

**HUMAN RIGHTS BOARD
RESOLUTION NO. 2020- (1)**

NOTICE REQUIREMENTS FOR MEETINGS OF THE BOARD

WHEREAS, the City of Albuquerque (“City”) Human Rights Board (“Board”) met in regular session via zoom due to the COVID-19 Pandemic on, November 17, 2020 at 4:30 p.m. as required by law; and

WHEREAS, Section 10-15-1(B) (NMSA 1978) of the Open Meetings Act states that “[A]ll meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency, any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times except as may be otherwise provided in the Constitution of New Mexico, or the provisions of the Open Meetings Act;” and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

Office of Civil Rights
<https://www.cabq.gov/civilrights/human-rights-board>
civilrights@cabq.gov
505-768-4595

22 WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the
23 Board to determine annually what constitutes reasonable notice of its public
24 meetings; and

25 WHEREAS, Section 2-6-1-4(B) (ROA 1994) of the City of Albuquerque
26 Public Boards, Commissions and Committees Ordinance requires that every
27 public board, commission or committee created by the City of Albuquerque must
28 determine what is reasonable notice to the public of its meetings; provided that in
29 no event shall notice be less than the notice required for Albuquerque City
30 Council meetings;

31 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF**
32 **ALBUQUERQUE HUMAN RIGHTS BOARD, the Governing Body of the**
33 **City's Office of Civil Rights, that:**

34 Section 1. Unless otherwise specified, all meetings of the Board shall be
35 held in Suite 3020 in the Office of Civil Rights, the Albuquerque/Bernalillo
36 County Government Center Building at 1 Civic Plaza NW, Albuquerque, NM
37 87102, starting at 5:00 p.m. Mountain Time Zone. Alternatively, during the
38 COVID-19 pandemic and subject to state public health orders, meetings will be
39 held via Zoom until further notice.

40 Section 2. Unless otherwise specified, regularly scheduled meetings of the
41 Board shall be held monthly on the third (3rd) Tuesday of the month Public notice
42 in writing of any other regularly scheduled meetings will be given at least five (5)
43 days in advance of the meeting date. The agenda for a regularly scheduled

44 meeting will be available to the public at least 72 hours (3 days) prior to such
45 meeting. Copies of the agenda will be available to the public upon request from
46 the Director of the Office of Civil Rights, whose phone number is 505-768-4595
47 and whose office is located in the Albuquerque/Bernalillo County Government
48 Center Building at 1 Civic Plaza NW, Suite 3010, Albuquerque, NM 87102.

49 Section 3. Special meetings of the Board may be called by the
50 Chairperson of the Board or by a majority of the Board members upon three (3)
51 days advance notice. The agenda for a special meeting will be available to the
52 public at least seventy-two (72) hours prior to such special meeting. Copies of the
53 agenda will be available to the public upon request from the Director of the Office
54 of Civil Rights, whose phone number is 505-768-4595 and whose office is located
55 in the Albuquerque/Bernalillo County Government Center Building at 1 Civic
56 Plaza NW, Suite 3010, Albuquerque, NM 87102.

57 Section 4. Emergency meetings of the Board will be called only under
58 unforeseen circumstances that demand immediate action by the Board to protect
59 the health, safety and property of citizens or to protect the public body from
60 substantial financial loss, pursuant to the Open Meetings Act, NMSA 1978,
61 Section 10-15-1 (F). The Board will avoid holding emergency meetings whenever
62 possible. Emergency meetings may be called by the Chairperson or a majority of
63 the Board members upon twenty-four (24) hours' notice, unless threat of personal
64 injury or property damage requires less notice. Public notice for an emergency
65 meeting shall include an agenda for the emergency meeting.

66 Section 5. For all meetings described in this resolution, public notice
67 requirements are met if:

68 A. Notices include an agenda containing a list of specific items of
69 business to be discussed or transacted at the meeting or information on how the
70 public may obtain a copy of such agenda. An electronic copy of the notice is
71 posted on the Board web page. Currently, the Board web page address is
72 <https://www.cabq.gov/civilrights/human-rights-board> and this website address
73 may change from time to time as needed by the City or the Board.

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75 B. Notice shall also be sent electronically to those broadcast stations (radio
76 and television) licensed by the Federal Communications Commission (FCC) and
77 newspapers of general circulation in the State of New Mexico that (i) have
78 submitted a written request for notice of public meetings to the Director of the
79 Office of Civil Rights, whose office is located in the Albuquerque/Bernalillo
80 County Government Center Building at 1 Civic Plaza NW, Suite 3010,
81 Albuquerque, NM 87102, and (ii) have provided an electronic mail (e-mail)
82 address to which public notices are to be sent. Currently, the Board finds that the
83 Director has not received any written requests for ongoing notice of all Board
84 meetings from any FCC licensed broadcast stations or from newspapers of
85 general circulation, located in New Mexico or anywhere else.

