

**CITY OF ALBUQUERQUE  
PERSONNEL BOARD**

**BOARD MEMBERS**

JOHN CASTILLO, VICE CHAIR

ROBERT LUJAN

THOMAS ZANE REEVES

BERNARD TOON

WEDNESDAY, APRIL 14, 2021

2:30 P.M.

MEMBERS PRESENT:

*Vice Chairman John Castillo*

*Robert Lujan*

*Zane Reeves*

*Bernard Toon*

OTHERS PRESENT:

*Bryan Rowland*

*Melissa Kountz*

*Justin Pennington*

*Juan Martinez-Luna*

*Ian Stoker*

*Jessica Enriquez*

*Kelly Haney*

*John D'Amato*

*Tomas Romero*

*Rocky Gutierrez*

*Marlon Battaglia*

*Matthew Torrez*

**Minutes**

**I. CALL TO ORDER.**

Vice Chairman John Castillo called the meeting to order. Board members Zane Reeves, Bernard Toon and Robert Lujan were also present.

**II. REVIEW AND APPROVAL OF THE PERSONNEL BOARD AGENDA FOR**

**WEDNESDAY, APRIL 14, 2021.** Mr. Reeves moved to approve the agenda with the correction to item V. listed items are LB 20-12 and LB 20-14 but the correct case numbers are PB 20-12 and PB 20-14. Mr. Lujan seconded. Voted and passed 4-0.

**III. REVIEW AND APPROVAL OF PERSONNEL BOARD MINUTES FOR MARCH 10, 2021.**

Mr. Lujan moved to approve the minutes for March 10, 2021. Mr. Toons seconded. Voted and passed 4-0.

**IV. PUBLIC COMMENTS.** None.

**V. RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS:**

- **PB 20-12, ORDER OF DISMISSAL, MICHAEL RICO, CITY OF ALBUQUERQUE POLICE DEPARTMENT.** Approved and signed by the Board. See item VIII.
- **PB 20-14, ORDER OF DISMISSAL, KOURY CHURCH, CITY OF ALBUQUERQUE POLICE DEPARTMENT.** Approved and signed by the Board. See item VIII.

**VI. PB-20-02, MARLON BATTAGLIA- TERMINATION FROM THE CITY OF ALBUQUERQUE DEPARTMENT OF MUNICIPAL DEVELOPMENT-RECOMMENDATION OF THE HEARING OFFICER JUDITH DURZO.**

Assistant City Attorney Ian Stoker appeared on behalf of the City. Rocky Gutierrez, AFSCME Representative appeared on behalf of Marlon Battaglia. Both parties presented brief arguments and responses to the Hearing Officer's Recommendation. See item VIII.

**VII. PB-20-03, MATTHEW TORREZ- TERMINATION FROM THE CITY OF ALBUQUERQUE DEPARTMENT OF MUNICIPAL DEVELOPMENT-RECOMMENDATION OF THE HEARING OFFICER JUDITH DURZO.**

Assistant City Attorney Ian Stoker appeared on behalf of the City. Rocky Gutierrez, AFSCME Representative appeared on behalf of Matthew Torrez. Both parties presented brief arguments and responses to the Hearing Officer's Recommendation. See item VIII.

**VIII. 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.**

Mr. Reeves moved to enter 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. Bernard seconded. A roll call vote was taken and passed 4-0. Mr. Castillo moved to return to open session and stated that the Board was in closed session to discuss only the items on the agenda and no other matters were discussed.

Mr. Reeves made a motion to accept the Stipulated Order of Dismissal for PB 20-12. Mr. Toons seconded. Voted and passed 4-0

Mr. Lujan made a motion to accept the Stipulated Order of Dismissal for PB 20-14. Mr. Toons seconded. Voted and passed 4-0.

Mr. Reeves made a motion to modify the Hearing Officer's Recommendation for PB 20-02, from a 30-day suspension modified to a 15-day suspension and reinstate Marlon Battaglia. Roll call vote taken and passed 3-1.

Mr. Toons made a motion to uphold the Hearing Officer's Recommendation for PB 20-03, Matthew Torrez. Mr. Lujan seconded. Roll call vote taken and passed 4-0.

**IX. OTHER MATTERS.**

Mr. Reeves moved to nominate John Castillo as chairperson. Mr. Toons seconded. Voted and passed 4-0. Mr. Castillo moved to nominate Zane Reeves for vice chair. Mr. Lujan seconded. Voted and passed 4-0.

**X. ADJOURNMENT**

Mr. Castillo adjourned the meeting.

**APPROVED:**

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**VICE CHAIR, JOHN CASTILLO**  
**City Personnel Board**

\_\_\_\_\_  
**DATE**

cc: *Timothy M. Keller, Mayor*  
*Ethan Watson, City Clerk*