

**IN THE CITY OF ALBUQUERQUE
INTRAGOVERNMENTAL CONFERENCE COMMITTEE**

MAYOR TIM KELLER,
in his official capacity,

Petitioner,

v.

ALBUQUERQUE CITY COUNCIL,

Respondent.

PETITIONER'S NOTICE OF ERRATA

Petitioner Mayor Tim Keller, in his official capacity and through counsel of record, hereby submits this Notice of Errata to correct two citation errors that appear on pages 3 and 12 of Petitioner's Statement of Issues. First, the quotation marks contained in the second sentence of the first full paragraph on Page 3 should be removed to read as follows: "It established the Albuquerque City Council, which is the governing body of the City and exercises the legislative power. City Charter, art IV, § 1." Second, a citation to *Resolutions and ordinances distinguished*, 5 McQuillin Mun. Corp. § 15:2 (3d ed.) should be inserted on Page 12 just before the citation to *West Old Town Neighborhood Ass'n v. City of Albuquerque*, 1996-NMCA-107, ¶ 12, 122 N.M. 495. Attached hereto is a copy of Petitioner's Statement of Issues with the corrected citations.

Respectfully submitted,

MODRALL, SPERLING, ROEHL, HARRIS
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PETITIONER’S STATEMENT OF ISSUES

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INTRODUCTION

The Albuquerque City Council (“Council”) has attempted to intrude into executive authority by issuing detailed, specific instructions as to how Albuquerque Fire and Rescue (“AFR”) conducts its operations. On March 3, 2025, Council enacted an R-25-122, which dictates the number and qualifications of City employees to be assigned to each vehicle operated by AFR and requires AFR to consult with the local union before making any staffing modifications. By mandating the number and qualifications of AFR employees per vehicle, the Resolution intrudes upon, and interferes with, the executive function; precludes discretion and future action by AFR administration; makes detailed administrative decisions; and accrues executive power into the Council at the expense of the Mayor. Indeed, these actions are interfering with the Mayor’s, and AFR’s, ability to implement changes to improve service for the City. Therefore, pursuant to the proposed Rules & Regulations of the Intragovernmental Conference Committee for the Separation of Powers issued Under the City Charter, Petitioner Mayor Tim Keller, in his official capacity directing the City’s executive branch, City Charter, art. V, §§ 3-4, hereby submits this Statement of Issues to the City of Albuquerque Intragovernmental Conference Committee on the following questions:

- 1) Did City Council attempt to perform an executive function, in violation of the terms of the Charter of the City of Albuquerque (“City Charter” or “Charter”), when it issued a Resolution dictating the number of and rank of personnel to be assigned to each type of apparatus employed by AFR?
- 2) Did City Council prevent the Mayor from performing his role assigned by the City Charter, in violation of the doctrine of separation of powers, when it issued a Resolution dictating the number of and rank of personnel to be assigned to each type of apparatus

employed by AFR?

- 3) Did City Council attempt to perform an executive function, in violation of the terms of the City Charter, when it issued a Resolution mandating that AFR consult with the union before making staffing modifications?
- 4) Did City Council prevent the Mayor from performing his role assigned by the City Charter, in violation of the doctrine of separation of powers, when it issued a Resolution mandating that AFR consult with the union before making staffing modifications?
- 5) Did City Council exceed its authority under the City Charter by enacting a Resolution that conflicts with the terms of ordinances enacted at the time Albuquerque adopted its current form of governance?

The answer to each of these questions is yes. Because R-25-122 impedes AFR's ability to implement staff assignments based on the 2025 bid, Petitioner respectfully requests an expedited review of this matter by the Committee.

