



**LABOR-MANAGEMENT RELATIONS BOARD**  
***Tuesday, May 29, 2018***  
**600 2<sup>nd</sup> Street NW, 7<sup>th</sup> Floor, Albuquerque, NM 87102**  
**HEARING ROOM 1**

**MEMBERS PRESENT:**

*Chairman Ted Baca*  
*Juan Montoya*  
*Michael Wartell*

**OTHERS PRESENT:**

*Kathleen Ahghar*      *Rocky Gutierrez*  
*Melissa Kountz*      *Michael Dorin*  
*Dona Moody*      *Shane Youtz*  
*Ian Stoker*      *John D'Amato*  
*Jessica Enriquez*

## **Minutes**

- I. CALL TO ORDER.**  
Chairman Ted Baca called the meeting to order at 9:00 a.m. Board members Juan Montoya and Michael Wartell were also present.
- II. REVIEW AND APPROVAL OF AGENDA FOR TUESDAY MAY 29, 2018.**  
Mr. Montoya moved to approve the agenda for May 29, 2018. Mr. Wartell seconded. Voted and passed 3-0.
- III. REVIEW AND APPROVAL OF LABOR BOARD MINUTES FOR MAY 21, 2018.**  
Mr. Montoya moved to approve the minutes for May 21, 2018. Mr. Wartell seconded. Voted and passed 3-0.
- IV. PUBLIC COMMENTS \*Limited to three (3) minutes total time per person.**  
Rocky Gutierrez, AFSCME Representative asked the Board to reschedule all AFSCME cases scheduled on the June 4, 2018 agenda because the Union needs more time to meet with the City to discuss the old cases that are listed for status review. Chairman Baca agreed to amend the agenda for Jun 4, 2018 and remove all AFSCME cases from the agenda.
- V. RECEIPT, APPROVAL AND SIGNING OF STIPULATED DISMISSALS AND SETTLEMENTS.**  
LB 18-01, Stipulated Order of Dismissal, approved and signed by the Board members.  
LB 15-15, Stipulated Order Separating Remaining Promotional Candidates, approved and signed by the Board Members.  
LB 15-15, Stipulated Order of Dismissal as to Count II Only, approved and signed by the Board members.
- VI. PRESENTMENT OF ORDERS.**  
None.
- VII. BOARD WILL ANNOUNCE THEIR DECISION IN LB 15-25.**  
Chairman Baca stated that the Board met in closed executive session on May 21, 2018 to discuss the case but did not make a final decision. They determined some issues that needed to be discussed and had questions for the parties.

Mr. Gutierrez appeared on behalf of AFSCME and Attorney Shane Youtz appeared on behalf of the City. After a brief discussion between the parties and the Board members, Chairman Baca scheduled this matter for June 4, 2018 at 8:00 a.m. and stated that the Board will go into closed executive session pursuant to section 10.15.1.H.3 of the open meetings act, to discuss their decision. After their deliberation, the Board will vote to open the meeting and will announce their decision.

**VIII. MOTIONS HEARING:**

- **LB 18-01, RESPONDENT'S MOTION FOR SUMMARY JUDGMENT.**  
Order of Dismissal. See item V.
- **LB 18-02, RESPONDENT'S MOTION FOR PARTIAL SUMMARY JUDGMENT.**

Ian Stoker, Assistant City Attorney appeared on behalf of the City. Mr. Gutierrez appeared on behalf of AFSCME. Mr. Stoker stated that the parties are currently negotiating a settlement and asked the Board to reschedule this matter for scheduling conference. Chairman Baca rescheduled this matter for status conference on June 11, 2018.

**IX. STATUS CONFERENCE:**

- **LB 09-15 CONSOLIDATED WITH LB 10-15 AND LB 10-18.**

Ms. Kountz appeared on behalf of the City and stated that the parties have reached a settlement agreement and they are just working on final form of agreement and should have it finalized soon.

**X. LB 15-29, WITNESS KELLIE SHAW WILL APPEAR TO GIVE HER TESTIMONY FOR THE MERITS HEARING SCHEDULED ON JULY 13, 2018.**

Ms. Kountz appeared on behalf of the City. Mr. Gutierrez appeared on behalf of AFSCME. City's witness Kellie Shaw appeared and testified. After Ms. Shaw's testimony this matter was concluded and the merits hearing will resume on July 13, 2018.

**XI. MERITS HEARING:**

- **LB 18-03 STEP III GRIEVANCE FILED BY AFSCME LOCAL 2962 ON BEHALF OF STEPHANIE CHAVEZ AGAINST THE CITY OF ALBUQUERQUE POLIC DEPARTMENT.**

Assistant City Attorneys Melissa Kountz and Devon Moody appeared on behalf of the City and with them also appeared Ashley Montano as the City's Department Representative. Michael Dorin appeared on behalf of AFSCME and with him appeared the Petitioner, Stephanie Chavez. Witnesses called to testify were Stephanie Chavez, Ashley Montano, Antoinette Telles, Andrea Reider, Diane Kimberle, Mary Scott and Angeline Llamas. City's exhibits 1 through 19 were stipulated and admitted. Union's exhibits A, B, C, D, E, F, I, J, K, L, and M were stipulated and admitted. Union's exhibit H was admitted by the Board. Chairman Baca ordered the parties to submit written closing arguments by June 29, 2018.

**XII. ADJOURNMENT.**

Mr. Montoya moved to adjourn. Mr. Wartell seconded. Vote taken and passed 3-0 and the meeting was adjourned at 5:04 p.m.

**APPROVED:**

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

June 4, 2018  
**DATE**

cc: Tim Keller, Mayor  
Trina Gurule, Interim City Clerk