LABOR-MANAGEMENT RELATIONS BOARD
Monday, December 4, 2017
600 2nd Street NW, 7th Floor, Albuquerque, NM 87102
HEARING ROOM 1

MEMBERS PRESENT:	*OTHERS PRESENT:*	
Chairman Ted Baca	*Eric Locher*	*James Montalbano*
Juan Montoya	*Melissa Kountz*	*Jessica Enriquez*
Michael Wartell	*Ian Stoker*	

Minutes

I. CALL TO ORDER.
Chairman Ted Baca called the meeting to order at 9:00 a.m. Board members Juan Montoya and Michael Wartell were also present.

II. REVIEW AND APPROVAL OF AGENDA FOR MONDAY, DECEMBER 4, 2017.
Mr. Wartell moved to approve the agenda for December 4, 2017. Mr. Montoya seconded. Vote taken and passed 3-0.

III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR NOVEMBER 29, 2017.
Chairman Baca moved to approve the minutes for November 29, 2017. Mr. Montoya 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.
The following Orders were approved and signed by the Board members:
LB 11-01, Order of Dismissal;
LB 15-28, Order on Motion to Dismiss;
LB 16-01, Order on Amended Motion to Reconsider;
LB 17-07, Order to Respond to Motion for Summary Judgment;
LB 17-27, Order of Dismissal.

VI. PRESENTMENT OF ORDERS.
LB 17-03, Order Granting City's Motion to Dismiss for Failure to Comply with Order of September 5, 2017 on Deadline to Amend was approved and signed by the Board members.

VII. MOTIONS HEARING:

- **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. (AFSCME LOCAL 3022 AND JAMES MONTALBANO, YOUTZ & VALDEZ)**
  Melissa Kountz, Assistant City Attorney appeared on behalf of the City. James Montalbano, Attorney appeared on behalf of AFSCME. Ms. Kountz stated that the parties are working on reaching a settlement in this case and asked the Board to defer this matter. Chairman Baca stated that this matter is deferred to January 2018 and will be scheduled for status hearing.

- **LB 16-12, CITY'S MOTION FOR SUMMARY JUDGMENT AND AFSCME'S RESPONSE TO MOTION FOR SUMMARY JUDGMENT. (AFSCME LOCAL 3022 AND JAMES MONTALBANO, YOUTZ & VALDEZ)**
  Ian Stoker, Assistant City Attorney appeared on behalf of the City. James Montalbano, Attorney appeared on behalf of AFSCME. Mr. Stoker presented and argued the City's Motion for Summary Judgment. Mr. Montalbano presented and argued AFSCME's Respone to City's Motion for Summary Judgment.

  Mr. 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. Wartell 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. Chairman Baca seconded. A roll call vote was taken and the Motion passed 3-0. The Board was in closed session to discuss LB 16-12 and no other cases were discussed.

  Mr. Montoya moved to deny the Motion for Summary Judgment. Mr. Wartell seconded. Vote taken and passed 3-0.

VIII. MERITS HEARING:

- **LB 12-28 PROHIBITED PRACTICE COMPLAINT AGAINST THE CITY OF ALBUQUERQUE'S TRANSIT DEPARTMENT FOR VIOLATIONS OF THE COLLECTIVE BARGAINING AGREEMENT (CASEY PADILLA, Local 624).**
  Ms. Kountz appeared on behalf of the City and stated that the parties have submitted a Stipulated Motion to Withdraw. Chairman Baca asked the City to file an Order for the Stipulated Motion to Withdraw.

IX. ADJOURNMENT.

Mr. Montoya moved to adjourn the meeting. Mr. Wartell seconded. Vote taken and passed 3-0. The meeting was adjourned at 10:17 a.m.

APPROVED:

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TED BACA, CHAIR **DATE**
City Labor Management Relations Board

cc: Richard J. Berry, Mayor
Trina Gurule, Interim City Clerk