



CITY OF ALBUQUERQUE

CITY LABOR-MANAGEMENT RELATIONS BOARD

MONDAY, JUNE 2, 2025

MEMBERS PRESENT:

*Ted Baca
Bruce Perlman
Juan Montoya
Pilar Vaile*

OTHERS PRESENT:

*Domonique Limon
Leigh Brunner
Catherine Gonzalez
Kenna O'Connell
Shelly Mund
Frederick Mowrer
Jennifer Kittleson*

VIA ZOOM

*Louis Montoya
Brian Nichols
Justin Miller
Casey Padilla
Michael Dorin
Michael Tittman
Gregory Montoya
Cris Cruz
Kevin Morrow*

*Andrew Lewis
Emily Jaramillo
Matt Muchmala
James Montalbano
Allision Keelin
Junko Freeman
Michael Woods
James Montalbano
Kevin Morrow*

*William Grigg
Thomas Martinez
Jason Iphone
Bryan Breeswine
KRQE
Jana Smith-Carr
Angelica Anaya-Allen
Stephanie Dominguez*

MINUTES

I. CALL TO ORDER.

Chairman Baca called the meeting to order at approximately 9:00 a.m. All three Board members were present in person.

II. REVIEW AND APPROVAL OF AGENDA FOR MONDAY, JUNE 2, 2025.

Member Perlman moved to approve today's agenda. Member Montoya seconded. Voted and passed 3-0.

III. REVIEW AND APPROVAL OF MINUTES FOR MAY 19, 2024.

Member Perlman moved to approve the minutes for May 19, 2025. Member Montoya seconded. Voted and passed 3-0.

IV. REVIEW AND APPROVAL OF MINUTES FOR MAY 5, 2024. Approved but not signed.

Minutes were signed by Chairman Baca.

V. PUBLIC COMMENTS: Ms. Pilar Vaile advised that individuals were in the waiting room. Hearing Monitor Domonique Limon then admitted all persons waiting.

VI. PRESENTMENT AND APPROVAL OF ORDERS:

- **LB 24-15 ORDER TO WITHDRAW THE MOTION TO STRIKE.**
Attorney Mowrer will prepare the proposed Order for our next meeting.

VII. MISCELLANEOUS/STATUS CONFERENCE:

- **LB 25-07 FACIAL VALIDITY SCREENING OF THE AMENDED PROHIBITED PRACTICE COMPLAINT FILED BY ATTORNEY BRIAN K. NICHOLS ON BEHALF OF THE CITY OF ALBUQUERQUE AND AGAINST MIGUEL TITTMANN, in his official capacity as President of International Association of Fire Fighters Local 244, DANIEL P. LEWIS, in his official capacity as City Councilor, JOAQUIN BACA, in his official capacity as City Councilor, and INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 244 FOR VIOLATING CBA SECTION 3-2-5(A)(D).**
Pilar Vaile sat in to serve as the acting Chair and Board Member for review of this matter. Chairman Baca sat out of the discussion.

Attorney Justin Miller appeared on behalf of the City Council and objected to the facial validity of this matter. Attorney Mowrer appeared on behalf of the IAFF 244. Attorney Brian Nichols appeared on behalf of the City.

Ms. Vaile advised that her husband was a former partner at Modrall Sperling, Duane Edward Brown, but he did not work on labor matters. Ms. Vaile does not perceive a conflict, but she felt it was appropriate to disclose this to the parties and ask if anyone objects. The parties posed no objection.

Attorney Mowrer advised that the objection raised by the IAFF is that this PPC as filed by Attorney Nichols contains no evidence or proof or documents to support the allegations. Attorney Mowrer further argued his objection.

Member Perlman advised that the Board's position is that facial validity rests on the specificity of the filing, not evidence proffered at that point. The objection provided is posed for the lack of evidence, however the evidence will be weighed at the Merits hearing and not during the determination of facial validity.

At the request of Member Perlman, Attorney Leigh Brunner read aloud the requirements contained in the LMRO for the facial validity of a prohibited practices complaint.

Attorney Miller argued his objection to the facial validity of this matter.