FACTUAL BACKGROUND

The City of Albuquerque established its current system of governance in 1974 through the adoption of the Charter of the City of Albuquerque ("City Charter" or "Charter"). The Charter created a "strong mayor" form of government, with two branches. Article V, Section 3 of the City Charter created an executive branch controlled and directed by the Mayor. City Charter, art. V, § 3 ("The executive branch of the city government is created. The office of Mayor is created.") Article V, Section 3 further provides that the Mayor "shall control and direct the executive branch" and "is authorized to delegate executive and administrative power within the executive branch." *Id.* In addition, Article V, Section 4 provides that:

The Mayor¹ shall:

- (a) Organize the executive branch of the city;
- (b) Exercise administrative control and supervision over and appoint directors of all city departments, which appointments shall not require the advice or consent of the Council except as provided in (d) of this Section;
- (c) Be responsible for the administration and protection of the merit system;
- (d) With the advice and consent of the Council, appoint ... Chief Administrative Officer [and] the Fire Chief. ...
- (l) Faithfully execute and comply with all laws, ordinances, regulations and resolutions of the city and all laws of the State of New Mexico and the United States of America which apply to the city.

City Charter, art V, § 4.

Article IV created the legislative branch. It established the Albuquerque City Council, which is the governing body of the City and exercises the legislative power. City Charter, art IV, § 1. Pursuant to the Charter, the City Council has “the power to adopt all ordinances, resolutions or other legislation conducive to the welfare of the people of the city and not inconsistent with this Charter.” City Charter, art. IV, § 8.

When the Charter was adopted, the City also adopted its Merit System Ordinance, which governs “the hiring, promotion and discharge of employees and providing for the general regulation of employees.” ROA 1994, § 3-1-1. Among other things, the Merit System Ordinance grants power over personnel decisions to the Chief Administrative Officer. *See* ROA 1994, § 3-1-2 (establishing the responsibilities of the Chief Administrative Officer). That includes the power “to determine staffing requirements.” ROA 1994, § 3-1-2(C)(4). The City also adopted, at the same time, its Labor-Management Relations Ordinance (“LMRO”), which establishes the guidelines under which City employees can organize and bargain collectively with the City government. *See* ROA 1994, § 3-2-2 (establishing the purpose of the LMRO). The LMRO defines the rights of

¹ “Mayor” refers to the elected human being, but “where applicable, the term Mayor means those persons whose authority has been granted by the Mayor,” that is, the entire executive branch. ROA 1994, § 1-1-5(B).

employees and management in the bargaining process, granting the Mayor and his administrative staff the right “to determine staffing requirements.” ROA 1994, § 3-2-5(D).

In 2016, City Councilors Isaac Benton and Dan Lewis introduced a resolution, R-16-41, setting “minimum staffing requirements” for apparatus operated by Albuquerque Fire and Rescue (“AFR”). R-16-41 follows.

Section 1. That, with the exception of temporary exigencies or emergencies, as determined by the Chief, the City of Albuquerque will continue the policy and practice of staffing rank-specific firefighters to all Engine apparatus with a minimum of four (4) firefighters, Rescue apparatus with a minimum of two (2) firefighters, Ladder apparatus with a minimum of three (3) firefighters, Hazardous Materials Squads with a minimum of two (2) firefighters, Heavy Technical Rescue Squads with a minimum of four (4) firefighters, Quality Assurance Units with one firefighter, and Battalion Commander Units with one (1) firefighter.

Section 2. The City of Albuquerque will continue to staff firefighters in the Fire Marshal’s Office, Arson Investigation Division, Communications and Dispatch Division, and Training Division with adequate staffing levels.

Section 3. That as the size of the City and call volume for Albuquerque Fire Rescue increases thereafter, the City of Albuquerque shall increase the number of apparatus with categorical staffing levels maintained, and increase firefighter staffing levels of the Fire Marshal’s Office, Arson Investigation Division, Communications and Dispatch Division, and Training Division.

Section 4. That in the event of staffing modifications recommended by the Chief, the City of Albuquerque and Albuquerque Area Fire Fighters IAFF Local 244 must meet and confer prior to amending.

At the time, the City’s Chief Administrative Officer, Robert Perry, advised the Councilors that he considered the resolution to violate the doctrine of separation of powers. The administration, however, offered its support for the Resolution because the staffing levels in the Resolution had been negotiated and agreed upon between the City administration and the local firefighters union, International Association of Fire Fighters Local 244 (“IAFF L244”). Notably, R-16-41 did not include requirements for paramedics, because that requirement was the subject of ongoing negotiations. The City Council did not, in 2016, amend either the Merit System Ordinance or the LMRO to either eliminate or modify the administration’s authority to determine staffing

requirements.

