

**CITY OF ALBUQUERQUE
PERSONNEL BOARD
VIRTUAL ZOOM MEETING**

BOARD MEMBERS
JOHN CASTILLO- CHAIR
THOMAS ZANE REEVES- VICE CHAIR
MAGDALENA VIGIL-TULLAR
KATHERINE KORTE
SONJA BROWN

WEDNESDAY, April 12, 2023
2:30 P.M.

MEMBERS PRESENT:

John Castillo- Chair
Thomas Z. Reeves- Vice Chair
Magdalena Vigil-Tullar
Katherine Korte
Sonja Brown

OTHERS PRESENT:

Ian Stoker
Antonia Romero
Justin Pennington
John D'Amato
Victoria Gammill
Veronica Lewis
Carrie Cook
Carlos Galaviz
Kelly Haney
Catherine Gonzalez

Minutes

I. CALL TO ORDER.

Chair John Castillo called the meeting to order at 2:30 pm. Vice Chair Zane Reeves, Board Member Magdalena Vigil-Tullar, Board Member Katherine Korte and Board Member Sonja Brown were present.

II. REVIEW AND APPROVAL OF THE PERSONNEL BOARD AGENDA FOR WEDNESDAY APRIL 12, 2023.

Member Korte moved to approve the agenda. Vice Chair Reeves seconds. Voted and passed 5-0

III. REVIEW AND APPROVAL OF PERSONNEL BOARD MINUTES FOR JANUARY 11, 2023.

Member Korte moved to approve the minutes. Member Vigil-Tullar seconds. Voted and passed 5-0

IV. PUBLIC COMMENTS

There were no public comments.

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

• PB 21-26 CLARISSA SANDOVAL RECOMMENDED ORDER OF DISMISSAL

No representation present on behalf of Ms. Sandoval. City attorney Ian Stoker on behalf of the city. Ian Stoker states all parties have reached a settlement agreement regarding this appeal and ask the dismissal be approved.

Vice chair Reeves asks a question regarding the employees record when settlements are reached John D' Amato APOA attorney states that in the case of a settlement the employees record will show changes, for example if suspension had been initially 120 hours and as a part of the agreement the suspension is dropped to 40 hours the record will show the change.

Ian Stoker states that no record is deleted and merely reflects any changes that were made.

Vice chair Reeves asks if these settlement agreements can be used in any future disciplinary cases.

Ian Stoker states that is dependent on the particular terms of the settlement.

- **PB 22-13 RICHARD LERNER RECOMMENDED ORDER OF DISMISSAL**
No representation on behalf of Mr. Lerner. City Attorney Veronica Lewis on behalf of the city. Veronica Lewis states that a hearing was set for February of this year and the appellant decided to withdraw their appeal and the city has received a recommended order for the dismissal.

- **PB 21-27 JIM EDISON ORDER OF DISMISSAL**
John D'Amato on behalf of Mr. Edison. City attorney Catherine Gonzalez on behalf of the city. John D' Amato asks that the board accept the dismissal as a comprehensive universal settlement has been reached for all of Mr. Edison's personnel board appeals.
Vice Chair reeves asks why there are 4 separate cases for Mr. Edison.
John D' Amato states that Mr. Edison was terminated only one time but had several suspensions leading up to his termination.
Catherine Gonzalez states that the city's grievance policy allows individuals to file a grievance for each individual instance of discipline which in this case resulted in 4 separate personnel board cases. The dismissals in this matter are simply dismissing Mr. Edison's right to appeal not the discipline in itself.

- **PB 21-30 JIM EDISON ORDER OF DISMISSAL**

- **PB 21-31 JIM EDISON ORDER OF DISMISSAL**

- **PB 21-32 JIM EDISON ORDER OF DISMISSAL**

- **PB 22-10 ERIN FLYNN NOTICE OF WITHDRAWAL AND ORDER OF DISMISSAL**
No representation on behalf of Ms. Flynn. City attorney on behalf of the city.
Catherine Gonzalez states that Ms. Flynn has decided to withdrawal her appeal in this matter and the city does not oppose.

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.

Vice Chair Reeves moved for the Board 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. Member Korte seconded. A roll call vote was taken and passed 5-0.

Chair Castillo moved to return to open session and stated that the Board was in closed session to discuss only the items on the agenda and no other matters were discussed.

Vice Chair Reeves made a motion to approve the Recommended Order of Dismissal for PB 21-26, Clarissa Sandoval. Member Korte seconded. Voted and passed 5-0.

Member Vigil-Tullar made a motion to approve the Recommended Order of Dismissal for PB 22-13, Richard Lerner. Member Korte seconded. Voted and passed 5-0.

Member Korte made a motion to approve the Order of Dismissal for PB 21-27, Jim Edison. Member Vigil-Tullar seconded. Voted and passed 5-0.

Member Korte made a motion to approve the Order of Dismissal for PB 21-30, Jim Edison. Member Vigil-Tullar seconded. Voted and passed 5-0.

Member Korte made a motion to approve the Order of Dismissal for PB 21-31, Jim Edison. Member Vigil-Tullar seconded. Voted and passed 5-0.

Member Korte made a motion to approve the Order of Dismissal for PB 21-32, Jim Edison. Member Vigil-Tullar seconded. Voted and passed 5-0.

Member Brown made a motion to approve the Notice of Withdrawal and Order of Dismissal for PB 22-10, Erin Flynn. Vice Chair Reeves seconded. Voted and passed 5-0.

VII. OTHER MATTERS.

VIII. ADJOURNMENT.

Chair Castillo adjourned the meeting at 3:45 pm.

JOHN CASTILLO- CHAIR
City Personnel Board

DATE

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