

**CITY OF ALBUQUERQUE  
PERSONNEL BOARD**

**BOARD MEMBERS**

SONJA BROWN, CHAIRPERSON  
KARL BRAITHWAITE  
JOHN CASTILLO  
SARAH FETTY  
THOMAS ZANE REEVES

WEDNESDAY, MARCH 11, 2020  
2:30 P.M.

MEMBERS PRESENT:

Chairperson Sonja Brown  
Vice Chair John Castillo  
Sarah Fetty

OTHERS PRESENT:

Lara Christensen      Rocky Gutierrez  
Ian Stoker              Robert Rivera  
Devon Moody            John D'Amato  
Justin Pennington      Jessica Enriquez  
Juan Martinez

**Minutes**

**I. CALL TO ORDER.**

Vice Chairperson John Castillo called the meeting to order. Board member Sarah Fetty was also present and Chairperson Sonja Brown appeared telephonically.

**II. BOARD WILL VOTE TO RE-ELECT SONJA BROWN AS CHAIRPERSON.**

Sarah moved to postpone this item for a future meeting. Mr. Castillo seconded. Voted and passed 3-0.

**III. REVIEW AND APPROVAL OF THE PERSONNEL BOARD AMENDED AGENDA FOR WEDNESDAY, MARCH 11, 2020.**

Chairperson Brown moved to approve the amended agenda for March 11, 2020. Ms. Fetty seconded. Voted and passed 3-0.

**IV. REVIEW AND APPROVAL OF PERSONNEL BOARD MINUTES FOR FEBRUARY 12, 2020.**

Ms. Fetty moved to approve the minutes for February 12, 2020. Chairperson Brown seconded. Voted and passed 3-0.

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

None.

**VI. PUBLIC COMMENTS.**

None.

**VII. PB 18-04, ROBERT RIVERA, 6 DAY SUSPENSION, CITY OF ALBUQUERQUE**

**TRANSIT DEPARTMENT- RECOMMENDED ORDER FROM HEARING OFFICER RITA SIEGEL.**

Devon Moody, Assistant City Attorney appeared on behalf of the City and Robert Rivera was also present. Ms. Moody stated that the Hearing Officer recommends the Board grant the City's Motion for Summary Judgment because evidence was provided at the hearing to show that the Grievance Review Committee altered the 6-day suspension to a 3-day suspension and the City reimbursed Mr. Rivera for 30 hours from the 60-hour suspension that he served. She also stated that because it was altered to a 3-day suspension, the Personnel Board no longer has jurisdiction on this matter. Mr. Rivera stated that he served a 60-hours suspension and therefore the Personnel Board still has jurisdiction. He asked the Board to allow more time to file a new hearing with the Grievance Review Committee before the Board upholds the dismissal.

**VIII. PB 19-06, RAY BARRERAS, 51 HOUR SUSPENSION, CITY OF ALBUQUERQUE TRANSIT DEPARTMENT- RECOMMENDED ORDER OF DISMISSAL FROM HEARING OFFICER RITA SIEGEL.**

Assistant City Attorney Justin Pennington appeared on behalf of the City and stated that the parties have signed a settlement agreement in this matter.

**IX. PB 20-01, JUSTIN LEE, 32 HOUR SUSPENSION, ORDER OF DISMISSAL WITH PREJUDICE FROM HEARING OFFICER WILLIAM BABINGTON.**

Assistant City Attorney Juan Martinez appeared on behalf of the City and attorney John D'Amato appeared on behalf of Ray Barreras. The parties stated that they agree with the Hearing Officer's Order of Dismissal.

**X. 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.**

Chairperson Brown 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. Ms. Fetty seconded. A roll call vote was taken and passed 3-0.

Ms. Fetty moved to return to open session. Chairperson Brown seconded Voted and passed 3-0. The Board was in closed session to discuss PB 18-04, PB 19-06 and PB 20-01 and no other matters were discussed.

Ms. Fetty moved to uphold the Hearing Officer's Recommendation in PB 18-04. Chairperson Brown seconded. Roll call vote taken and passed 3-0.

Chairperson Brown moved to uphold the Hearing Officer's Recommended Order of Dismissal for PB 19-06. Ms. Fetty seconded. Voted and passed. Sarah 2<sup>nd</sup>- Roll

Ms. Fetty moved to uphold the Hearing Officer's Recommended Order of Dismissal for PB 20-01. Chairperson Brown seconded. Voted and passed 3-0.

**XI. OTHER MATTERS.**

None.

**XII. ADJOURNMENT.**

Chairperson Brown moved to adjourn. Ms. Fetty seconded. Voted and passed 3-0.

**APPROVED:**

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**CHAIRPERSON, SONJA BROWN**  
**City Personnel Board**

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**DATE**

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