Attorney Nichols provided details and the specific dates and occasions in which the City negotiated or bargained the MOU effects.

Attorney Miller argued that after each negotiation presented by the Union, the City's response was that they were not going to enter into negotiations.

Attorney Nichols further argued his position.

Attorney Miller further argued his position.

Attorney Mowrer noted that there is a distinct line between negotiations and formal bargaining.

Attorney Miller stated that there are seven City Councilors named in the Amended Complaint. It should be noted that all seven City Councilors voted in favor of a resolution. It is the Councilor's position that the Complaint should be dismissed as it intrudes on the absolute immunity by Legislators for Legislative activity. Attorney Miller further argued his position.

Attorney Nichols introduced the City's *Brief Regarding Lack of Legislative Immunity* for filing and distribution further arguing the City's position that the City Council waived immunity in passing the LMRO, among other arguments.

Acting Chair Vaile 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. Session was closed at approximately 9:44 a.m.

The Board returned to open session at approximately 10:04 a.m. The meeting was in closed session pursuant to Section 10.15.1.H.3 of the Open Meetings Act. Acting Chair Vaile stated the Board was in closed session to discuss and deliberate on LB 25-07. The matters discussed in closed meeting were limited only to those specified in the motion for closure and no other matters were discussed. Member Perlman moved to return to open session. Member Montoya seconded. Voted and passed 3-0.

Member Perlman moved to approve the PPC as facially valid. Member Montoya seconded. A roll call vote was taken. Voted and passed 3-0.

The parties discussed proposed dates for the Merits Hearing in this matter. They proposed September 8th and noted that they will need two-days to conduct this matter. Ms. Limon will check the availability of the hearing room on September 9th and notify the parties.

After Ms. Limon confirmed availability of the hearing room, this matter was scheduled for a two-day Hearing on the Merits on September 8 and 9, 2025. The Acting Chair Vaile requested the parties prepare a Scheduling Order for approval by the Board.

- **LB 23-06 HEARING ON THE MERITS.**

Chairman Baca read aloud the Amended Complaint.

Attorney Catherine Gonzalez appeared on behalf of the City and the Albuquerque Fire Department. Attorney Frederick Mowrer appeared on behalf of the IAFF and advised that the matter was presented on behalf of Officer Tyler Adams, whose claim has been resolved. Attorney Mowrer noted that although Officer Adams' claim has resolved the matter at hand, the overall issue remains within the Albuquerque Fire Department.

The parties further argued their positions.

Chairman Baca requested clarification and noted that there is no party of interest if Mr. Adams' claim has been resolved.

The parties further argued their positions.

Attorney Gonzalez moved to vacate this Hearing and have this matter dismissed.

Member Perlan moved to go into close 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. Chairman Baca seconded. Voted and passed unanimously. 3-0. Session was closed at approximately 10:53 a.m.

The Board returned to open session at approximately 10:56 a.m. The meeting was in closed session pursuant to Section 10.15.1.H.3 of the Open Meetings Act. Chairman Baca stated the Board was in closed session to discuss and deliberate on LB 23-06. The matters discussed in closed session were limited to those specified in the motion for closure and no other matters were discussed. Chairman Baca moved to return to open session. Member Perlman seconded. Voted and passed 3-0.

Chairman Baca re-read aloud the Amended PPC and noted that the allegation of this PPC have resolved.

Attorney Mowrer argued his position on this matter and stated that although the matter involving Officer Adams is resolved, the overall issue remains.

Chairman Baca noted that it appears that Attorney Mowrer wants this Board to make an advisory opinion. This Board enters decision based on an actual dispute.

Attorney Gonzalez moved for the Board to dismiss this matter with prejudice based on the Union's articulated position that there are no live controversies in this PPC requiring resolution.

Chairman Baca moved to Dismiss this matter with Prejudice. Member Perlman seconded. Voted and passed 3-0.

VIII. **ADJOURNMENT.**

Chairman Baca moved to adjourn. Member Montoya seconded Voted 3-0. Meeting was adjourned at 11:06 a.m.



TED BACA, CHAIR
City Labor-Management Relations Board

7/7/25
DATE