

THIS AMENDMENT PASSED ON A 9-0 VOTE.

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 1 TO O-26-41

AMENDMENT SPONSORED BY: Brook Bassan

1. On page 8, line 3 amend Section 3-7-6(G) as follows:

[(G) The [City] Office of the Inspector General shall maintain a secure case management and tracking system for all complaints investigated pursuant to this Article.]

THIS AMENDMENT PASSED ON A 9-0 VOTE.

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 2 TO O-26-41

AMENDMENT SPONSORED BY: Stephanie W. Telles

1. On page 6, beginning on line 10, amend Section 1 as follows:

(F) ~~[Employees who fail to follow the procedures in this article in reporting improper governmental action shall not receive the protections provided in this article.]~~

~~(G)~~ If the complaint of improper governmental action includes allegations concerning the Inspector General, or anyone with supervisory authority over the Inspector General pursuant to the Inspector General Ordinance, the complaint shall be filed with the City Attorney.

~~[(H)] [(G)]~~ If the ~~[Department Director, the Chief Administrative Officer, the Mayor or the Inspector General (the appropriate)]~~ office conducting the investigation~~[])~~ determines that the complaint involves allegations of criminal activity, the complaint may be referred to a law enforcement agency of proper jurisdiction. The ~~[party]~~ [office] conducting the investigation may coordinate any further investigation with such law enforcement agency. If criminal charges are formally filed, the ~~[party]~~ [office] conducting the investigation may suspend its investigation until completion of criminal action.

Explanation: This amendment removes the clause that denies protections under this Ordinance to employees who report without following the procedures in said Ordinance.

THIS AMENDMENT PASSED ON A 7-2 VOTE.
For: Baca, Champine, Fiebelkorn, Lewis, Peña, Rogers, Telles
Against: Bassan, Grout

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 3 TO O-26-41

AMENDMENT SPONSORED BY: Stephanie W. Telles

1. On page 3, beginning on line 16, amend Section 1 by adding the following:

[PROTECTED DISCLOSURE. A communication by an individual who, consistent with the Whistleblower Protection Act, reasonably believes the information evidences a violation of law, gross mismanagement, waste of public funds, abuse of authority, improper governmental action, or a substantial and specific danger to public health or safety, regardless of whether the allegation is ultimately substantiated.]

2. On page 9, beginning on line 32, to page 10, line 7, amend Section 1 as follows:

(D) *Proof of retaliation.* In order to establish retaliation as a defense to a disciplinary action, the complainant must demonstrate that the [complainant's activity] [complainant engaged in activity protected] under this article [~~[, the city took adverse action against the employee, and the employee's]~~ [was] protected activity [and] was the primary reason for the action [taken against] the employee [is grieving or appealing]]. [Retaliation shall be established where a Protected Disclosure was a contributing factor in an adverse action against the complainant.] The city may rebut this defense if it demonstrates that it would have taken the same action regardless of the complainant's participation in the activity protected under this article, and that the disciplinary action was taken for legitimate business reasons.

Explanation: This amendment alters the standard under which retaliation may be established under this article. Under this amendment, retaliation is supported when (1) a complainant engaged in activity protected under this article, and (2) adverse action taken against the complainant factored in the complainant's Protected Disclosure.

THIS AMENDMENT FAILED ON A 4-5 VOTE.

For: Baca, Fiebelkorn, Rogers, Telles

Against: Bassan, Champine, Grout, Lewis, Peña

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

August 3, 2026

FLOOR AMENDMENT NO. 4 TO O-26-41

AMENDMENT SPONSORED BY: Stephanie W. Telles

1. On page 9, beginning on line 1, amend Section 1 as follows:

[(A)] The complainant's identity shall be kept confidential when a complaint is filed with the complainant's department until such time that the summary of the investigation is provided to the complainant. If a complaint is filed with the Inspector General, the complainant's identity shall be kept confidential until such time that the Inspector General delivers a final report as provided in this article. Nothing in this article shall preclude the Inspector General from disclosing the identity of a complainant or witness or other information to the extent necessary to conduct the Inspector General's investigation or from disclosing all information related to the complaint, including the identity of the complainant, to law enforcement agencies of proper jurisdiction.

[(B)] [The identity of a reporting individual shall be kept confidential and may be withheld entirely through anonymous reporting.] Disclosure of a complainant's identity shall not occur without the consent of the complainant unless required by law. Where disclosure is necessary, reasonable advance notice shall be provided when practicable. Personally identifiable information shall be protected to the maximum extent permitted by law.]

Explanation: This amendment adds a provision that emphasizes that the identity of a reporting individual shall be kept confidential and provides that a reporting individual may be anonymous.