In 2021, AFR began implementing an Advanced Life Support (“ALS”) system. The decision to implement an ALS system was made after careful consideration and study over the course of several years, including research and recommendations made by various AFR departmental EMS committees. Part of the ALS plan involves assigning one paramedic to each Engine and one to each Rescue, a change from the traditional model of assigning two paramedics to each Rescue. To begin the transition, AFR changed the assignment models at two of its 22 stations.²

In January 2025, Fire Chief Emily Jaramillo announced a plan to switch all stations to the ALS model. After subsequent discussion with IAFF L244, she announced that she would only implement the change, at this time, at four stations. AFR then proceeded with a bid for staffing assignments. Multiple firefighters bid for assignments at the seven stations with the ALS model. After the bids had closed, IAFF L244 filed an action with the City of Albuquerque Labor-Management Relations Board seeking to compel AFR management to bargain over the new operational plan. Then, union leadership approached members of the City Council asking them to block the plan.³ Councilor Lewis – this time accompanied by Councilor Joaquin Baca – introduced R-25-122, a revised version of the 2016 Resolution. The revised version made one change: adding the word “paramedic” to the first section, as follows:

Section 1. That, with the exception of temporary exigencies or emergencies, as determined by the Chief, the City of Albuquerque will continue the policy and practice of staffing rank-specific firefighters to all Engine apparatus with a minimum of four (4) firefighters, Rescue apparatus with a minimum of two (2) [paramedic] firefighters, Ladder apparatus with a minimum of three (3) firefighters,

² Even before 2021, AFR did not have two paramedics per apparatus in all circumstances. AFR had for about 10 years assigned one paramedic on the engine at Station 10. In addition, AFR made exceptions based on staffing availability.

³ Although not relevant to the issue before the ICC, this action constituted a prohibited practice under the LMRO. *See* ROA 1994, § 3-2-10(C). The City has filed a Prohibited Practices Complaint against IAFF L244, its president, and the seven members of the City Council who voted in favor of R-25-122.

Hazardous Materials Squads with a minimum of two (2) firefighters, Heavy Technical Rescue Squads with a minimum of four (4) firefighters, Quality Assurance Units with one firefighter, and Battalion Commander Units with one (1) firefighter.

See R-25-122, attached hereto as **Exhibit A**. Council took up R-25-122 on March 3, 2025. During the discussion, the City Attorney advised that the Resolution likely violated the separation of powers. The sponsors argued, in response, that the Resolution fell within Council's power to enact legislation for the general welfare of the City. The Resolution passed Council 7-2. The City Council again did not amend either the Merit System Ordinance or the LMRO, at that time, to either eliminate or modify the administration's authority to determine staffing requirements.

The Mayor now seeks, through this Statement of Issues, a determination that R-25-122 violates the City Charter and the constitutional principle of separation of powers.

ARGUMENT

The City Council has intruded into the Mayor's executive authority by dictating AFR's staffing arrangements and by mandating that AFR cannot change its operational plans without consulting the union.

I. R-25-122's Staffing Mandates Violate Both the City Charter and the Doctrine of Separation of Powers.

R-25-122's intrusion into executive authority is prohibited by both the plain language of the City Charter and the principles of separation of powers.

A. The City Charter prohibits the Council from exercising executive functions.

The City Council violated the terms of the Charter when it enacted R-25-122 because it attempted to perform an executive function. As noted above, the Charter grants the City Council the power to legislate. It also specifically prohibits City Council from performing any executive functions except those assigned to it by the Charter. City Charter, art. IV, § 8 ("Council *shall not*

perform any executive functions except those functions assigned to the Council by this Charter.” (emphasis added)). Staffing is well recognized as an executive function. *See, e.g., Commc’ns Workers of Am., AFL-CIO v. Florio*, 617 A.2d 223, 234 (N.J. 1992) (“Staffing decisions are at the core of the Governor’s day-to-day administration of government. Decisions about what type of employees are needed in a department and how many positions can be retained or eliminated directly affect how the executive branch operates.”). Indeed, City Council has conceded that staffing is an executive function, recognizing in two ordinance’s the Mayor’s right “to determine staffing.” ROA 1994, §§ 3-1-2, 3-2-5. Moreover, the Charter does not assign the power to make staffing decisions to Council, except with regard to its own personnel. City Charter, art. IV, § 10(f). The Council’s attempt to perform an unassigned executive function violated the plain terms of the Charter. On this basis alone, the Committee should declare R-25-122 invalid.