86 Section 6. In addition to the information specified above, all public
87 notices shall include the following language:

88 “NOTICE TO PERSONS WITH DISABILITIES: If you are a person with a
89 disability and require a reasonable accommodation to observe or participate in
90 this meeting, please contact Ms. Crystal Velarde, whose phone number is 505-
91 764-4595 and whose email address is: civilrights@cabq.gov as soon as possible.
92 Public documents, including the agenda and minutes, can be provided in various
93 accessible formats. Please contact the office if a summary or other type of
94 accessible format is needed. The meeting will occur in a room that is accessible to
95 persons in wheelchairs, by use of an elevator.”

96 Section 7. Notice of Cancellations of meetings of the Board, and notice of
97 different meeting times and/or dates and/or locations, may be announced at prior
98 meetings of the Board. Sudden cancellations of meetings may occur if a quorum
99 of Board members cannot or unexpected fail to attend a previously scheduled
100 meeting time. Different meeting dates and times may be needed if a regularly
101 scheduled meeting date (such as a Monday) is a federal, state or city holiday and
102 City offices are closed that day. And different meeting dates and/or times and/or
103 locations may be needed for a regularly scheduled meeting date if there is
104 inclement weather, or if the meeting location is not available for use, or for other
105 reasons.

106 Section 8. Notice of committee meetings, if any committees are formed
107 that are delegated the authority to make decisions on behalf of, formulate
108 recommendations that are binding in any legal or practical way on, or otherwise
109 establish policy for the public body, shall be equal to that specified in Sections 2
110 and 3 of this resolution.

111 Section 9. The Board may close a Meeting of the Board to the public only
112 if the subject matter of such discussion or action is exempted from the open to the
113 public meeting requirement under Section 10-15- 1(H) (NMSA 1978) of the Open
114 Meetings Act.

115 A. If any open meeting is closed during such open meeting, the closure
116 shall be approved by a majority vote of a quorum of the Board taken during the
117 open meeting. The specific provision of law authorizing the closed meeting and
118 the subject(s) to be discussed shall be stated with reasonable specificity in the
119 motion to close the meeting to public observation and the vote of each individual
120 member on the motion to close the meeting shall be recorded in the minutes, in a
121 roll call vote. Only those subjects specified in the motion to close the meeting
122 may be discussed by the Board in the closed meeting.

123 B. If a closed meeting is conducted when the Board is not in an open
124 meeting, the closed meeting shall not be held until a written public notice of the
125 meeting of the Board, appropriate under the circumstances, stating the specific
126 provision of law authorizing the closed meeting and the subjects to be discussed
127 with reasonable specificity, is given to Board members and to the public.

128 C. Following completion of any closed meeting, the minutes of the open
129 meeting that was closed, or the minutes of the next open meeting of the Board if
130 the closed meeting was separately scheduled, shall state whether the matters
131 discussed in the closed meeting were limited only to those specified in the motion
132 to close the meeting or the public notice of a closed meeting.

133 D. Except as provided in Section 10-15-1(H) (NMSA 1978) of the Open
134 Meetings Act, any action taken as a result of discussions in a closed meeting shall
135 be made by a public vote of the Board in an open meeting.

136 Section 10. All resolutions, rules or parts of resolutions or rules,
137 inconsistent with this resolution, are hereby repealed only to the extent of such
138 inconsistency. Such implied repeal shall not be construed to revive any
139 resolution, rule or part of any resolution or rule that was previously repealed.

140 Section 11. The official list of dates of the Regular Meetings of the City of
141 Albuquerque Human Rights Board for January 2021 to November 2021 are as
142 follows:

143 Tuesday, January 19, 2021

144 Tuesday, February 16, 2021

145 Tuesday, March 16, 2021

146 Tuesday, April 20, 2021

147 Tuesday, May 18, 2021

148 Tuesday, June 15, 2021

149 Tuesday, July 20, 2021

150 Tuesday, August 17, 2021

151 Tuesday, September 21, 2021

152 Tuesday, October 19, 2021

153 Tuesday, November 16, 2021

154 Section 12. If any section, paragraph, sentence, clause, word or phrase of
155 this resolution is for any reason held to be invalid or unenforceable by any court
156 of competent jurisdiction, such decision shall not affect the validity of the
157 remaining provisions of this resolution. The Board hereby declares that it would
158 have passed this resolution and each section, paragraph, sentence, clause, word or
159 phrase of this resolution irrespective of any provision being declared invalid or
160 unenforceable.

161 PASSED AND ADOPTED this 17th day of November, 2020.

162 BY A VOTE OF 4 FOR and 0 AGAINST.

163

164 Members Absent: Member Patel, Member Assed, Member Pierre

165

166 Members voting against: None

167

168 CITY OF ALBUQUERQUE
169 HUMAN RIGHTS BOARD

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171 By:

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Adrien Lawyer
Chairperson of the Board

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ATTEST:



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Torri Jacobus
Office of Civil Rights