

**CITY OF ALBUQUERQUE
PERSONNEL BOARD**

SONJA BROWN, CHAIRPERSON
KARL BRAITHWAITE
JOHN CASTILLO
SARAH FETTY
MARIE JULIENNE

WEDNESDAY, MAY 8, 2019
2:30 P.M.

600 2ND STREET NW, 7TH FLOOR, ALBUQUERQUE, NM 87102

MEMBERS PRESENT:

*Sonja Brown-Chairperson
John Castillo
Sarah Fetty
Marie Julienne/Telephonic*

OTHERS PRESENT:

*Lara Christensen Robert Candelaria
Melissa Kountz Susana Serna
Nicholas Kountz Jessica Enriquez
Santiago Chavez*

Minutes

I. CALL TO ORDER.

Chairperson Sonja Brown called the meeting to order at 2:32 p.m. Board members John Castillo and Sarah Fetty were also present and Marie Julienne appeared telephonically.

II. REVIEW AND APPROVAL OF PERSONNEL BOARD AGENDA FOR WEDNESDAY, MAY 8, 2019.

Mr. Castillo moved to approve the agenda for May 8, 2019. Ms. Fetty seconded. Voted and passed 4-0.

III. REVIEW AND APPROVAL OF PERSONNEL BOARD MINUTES FOR WEDNESDAY, APRIL 10, 2019.

Ms. Fetty moved to approve the minutes for April 10, 2019. Mr. Castillo seconded. Voted and passed 4-0.

IV. PB 16-07, SUSANNA SERNA, TERMINATION-CITY OF ALBUQUERQUE DEPARTMENT OF SENIOR AFFAIRS. RECOMMENDATION OF THE HEARING OFFICER RITA SIEGEL.

Nick Nunez, Assistant City Attorney appeared on behalf of the City and discussed a summary of case details and stated that Ms. Serna through her previous representative Rocky Gutierrez, orally accepted a settlement agreed. A few months later Mr. Gutierrez notified the City that the Union was no longer representing Ms. Serna and she did not want to accept the agreement and. In 2018 Mr. Candelaria entered his appearance and the City then filed a Motion to Enforce Settlement Agreement. The City asked the Board to adopt the Hearing Officer's Recommendation.

Mr. Candelaria stated that Ms. Serna was not aware of the oral settlement agreement but was aware of a written agreement that was presented to her and she declined approval. He also stated that the City took no action to enforce an agreement that they are claiming to have but instead reached out to him to discuss acceptance of the agreement. . Mr. Candelaria asked that Ms. Serna be granted her due process rights to a hearing and deny the Hearing Officer's Recommendation.

Ms. Julienne 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 4-0.

Mr. Castillo moved to return to open session. Ms. Fetty seconded. A roll call vote was taken and passed 4-0. Chairperson Brown stated that the Board was in closed session to discuss PB 16-07 and no other matters were discussed.

Ms. Fetty made a motion to uphold the Hearing Officer's Recommendation and grant the City's Motion to Enforce Settlement Agreement. Mr. Castillo seconded. Voted and passed unanimously 4-0.

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

None.

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.

None.

VII. PUBLIC COMMENTS.

No public comments.

VIII. OTHER MATTERS.

No public comments.

IX. ADJOURNMENT.

Ms. Fetty moved to adjourn. Mr. Castillo seconded. Voted and passed 4-0.

APPROVED:

CHAIRPERSON, SONJA BROWN
City Personnel Board

DATE

cc: *Timothy M. Keller, Mayor*
Katy Duhigg, City Clerk