>	<i>Irma Gonzalez</i>
<i>Nick Bullock</i>	<i>John D'Amato</i>
<i>Irma Gonzalez</i>	<i>Thomas Grover</i>
<i>Samantha Hults</i>	<i>Melissa Kountz</i>
<i>Mary Scott</i>	<i>Ian Stoker</i>
<i>Charles Arasim</i>	<i>Casey Padilla</i>
<i>Marissa Lucero</i>	<i>Janelle Rodriguez</i>
<i>John Dear</i>	<i>Megan Cruz</i>
<i>Ryan Bertel</i>	<i>Rene Thompson</i>
<i>Angelica Dear</i>	<i>Diane Kimberle</i>

PO Box 1293

Albuquerque

Minutes

New Mexico 87103

CALL TO ORDER.

Meeting was called to order at 2:30 p.m., by Chairman K. Lee Peifer. Members Thomas Manning, Christopher Holland, Marie Julienne and T. Zane Reeves were present.

www.cabq.gov

II. REVIEW AND APPROVAL OF PERSONNEL BOARD AGENDA FOR WEDNESDAY, NOVEMBER 10 2015.

Chair moves to approve the agenda for November 10, 2015. Mr. Manning, seconded. Agenda approved. Passed 5-0.

III. REVIEW AND APPROVAL OF PERSONNEL BOARD MINUTES FOR WEDNESDAY, OCTOBER 14, 2015.

Chairman Peifer moved to approve the minutes for October 14, 2015. Mr. Reeves seconded. Minutes approved. Passed 5-0.

IV. BOARD MEMBERS TO ELECT A NEW CHAIR AND VICE CHAIR

Mr. Holland nominated Mr. T. Zane Reeves to be the New Vice Chair. Mr. Reeves accepted. Passed 4-0.

Mr. Reeves nominated Chairman K. Lee Peifer to stay the Chair. Mr. Peifer accepted. Passed 4-0

V. ***PB-14-24 JEREMY DEAR, TERMINATION-CITY OF ALBUQUERQUE POLICE DEPARTMENT, RECOMMENDATION OF THE HEARING OFFICER, PATRICK BINGHAM.***

Chairman Peifer stated that the board will make a recommendation today in executive session pertaining to Mr. Jeremy Dear.

Please see item X

VI. ***PB-14-14 BRENDA ALBERTS, TERMINATION-CITY OF ALBUQUERQUE ANIMAL WELFARE DEPARTMENT, CITY OF ALBUQUERQUE'S MOTION TO ENFORCE SETTLEMENT AGREEMENT.***

Melissa Kountz, Assistant City Attorney for the City of Albuquerque, states that Rocky Gutierrez AFSCME Representative and Brenda Alberts offered the city to settle in the amount sum for Thirty Five Thousand dollars (35,000.00) and to resign. Rocky Gutierrez contacted the city and stated that Alberts didn't understand the taxable agreement. It's the city's position under New Mexico law that it doesn't revoke the agreement. Ms. Kountz, asks the board to enter an order to allow Ms. Alberts (30) thirty days to execute the agreement or she has forfeited her rights.

Mr. Rocky Gutierrez, AFSCME Representative not present.

Chairman Peifer, asks Ms. Kountz how the Board is the correct venue to enforce the settlement. Will take this matter under advisement on the next board meeting.

Mr. Holland so moves. Mr. Reeves seconded
Passed 5-0

VII. ***BOARD REVIEW OF HEARING OFFICER WILLARD DAVIS'S DECISION ON A STAY ORDER IN PB-15-12.***

Irma Gonzalez , Assistant City Attorney for the City of Albuquerque, Clarified the motion to dismiss for the board. Mr. Rocky Gutierrez and Ms. Irma Gonzalez jointly agreed to file a stay proceedings. Hearing Officer, Willard Davis denied the order to Stay.

Casey Padilla, AFSCME Local 624, states that this policy was imposed upon the employees and not negotiated with the union. By the time district court decides on this, the union can settle these.

Mr. Holland moves to uphold the hearing officer's recommendation.
Mr. Reeves seconded. Passed 5-0.

VIII. ***RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS.***
None

IX. ***VOTE TO CLOSE THE MEETING PURSUANT TO SECTION 10-15-1(H)(2) (LIMITED PERSONNEL MATTERS) AND 10-15-1(H)(7) (THREATENED OR PENDING LITIGATION) OF THE NM OPEN MEETINGS ACT.***

Chairman Peifer entertains a motion to close the meeting.

Mr. Manning moves to close the meeting for closed executive session.

Mr. Holland seconded. Passed 5-0

