

# LABOR-MANAGEMENT RELATIONS BOARD

*Tuesday, July 6, 2021*

MEMBERS PRESENT:

*Chairman Ted Baca  
Juan Montoya  
Bruce Perlman*

OTHERS PRESENT:

*Leigh Brunner      Patricia French  
Melissa Kountz     James Montalbano  
Justin Pennington   John D'Amato  
Kelly Haney         Rocky Gutierrez  
Jessica Enriquez*

## Minutes

**I. CALL TO ORDER.**

Chairman Baca called the meeting to order. Board members Juan Montoya and Bruce Perlman were also present.

**II. REVIEW AND APPROVAL OF THE AGENDA FOR TUESDAY, JULY 6, 2021.**

Mr. Montoya moved to approve the agenda for July 6, 2021. Mr. Perlman seconded. Voted and passed 3-0.

**III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR JUNE 21, 2021.**

Mr. Perlman moved to approve the minutes for June 21, 2021. Mr. Montoya seconded. Voted and passed 3-0.

**IV. PUBLIC COMMENTS \*Limited to three (3) minutes total time per person.**

Rocky Gutierrez, AFSCME Representative appeared on behalf of the Union and stated that the parties have settled LB 13-06 scheduled for item VIII. for merits hearing. Assistant City Attorney Melissa Kountz was present on behalf of the City.

Board member Montoya stated that the State Board has approved the City's Labor-Management Relations Board Rules and Regulations.

**V. RECEIPT OR PRESENTMENT OF STIPULATED DISMISSALS AND SETTLEMENTS.**

None.

**VI. PRESENTMENT OF ORDERS.**

None.

**VII. RESCHEDULED FROM JUNE 21, 2021- ENTERING OF BOARD'S FINAL ORDER FOR LB 19-35.** Chairman Baca made a motion to move the Board to hear this matter after item VIII. Mr. Montoya seconded. Voted and passed 3-0.

**VIII. MOTIONS HEARING:**

- **LB 13-06, CITY'S MOTION TO RECONSIDER OR MODIFY DECISION.**

The parties have settled this matter. See item IV.

- **LB 20-09, CITY’S MOTION TO DISMISS.**

Assistant City Attorney Justin Pennington appeared on behalf of the City and presented the City’s Motion to Dismiss. Rock Gutierrez, AFSCME representative appeared on behalf of Local 624 and presented the Union’s Response to the City’s Motion to Dismiss.

Chairman Baca 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. Montoya seconded. A roll call vote was taken and the motion passed 3-0.

Chairman Baca 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. Mr. Montoya seconded. A roll call vote was taken and the motion passed 3-0. The Board was in closed session to discuss LB 20-09 and no other matters were discussed.

Chairman Baca moved to deny the City’s Motion to Dismiss. Mr. Montoya seconded. Mr. Perlman opposed. Vote passed 2-1.

- **LB 20-27, CITY’S MOTION TO DISMISS.**

Mr. Pennington appeared on behalf of the City and Attorney James Montalbano appeared on behalf of AFSCME Local 3022.

Chairman Baca 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. Montoya seconded. A roll call vote was taken and the motion passed 3-0.

Chairman Baca 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. Mr. Montoya seconded. A roll call vote was taken and the motion passed 3-0. The Board was in closed session to discuss LB 20-27 and no other matters were discussed.

Mr. Montoya moved to deny the City’s Motion to Dismiss. Chairman Baca seconded. Mr. Perlman opposed. Vote passed 2-1.

**IX. ADJOURNMENT.**

Chairman Baca moved to adjourn. Mr. Montoya seconded. Voted and passed 3-0.

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

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**DATE**

cc: Tim Keller, Mayor  
Ethan Watson, City Clerk