B. The doctrine of separation of powers prevents Council from dictating staffing arrangements.

Council’s actions also violated well-established principles of separation of powers. The doctrine of separation of powers recognizes that each branch of government has an “independent and distinct function,” *State ex rel. Taylor v. Johnson*, 1998-NMSC-015, ¶ 21, 961 P.2d 768, and that “the accumulation of too much power in one governmental entity presents a threat to liberty.” *State ex rel. Clark v. Johnson*, 1995-NMSC-048, ¶ 31, 904 P.2d 11. To maintain separation between the branches, courts will intervene when one branch unduly interferes with or encroaches on another. *Id.* ¶ 32. The proper test is “whether [one branch’s] action disrupts the proper balance between the executive and legislative branches” or “prevents another branch from accomplishing its constitutionally assigned functions.” *Id.* ¶ 34 (internal citation omitted).

The case of *State ex rel. Coll v. Carruthers* is particularly instructive in this matter, as it concerns the very issue of separation of powers between the executive and legislative branches of

government. 1988-NMSC-057, 107 N.M. 439. In *Coll*, the New Mexico Supreme Court analyzed whether the New Mexico State Legislature exceeded its legislative authority when it passed a bill that mandated how allocated funds were to be spent at various state departments. *See generally, id.* The Court ultimately held that a number of the legislature's actions impermissibly invaded the executive functions, and that the governor's veto of the legislation was therefore valid. The Court reasoned that the legislature's bill restricting the expenditure of funds appropriated to the office of the district attorney was improper. In the bill, the legislature prohibited the district attorney from expending funds to rent a parking space. The Court held that this provision was not "merely an appropriation oversight function," which is a proper legislative action, but instead "attempts to make detailed, miniscule, inconsequential executive management decisions." *Id.* ¶¶ 10-13. The Court noted that the legislature should have limited itself to matters of "significant financial impact," and not micromanaged \$4,000 within a total budget of \$4,500,000. *Id.* ¶ 11. The Court explained that "[b]y attempting to detail the district attorney's expenditure, the legislature intruded into the executive managerial function" and that "[s]uch intrusion is inappropriate under our constitutional form of government." *Id.*

The Court reiterated these principles with respect to a restriction that "limited the expenditure of appropriated funds to a specific system and a specific contractor." The Court explained that "conditions and restrictions on appropriations which reserve to the legislature 'powers of close supervision' over the executive function are not looked upon with favor." *Id.* ¶ 24. The executive must retain "a reasonable degree of freedom and discretion over the expenditure of appropriated funds" in order to properly balance powers between the branches of government. *Id.* This particular provision violated separation of powers because it "largely swallowed up" the executive management function and left "no meaningful executive discretion to exercise." *Id.*

Next, the Court held that the legislature “intruded far too deeply into the executive function” when it attempted to mandate a cost-of-living increase to private sector employees who had contracted with the government. *Id.* ¶ 31. The Court explained that the legislature’s “[e]fforts to dictate the specific terms of an existing employment contract between HED and its providers” violated the separation of powers. *Id.* ¶¶ 30-31. Additionally, the Court held that the legislature’s attempt to prohibit transfers of funds between various facilities within the corrections department improperly intruded into the executive managerial function, reasoning in part that a legislative provision against transfers could “paralyze the department and make effective management impossible.” *Id.* ¶ 34. Finally, the Court held that the legislature again attempted to invade the executive management function when it limited the ways in which the New Mexico Center for Women could use funds allocated to its inmate training program. *Id.* ¶ 36. The Court explained “[t]he legislature is authorized to define the basic purpose for which funds are appropriated, but the selection and identification of specific programs is the responsibility of the executive branch[.]” *Id.*

