

**CITY OF ALBUQUERQUE
PERSONNEL BOARD
VIRTUAL ZOOM MEETING**

BOARD MEMBERS
JOHN CASTILLO- CHAIR
THOMAS ZANE REEVES- VICE CHAIR
MAGDALENA VIGIL-TULLAR
KATHERINE KORTE
SONJA BROWN

WEDNESDAY, June 14, 2023
2:30 P.M.

MEMBERS PRESENT:

John Castillo- Chair
Thomas Z. Reeves- Vice Chair
Magdalena Vigil-Tullar
Katherine Korte
Sonja Brown

OTHERS PRESENT:

Emily Jaramillo George Heidke
Antonia Romero Carrie Cook
Michael Baca Carlos Galaviz
Victoria Gammill Kelly Haney
Jason

Minutes

- I. CALL TO ORDER.**
Chair John Castillo called the meeting to order at 2:33 pm. Vice Chair Zane Reeves, Board Member Magdalena Vigil-Tullar, Board Member Katherine Korte and Board Member Sonja Brown were present.
- II. REVIEW AND APPROVAL OF THE PERSONNEL BOARD AGENDA FOR WEDNESDAY JUNE 14, 2023.**
Member Vigil-Tullar moved to approve the agenda. Vice Chair Reeves seconds. Voted and passed 5-0.
- III. REVIEW AND APPROVAL OF PERSONNEL BOARD MINUTES FOR APRIL 12, 2023.**
Member Korte moved to approve the minutes. Member Brown seconds. Voted and passed 5-0.
- IV. PUBLIC COMMENTS**
There were no public comments.
- V. RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS:**
- **PB 22-06/07 MICHAEL BACA HEARING OFFICER'S FINDINGS OF FACTS AND CONCLUSIONS OF LAW**
George Heidke on behalf of Mr. Baca.
Victoria Gammill on behalf of the City of Albuquerque.

Mr. Heidke states that the city has filed two main exceptions stating that the Hearing Officer made an incorrect decision based solely on Mr. Baca's testimony and the Hearing Officer made decisions based off case and federal law. Mr. Heidke believes that the city presented impartial and biased evidence from the RCI investigation. Based on the presentation by the city Mr. Heidke feels the city is attempting to relitigate the matter at the board meeting and asks that the Board uphold the Hearing Officer Findings of Fact and Conclusions of Law.

Ms. Gammill states that city is allowed per the Ordinance to issue exceptions to be presented and that all evidence provided to the Board merely shows a pattern of misconduct. The threshold for harassment described by the city is in fact broader, but believes based on the circumstances even the latter was met. The city believes that the wrong facts were focused on during this hearing and not all circumstances were considered. Based on the presentation by the city, Ms. Gammill asks that the Board reject or modify the Hearing Officer’s recommendation.

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.

Member Korte moved for the Board 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. Member Brown seconded. A roll call vote was taken and passed 5-0.

Member Korte made a motion to reverse the Hearing Officer’s findings of facts and conclusions of law, upholding the seven-day suspension without back pay for PB 22-06, Michael Baca. Member Vigil-Tullar seconds. Voted and passed 5-0.

Member Korte made a motion that this matter falls outside of the Personnel Board’s jurisdiction and the Board will not take any stance for the Hearing Officer’s findings of facts and conclusions of law for PB 22-07, Michael Baca. Member Brown seconds. Voted and passed 5-0.

VII. OTHER MATTERS.

Mr. Galaviz brings it to the Board’s attention that Member Korte, Member Vigil-Tullar, and the Vice Chair’s membership to the board is to end this year. Chair Castillo believes that his term is to end this year as well.

And asked Mr. Galaviz to check on the status of his term.

Member Korte asks for more information on the process moving forward. Mr. Galaviz will have more information at next month’s meeting.

VIII. ADJOURNMENT.

Chair Castillo adjourned the meeting at 3:45 pm.

DocuSigned by:
John Castillo

JOHN CASTILLO- CHAIR
City Personnel Board

8/12/2023 | 1:08 PM MDT

DATE

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