

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO**

No. CV-2003-2215

**NEW MEXICO TRANSPORTATION UNION,
ROBERT GUTIERREZ, Chairman
and**

**BUS AND VAN DRIVERS IN THE NMTU
BARGAINING UNIT,**

Plaintiffs,

vs.

**CITY OF ALBUQUERQUE,
MARTIN CHAVEZ, Mayor,
JAMES LEWIS, Chief Administrative Officer, and
PETER BEHRMAN, Transit Department Director,**

Defendants.

STIPULATED ORDER

THIS MATTER being before the Court on the Stipulated Agreement of the parties, and the Court being advised that with respect to the City Personnel Board the parties have entered into a Stipulated Agreement, and being otherwise informed in the premises;

IT IS HEREBY ORDERED that staggered terms of Personnel Board members will be implemented as required by the Merit System Ordinance starting on September 1, 2006, so that one City representative and one employee representative will be newly appointed or reappointed or elected or reelected each year.

ENDORSED
FILED IN MY OFFICE THIS

SEP 06 2005

Quintanilla
CLERK DISTRICT COURT

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IT IS ALSO ORDERED that no member of the Personnel Board shall serve more than two consecutive terms.

IT IS ALSO ORDERED that each September the four Board members shall meet in public to choose a fifth member who shall be the Board's chairperson.

IT IS FURTHER ORDERED that in the event the Board lacks a quorum for a scheduled meeting and there are matters on the Board's agenda, the Board will not wait for the next monthly meeting, but will meet at the next reasonable opportunity. And,

IT IS FINALLY ORDERED that only matters related to 1) deliberation on cases presented to the Board or 2) legal advice from the Board's attorney, subject to the attorney-client privilege and pertaining to threatened or pending litigation in which the Board is or may become a participant, may be subject to executive or closed session.

GERALDINE E. RIVERA

Hon. Geraldine E. Rivera
Second Judicial District Judge

Submitted by:



Paul Livingston, Esq.
Attorney for Plaintiffs

Approved by:



Michael I. Garcia
Assistant City Attorney
Attorney for Defendants