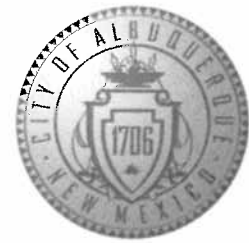


CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PERSONNEL BOARD

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

**WEDNESDAY, MARCH 9, 2016
2:30 P.M.**

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

MEMBERS PRESENT:

*K. Lee Peifer-Chairman
Thomas Manning
Christopher Holland
Marie Julienne
T. Zane Reeves-Vice Chair*

OTHERS PRESENT:

*Samantha Hults Melissa Kountz
Nick Bullock Rocky Gutierrez
Jennifer Benoit Victor Lovato*

PO Box 1293

Minutes

I. CALL TO ORDER.

Albuquerque

Meeting was called to order at 2:32 p.m., by Chairman K. Lee Peifer. Members Thomas Manning, Marie Julienne and T. Zane Reeves were all present. Christopher Holland present telephonically.

New Mexico 87103

II. REVIEW AND APPROVAL OF PERSONNEL BOARD AGENDA FOR WEDNESDAY, MARCH 9, 2016.

Chairman Peifer moved to approve the agenda for March 9, 2016. Mr. Manning, seconded. Agenda approved. Passed 5-0.

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III. REVIEW AND APPROVAL OF PERSONNEL BOARD MINUTES FOR WEDNESDAY, FEBRUARY 10, 2016.

Chairman Peifer moved to approve the minutes for February 10, 2016. Ms. Julienne seconded. Minutes approved. Passed 5-0.

IV. PB-14-25, JENNIFER BENOIT, TERMINATION-CITY OF ALBUQUERQUE POLICE DEPARTMENT. FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDED DECISION. HEARING OFFICER WILLARD H. DAVIS

Melissa Kountz, Assistant City Attorney for the City of Albuquerque, it was undisputed that Ms. Benoit was on physical layoff. The Board has no jurisdiction to hear this matter. Ms. Kountz goes over the merit system ordinance with the board. Ms. Kountz asks the board to dismiss this case for lack of jurisdiction.

Ms. Benoit on behalf of herself, believes that everything was laid out from the Hearing Officer's findings and in the response that was filed. Request that the board deny the City's exception on the jurisdiction and adopt the Hearing Officer's recommendation.

Chairman Peifer will discuss this matter in closed session

V. **RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISSMALS AND SETTLEMENTS.**
PB-14-14 Brenda Alberts, Stipulated Order of Closure Settled and Signed by the Board.

Chairman Peifer moves to approve the Order. Mr. Manning seconded. Passed 5-0

VI. **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, seconded. Passed 5-0

Chairman Peifer moves to return back to open session.
Mr. Manning seconded. Passed 5-0

Nothing was discussed in closed session other than PB-14-25 Jennifer Benoit.

Chair will entertain a motion on PB-14-25, Jennifer Benoit, Mr. Reeves reads and moves that the Board lacks jurisdiction to hear this case. The jurisdiction is limited to major disciplinary action issues such as suspensions of five days or more , demotions and discharges. Moves that this case be dismissed

Mr. Manning seconded the motion.
Ms. Julienne Opposed.

Motion carried (4) to pass, (1) Opposed
Passed 4-1

VII. **VACANCIES AND ORGANIZATIONAL MATTERS**
None

VIII. **PUBLIC COMMENTS.**

Rocky Gutierrez, on Behalf of AFSCME Local Council 18. Talks about an Ordinance change back in 2012. O-2012-024. Board adopted these rules. Don't know what venue to take this matter to, City Council or the Personnel Board. Ask's the board to address this matter.

Chairman Peifer, asks Mr. Bullock for his view and the status of the rules. If possible to have them by the next Personnel Board meeting.

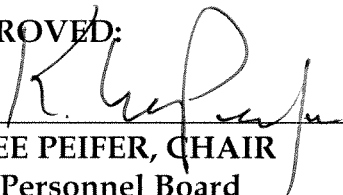
IX. **OTHER MATTERS.**

PB-14-02 Earl Baca, ruled on the matter at the last meeting. The minutes that are approved today will reflect that ruling , but did announce there would be a written version of the ruling which is ready for signature.

X. **ADJOURNMENT.**

Chairman Peifer moves to adjourn. Mr. Reeves seconded. Meeting was adjourned at 4:30 p.m. Passed 5-0

APPROVED:



K. LEE PEIFER, CHAIR June 8, 2016
City Personnel Board **DATE**

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