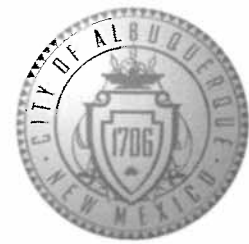


CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PERSONNEL BOARD

**T. ZANE REEVES, VICE-CHAIRMAN
CHRISTOPHER HOLLAND
MARIE JULIENNE
JAMES PENDERGAST**

**WEDNESDAY, FEBRUARY 8, 2017
2:30 P.M.**

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

MEMBERS PRESENT:

*T. Zane Reeves-Vice-Chairman
Christopher Holland
Marie Julienne
James Pendergast*

OTHERS PRESENT:

*Samantha Hults John Castillo
Melissa Kountz Karl Isselhard
Ray Twolig Hess Yntema
Ian Stoker Michael Quinones
Diane Kimberle Mary Scott
Sonja Brown Rocky Gutierrez
Grace Gibson*

PO Box 1293

Minutes

- I. CALL TO ORDER.**
Albuquerque Meeting was called to order at 2:42 p.m., by Vice-Chairman T. Zane Reeves. Members Marie Julienne, Christopher Holland and James Pendergast were present.
- II. REVIEW AND APPROVAL OF PERSONNEL BOARD AGENDA FOR WEDNESDAY, FEBRUARY 8, 2017.**
New Mexico 87103 Vice-Chairman Reeves motions to approve. Mr. Holland seconded.
Passed 4-0
- III. REVIEW AND APPROVAL OF PERSONNEL BOARD MINUTES FOR WEDNESDAY, JANUARY 11, 2017.**
www.cabq.gov Mr. Pendergast moves to approve. Mr. Holland seconded.
Passed 4-0
- IV. PB-13-23 MICHAEL QUINONES, TERMINATION-CITY OF ALBUQUERQUE FIRE DEPARTMENT. RECOMMENDATION OF THE OFFICER, RITA SIEGEL.**
Melissa Kountz, Assistant City Attorney for the City. Quinones was an Albuquerque Firefighter until April of 2013, when he was intoxicated at a Isotopes games and behaved rudely and belligerently to the staff. He was asked to leave and escorted out. The operator of the Park asked the Police Officers to issue a trespass notice to Quinones. Officers Jeremy Dear and Sunny Molina followed Quinones out the park to issue the trespass notice. Quinones, was belligerent, rude and threatening to the officers. Such behavior is unacceptable. AFD has strict standards governing our duty conduct for all firefighters. The Hearing Officer uphold the termination. This Board can only make a decision on the disciplinary action and not

whether or not the City should rehire Quinones going forward.

Ray Twohig, Attorney for the Grievant Michael Quinones, filed exceptions to the City's exceptions. Arguments are to forward from the exceptions. First the discipline that should have been recommended is less than termination and second that the recommendation that Quinones should be eligible for rehire and should not be rejected and be accepted this should be the recommendation of the Personnel Board.

V. ***PB-16-14 TERRY MORALES-SIXTY (60) HOUR SUSPENSION-CITY OF ALBUQUERQUE POLICE DEPARTMENT. RECOMMENDATION OF THE HEARING OFFICER, PATRICK BINGHAM***

Melissa Kountz, Assistant City Attorney for the City, Terry Morales is a 911 call taker, one of the important job duties is to accurately take information from anyone who calls into 911. A citizen Mr. Sanchez called in for help that he needed access to his home, his wife wasn't answering calls or texts. Ms. Morales asked a question if he needed a police escort. Mr. Sanchez responded yeah because his job. Morales noted what car he was driving and where he was located than submitted the call to dispatch with the summary that Mr. Sanchez needed someone to keep the peace while he picked up belongings. Sanchez never mentioned that he needed to keep the peace or pick up belongings. The purpose of the call is Mr. Sanchez stated to the investigator was to make sure his wife was okay. The officer responding was responding to a totally different call. Officer thought it might be a domestic situation. The call was coded as a domestic violence escort with a message, keep the peace. This lead a negative interaction with the police officer and citizen, who then made a complaint. Morales had been through several performance improvement sessions.