Here, the Council’s imposition of specific staffing requirements violates the same principles. It attempts to make detailed executive management decisions. It attempts to reserve for Council the power of close supervision over AFR. It seeks to remove the Mayor’s meaningful executive discretion to decide the best arrangement of personnel on fire and rescue apparatus. And if implemented, it will prevent effective management – which includes the opportunity to utilize different staffing plans in response to changing circumstances and conditions. It even prevents the use of “pilot projects” to test out staffing assignments to determine whether an idea provides better public safety, efficient operations, and employee morale. This resolution goes beyond legislative policy-making, and instead directs a City department on *how* to carry out its operations. The

Council has detailed staffing assignments, prevented staffing assignments other than as set forth in R-25-122, and precluded AFR from exercising discretion. With regard to staffing, Council has “paralyzed” AFR from “effective management.” Council has exercised executive authority, and intruded upon and disrupted AFR and the executive branch. R-25-122, therefore, violates separation of powers, and the Committee should declare it invalid.

C. R-25-122 is not justified through Council’s general legislative power.

Council’s actions also do not fall within its legislative powers. Council has the “power to adopt all ordinances, resolutions or other legislation conducive to the welfare of the people of the city” City Charter, art. IV, § 8. As noted above, City Council’s power is limited in the same sentence to exclude all “functions” which are executive, providing that “the Council shall not perform any executive *functions* except those functions assigned to the Council by this Charter.” *Id.* (emphasis added); *see also* NMSA 1978, § 3-12-2(A). Under this plain language, Council cannot exercise an executive function even if the result sought is safety, or another purpose related to the general welfare. In broader terms, City Council sets policy through legislation, and the Mayor (including the Administration) implements a plan to achieve the policy through executive function.

In the past, City Council has properly exercised its legislative power in the arena of public safety. Setting forth these legislative actions will demonstrate the stark differences with R-25-122. As one example, City Council is authorized by state statute to adopt a “fire prevention code” by ordinance. NMSA 1978, § 3-17-6(A)(5). The Council has done just that, adopting codes for the purpose of fire prevention. For instance, the Council has adopted the Albuquerque Fire Restriction Ordinance, ROA 1994, § 9-19-1, *et seq.*, which restrict activities such as “open burning” and “bonfires.” *Id.* §§ 9-19-3 through -5. Throughout the ordinance, the Fire Chief is granted authority

to make findings, public announcements, and prohibitions in order to implement and administer the ordinance. As another example, Council has prohibited the sale and use of certain fireworks. ROA 1994, § 9-20-1, *et seq.* A third example, the City has supplemented state regulation of ambulance transport⁴ within the City through the Emergency Medical Services (EMS) Ordinance. ROA 1994, § 9-4-4-1, *et seq.* The EMS Ordinance creates the Medical Director and the Medical Control Board whose functions respectively include:

Managing the day-to-day activities of the EMS system

Acting to restrict all or part of an individual's patient care activities, and

Performing other duties as designated by the Fire Chief

Id. § 9-4-4-5(B)(1), (2), (9).

Medical control over the delivery of EMS and ambulance services ...

The effectiveness of the EMS dispatch communication system.

Medical protocols

Id. § 9-4-4-6(B)(1)-(3).

Contrast the above ordinances to R-25-122, which goes beyond legislative policy-making and instead directs AFR how to staff its Rescue and other apparatus. Rather than set a policy goal regarding the delivery of services to the public like the EMS ordinances cited above, R-25-122 actually mandates how AFR services are to be carried out.⁵ This far exceeds City Council's authority to set policy regarding public safety, going so far as to dictate how the executive should staff specific trucks in order to carry out AFR's objectives. But it is AFR – not City Council –

⁴ Ambulance transport is generally provided by private companies and regulated by the state. The City's "EMTs" are emergency medical technicians, and provide on-the-scene care. EMTs are certified by training and qualification to provide levels of care: EMT-Basic, EMT-Intermediate, and Paramedic. AFR EMTs may provide transport, but usually do not.

