



CITY OF ALBUQUERQUE

CITY LABOR-MANAGEMENT RELATIONS BOARD MONDAY, JUNE 10, 2024

MEMBERS PRESENT:

Chairman Ted Baca
Juan Montoya
Bruce Perlman

OTHERS PRESENT:

Nichole Maher
Joel Villarreal
Merissa Reddy
Domonique Limon
Augustine Romero
Michael Dorin (zoom)
Louis Montoya (zoom)

Catherine Gonzalez
Evan Crocker
Leigh Brunner
Fred Mowrer
Louis Sisneros
Casey Padilla (zoom)

MINUTES

I. CALL TO ORDER.

Chairman Baca called the meeting to order at 9:08 a.m. All three Board members were present in person.

II. REVIEW AND APPROVAL OF AGENDA FOR MONDAY, JUNE 10, 2024.

Mr. Perlman moved to approve. Mr. Montoya seconded. Voted and passed 3-0.

III. REVIEW AND APPROVAL OF MINUTES:

• MONDAY, MAY 20, 2024.

Mr. Perlman moved to approve. Chairman Baca seconded. Voted and passed 3-0.

• WEDNESDAY, MAY 22, 2024.

Mr. Montoya moved to approve. Chairman Baca seconded. Voted and passed 3-0.

IV. PUBLIC COMMENTS *Limited to three (3) minutes total time per person.

- Hearing Monitor Nichole Maher spoke to say this was their last Labor Board meeting. Introduced Hearing Monitor Domonique Limon as current replacement.
- City Attorney Catherine Gonzalez spoke to say Attorney Jessica Serrano has moved to private practice. Introduced new City Attorney Evan Crocker.

V. PRESENTMENT AND APPROVAL OF ORDERS:

• LB 24-13 ORDER OF WITHDRAWAL

Approved and signed.

• LB 22-19 STIPULATED ORDER TO DISMISS

Approved and signed.

• LB 20-04/21-35 ORDER TO VACATE MERITS HEARING AND STAY PROCEEDINGS

Chairman Baca amended the order to read it shall be dismissed without prejudice on 12/31/24 by the Board should it not be resolved by the parties at that time. Approved and signed.

VI. MISCELLANEOUS/STATUS CONFERENCE:

- **LB 24-14 FACIAL VALIDITY SCREENING FOR PROHIBITED PRACTICE COMPLAINT AND TEMPORARY RESTRAINING ORDER FILED BY ATTORNEY FREDERICK M. MOWRER ON BEHALF OF THE ALBUQUERQUE POLICE OFFICERS' ASSOCIATION AGAINST THE ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATING THE CBA BY RELEASING A RESTRICTED/PROHIBITED AUDIO/VIDEO RECORDING OF A CONVERSATION BETWEEN EMPLOYEES OF THE DEPARTMENT UNRELATED TO DUTY.**

Attorney Catherine Gonzalez appeared on behalf of the City. Attorney Fred Mowrer appeared on behalf of the APOA.

Attorney Gonzalez stated the City does not agree the PPC is facially valid. Chairman Baca reviewed the PPC aloud. Attorney Mowrer spoke on his argument for it being valid.

Chairman Baca made a motion the Board go 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. Mr. Montoya seconded. A roll call vote was taken and the motion passed 3-0. Session was closed at approximately 9:46 a.m.

The Board returned to open session at approximately 10:04 a.m. The meeting had been in closed session pursuant to Section 10.15.1.H.3 of the Open Meetings Act. Chairman Baca stated the Board was in closed session to discuss and deliberate on LB 24-14 and no other matters were discussed.

Mr. Baca moved to conclude the PPC is not facially valid because no CBA sections were cited. The Board ordered the parties to submit briefings by June 20, 2024. Set for hearing on briefings and facial validity for July 8, 2024. Chairman Baca moved that merits hearing set for today be vacated. Mr. Perlman seconded. Voted and passed 3-0.

- **LB 24-15 FACIAL VALIDITY SCREENING FOR PROHIBITED PRACTICE COMPLAINT FILED BY ATTORNEY FREDERICK M. MOWRER ON BEHALF OF THE ALBUQUERQUE POLICE OFFICERS' ASSOCIATION AGAINST THE ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATING THE CBA AND RIGHTS OF OFFICERS BY FAILING TO INSURE THE NEW MOTOROLA CAD SYSTEM IS PROPERLY FUNCTIONING.**

Attorney Evan Crocker appeared on behalf of the City. Attorney Fred Mowrer appeared on behalf of the APOA. Attorney Crocker argued the PPC was extremely vague and not facially valid.

Mr. Perlman moved that the PPC be found inadequate on its face and the petitioner be given 5 days to specifically cite the provisions of the CBA that have been violated. Chairman Baca seconded. Voted and passed 3-0.

- **LB 24-16 FACIAL VALIDITY SCREENING FOR PROHIBITED PRACTICE COMPLAINT FILED BY AFSCME LOCAL 3022, COUNCIL 18, AFL-CIO PRESIDENT AUGUSTINE ROMERO ON BEHALF OF HIMSELF, AGAINST THE CITY OF ALBUQUERQUE DEPARTMENT OF ARTS AND CULTURE FOR VIOLATING THE CBA BY REFUSING TO NEGOTIATE IN GOOD FAITH, VIOLATING A WRITTEN AGREEMENT AND REFUSING OR FAILING TO COMPLY WITH A PROVISION OF THE ARTICLE OR BOARD'S RULES.**

Attorney Evan Crocker appeared on behalf of the City. Joel Villarreal and Augustine Romero appeared on behalf of AFSCME Local 3022.

Chairman Baca moved to find facially valid. Mr. Montoya seconded. Voted and passed 3-0.

VII. MERITS

- **LB 24-14 FOR PROHIBITED PRACTICE COMPLAINT AND TEMPORARY RESTRAINING ORDER FILED BY ATTORNEY FREDERICK M. MOWRER ON BEHALF OF THE ALBUQUERQUE POLICE OFFICERS' ASSOCIATION AGAINST THE ALBUQUERQUE POLICE DEPARTMENT FOR VIOLATING THE CBA BY RELEASING A RESTRICTED/PROHIBITED AUDIO/VIDEO RECORDING OF A CONVERSATION BETWEEN EMPLOYEES OF THE DEPARTMENT UNRELATED TO DUTY.**

Vacated merits hearing.

VIII. ADJOURNMENT.

Chairman Baca adjourned meeting at 10:37 a.m.



TED BACA, CHAIR

City Labor-Management Relations Board

7/29/24

DATE