Rocky Gutierrez, AFSCME Representative for Grievant Terry Morales, Ms. Morales is a 911 operator on swing shift. They have to answer the call within 10 seconds. In this situation Ms. Morales received a call from Mr. Sanchez. As soon as Sanchez was asked about the call he stated he needed to gain access to his house. Was asked about the relationship he stated it was his wife. It is not for Ms. Morales to determine why the wife is not answering. Ms. Morales only has 20 seconds to answer the phone, get the information from the caller, enter the correct code and proceed to the next call. Morales coded this as a 10-15-1 domestic violence escort. It does not mean that a domestic violence is occurring at the time. They use that code for many issues as Morales stated keep the peace. Ms. Morales followed policy that she was given.

VI. ***PB-14-24 JEREMY DEAR, TERMINATION-CITY OF ALBUQUERQUE POLICE DEPARTMENT. DISCUSSION ON REMAND.***

Samantha Hults, Assistant City Attorney for the City, states that the board is a quasi-traditional body. Traditional body changes composition all the time. It is the City's stance that it is not inappropriate for new members of the board to come on to be composed of the board and make these decisions on remand. The direction from the court is to look at the record and to tell if possible why the board has made the decision that it has.

Thomas Grover, Attorney for the Grievant Jeremy Dear, stated that this matter was remanded back to the Personnel Board from Judge Campbell. The Board is supposed to respond to Judge Campbell's order. There are two issues that need to be addressed by the board, one is a decision needs to be done. The Board that exists today isn't the same board that review that matter. Is it proper that the new board member be involved in the process? The three members left are to be responsive, and if possible call back Mr. Peifer and Mr. Manning, to be involved and respond to Judge Campbell's order.

- VII. DISCUSSION AND VOTE ON NEW PERSONNEL BOARD CHAIR.**
Mr. John Castillo, Ms. Sonja Brown, Ms. Theresa Padilla all stated their name and a quick description of why they would like to be the Chairperson for the Personnel Board.
- VIII. RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISSMALS 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.**

Vice-Chairman Reeves moves to close the meeting. Mr. Holland seconded.
Passed 4-0

Only matters discussed in closed session where matters:
PB-13-23 Michael Quinones
PB-16-14 Terry Morales
PB-14-24 Jeremy Dear

Vice-Chairman Reeves moves to open the meeting. Mr. Holland seconded.
Passed 4-0

PB-13-23 Michael Quinones, Vice-Chair Reeves the board moves to approve the Hearing Officers Findings, Fact and Recommendation.
Passed 3-1 Ms. Julienne opposed

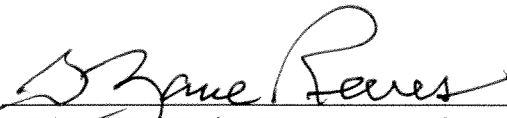
PB-16-14 Terry Morales, Mr. Pendergast moves to approve the conclusions of law and work conditions by the hearing officer. Mr. Holland seconded.
Passed 3-1 Ms. Julienne opposed

PB-14-24 Jeremy Dear, Mr. Holland moves to take no action.
Passed 4-0

Mr. Holland moves to elect Ms. Sonja Brown as the new chairperson. Ms. Julienne seconded.
Passed 3-1 Mr. Pendergast opposed

- X. VACANCIES AND ORGANIZATIONAL MATTERS**
None
- XI. PUBLIC COMMENTS.**
None
- XII. OTHER MATTERS.**
None
- XIII. ADJOURNMENT.**
Meeting adjourned at 4:36p.m

APPROVED:


VICE CHAIR (T. Zane Reeves)
City Personnel Board

4/12/2017
DATE

cc: *Richard J. Berry, Mayor*
Natalie Y. Howard, City Clerk