⁵ Notably, there are no similar detailed requirements for other City departments that protect safety, such as the Albuquerque Police Department or Albuquerque Planning Department.

which oversees the day-to-day functions of the Fire Department and which has firsthand knowledge of staffing needs and challenges. City Council's attempt to override management's legitimate staffing decisions is a clear violation of the separation of powers doctrine, and must be declared unlawful.

II. R-25-122's Consultation Mandate Violates Both the City Charter and the Doctrine of Separation of Powers.

For the same reasons, R-25-122's mandate that AFR confer with IAFF L244 before implementing any "staffing modification" violates the City Charter and the separation of powers. In mandating how staffing modifications are made, Council is attempting to perform an executive function. In addition, it is intruding into the power of the executive branch. The Committee, therefore, should declare Section 4 of R-25-122 unlawful.

III. Council's Attempt to Dictate Staffing Arrangements Violates the Merit System Ordinance and the LMRO.

R-25-122 is also invalid because it conflicts with the two longstanding City ordinances that commit staffing decisions to the executive branch. "In New Mexico, a resolution does not carry the weight of law, as do ordinances for municipalities." *Dugger v. City of Santa Fe*, 1992-NMCA-022, ¶ 27, 114 N.M. 47. Generally speaking, "measures that prescribe binding rules of conduct are 'ordinances,' while measures that relate to administrative or housekeeping matters are categorized as 'resolutions.'" *Resolutions and ordinances distinguished*, 5 McQuillin Mun. Corp. § 15:2 (3d ed.); *see also West Old Town Neighborhood Ass'n v. City of Albuquerque*, 1996-NMCA-107, ¶ 12, 122 N.M. 495 (superseded by statute on other grounds). If a municipality takes action that "applies generally and prescribes a new plan or policy, it is considered legislative and must be accomplished by an ordinance rather than a resolution." *Resolutions and ordinances distinguished*, 5 McQuillin Mun. Corp. § 15:2 (3d ed.).

This hierarchy matters when a municipal legislature is taking an action that conflicts with its existing laws. “A resolution in conflict with an ordinance cannot stand.” *Paciera v. Par. of Jefferson*, 685 So. 2d 333, 334 (La. Ct. App. 1996); *see also Naperville Police Union, Loc. 2233, Am. Fed'n of State, Cnty. & Mun. Emp. AFL-CIO v. City of Naperville*, 422 N.E.2d 869, 873 (Ill Ct. App. 1981) (“[a]n ordinance may be repealed, modified or amended only by municipal action of like dignity and, therefore, may not be amended or modified by resolution since a resolution is an act of lesser dignity than an ordinance.” (internal citations omitted)).

Here, R-25-122 conflicts with both the Merit System Ordinance and the LMRO – ordinances that have been in effect as long as the City has had its current form of government. The Merit System Ordinance directs that the Mayor shall designate the Chief Administrative Officer to be responsible for the administration of the merit system governing the hiring, promotion, and discharge of the employees, as well as the general regulation of employees. ROA 1994, §§ 3-1-1 to 3-1-2. It further grants a variety of responsibilities to the Chief Administrative Officer for “personnel functions.” ROA 1994, § 3-1-2. These include responsibilities to “exercise leadership in and encourage the development of effective personnel administration within the departments, agencies, and special programs in the city service”; “direct the work of city employees”; “transfer, and assign employees”; “**determine staffing requirements**”; “maintain the efficiency of the city government and ensure the carrying out of normal management functions”; and “manage and to exercise judgment on all matters specifically within his or her authority pursuant to the charter or this article and not prohibited by a collective bargaining agreement in effect between the city employer and an employee organization.” ROA 1994, §§ 3-1-2(A)(1), and 3-1-2(C)(1)-(2), (4)-(5), (7) (emphasis added).

The LMRO also grants the Mayor and his administrative staff the right to carry out a variety

of management functions related to City employees. This includes rights to: “direct the work of [City] employees”; “transfer and assign employees”; “*determine staffing requirements*”; “maintain the efficiency of the city government and ensure the carrying out of normal management functions”; and “manage and to exercise judgment on all matters not specifically prohibited by this article or by a collective bargaining agreement in effect between the city employer and an employee organization.” ROA 1994, § 3-2-5(A)-(B), (D)-(E), (G) (emphasis added).

Because its terms conflict with existing ordinance, the Committee should declare that R-25-122 is invalid and unenforceable.

CONCLUSION

For the reasons set forth herein, Petitioner Mayor Keller respectfully requests that this Committee determine that City Council’s passage of R-25-122 violates the separation of powers between the executive and legislative branches of City government, and that R-25-122 is entirely unlawful and unenforceable.

Dated: April 1, 2025

Respectfully submitted,

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CITY of ALBUQUERQUE

TWENTY SIXTH COUNCIL

COUNCIL BILL NO. R-25-122 ENACTMENT NO. _____

SPONSORED BY: Dan Lewis, Joaquín Baca

1 RESOLUTION

2 Establishing minimum staffing requirements for Albuquerque Fire Rescue,
3 Rescue Apparatus.

4 WHEREAS, Albuquerque Fire Rescue has a proud tradition of providing
5 excellent emergency response services to the citizens and visitors of the City
6 of Albuquerque; and

7 WHEREAS, Albuquerque Fire Rescue operates a triaged response that
8 prioritizes paramedics for emergency medical calls rather than non-patient
9 related emergencies; and

10 WHEREAS, prompt and coordinated care is essential for maximizing
11 positive patient outcomes in medical emergencies, especially heart attacks,
12 trauma-related incidents requiring immediate transport, and multi-casualty
13 accidents; and

14 WHEREAS, two paramedic Rescue apparatus provide a higher standard of
15 care, particularly in complex medical emergencies, by reducing treatment
16 delays, improving patient monitoring, and enhancing on-scene decision
17 making; and

18 WHEREAS, two paramedics working in tandem and responding on the
19 same apparatus provide increased crew cohesion, checks and balances for
20 complex EMS protocol interpretation, leading to increased positive patient
21 outcomes and ultimately saving lives; and

22 WHEREAS, Albuquerque Fire Rescue's two paramedic Rescue apparatus
23 system offers beneficial professional mentorship and peer support to
24 paramedics new and old; and

25 WHEREAS, the City of Albuquerque has repeatedly fought trends to
26 diminish and dilute service delivery to constituents; and

1 WHEREAS, the City of Albuquerque has a responsibility to prioritize public
2 health and safety by ensuring its emergency medical services are equipped to
3 effectively respond to life-threatening situations, and deploying two
4 paramedics on rescues significantly improves service delivery and patient
5 care outcomes; and

6 WHEREAS, the City of Albuquerque is committed to supporting the efforts
7 of our firefighters to provide our citizens and visitors with the best possible
8 service in the most efficient and effective manner, and to provide our
9 firefighters with a reasonable level of safety while performing their assigned
10 duties.

11 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
12 ALBUQUERQUE:

13 Section 1. That, with the exception of temporary exigencies or
14 emergencies, as determined by the Chief, the City of Albuquerque will
15 continue the policy and practice of staffing rank-specific firefighters to all
16 Engine apparatus with a minimum of four (4) firefighters, Rescue apparatus
17 with a minimum of two (2) paramedic firefighters, Ladder apparatus with a
18 minimum of three (3) firefighters, Hazardous Materials Squads with a minimum
19 of two (2) firefighters, Heavy Technical Rescue Squads with a minimum of four
20 (4) firefighters, Quality Assurance Units with one firefighter, and Battalion
21 Commander Units with one (1) firefighter.

22 Section 2. The City of Albuquerque will continue to staff firefighters in the
23 Fire Marshal's Office, Arson Investigation Division, Communications and
24 Dispatch Division, and Training Division with adequate staffing levels.

25 Section 3. That as the size of the City and call volume for Albuquerque Fire
26 Rescue increases thereafter, the City of Albuquerque shall increase the
27 number of apparatus with categorical staffing levels maintained, and increase
28 firefighter staffing levels of the Fire Marshal's Office, Arson Investigation
29 Division, Communications and Dispatch Division, and Training Division.

30 Section 4. That in the event of staffing modifications recommended by the
31 Chief, the City of Albuquerque and Albuquerque Area Fire Fighters IAFF Local
32 244 must meet and confer prior to amending.

33