

**CIVILIAN POLICE OVERSIGHT AGENCY BOARD  
PERSONNEL SUBCOMMITTEE**

*Eric Olivas - Chair*

*Dr. William Kass*

*Doug Mitchell*

Edward Harness, CPOA Executive Director

Members Present:

Eric Olivas, Chair

Dr. William Kass

Doug Mitchell (late)

Members Absent:

Others Present:

Edward Harness, CPOA

Amanda Bustos, CPOA

Valerie Barela, CPOA

**Monday, December 28, 2020 at 3:00 p.m.  
Video Conference**

Minutes

- I. Welcome and Call to Order.** Chair Olivas called to order the Personnel Subcommittee meeting at 3:02 p.m.
- I. Approval of the Agenda**
  - a. Agenda approved.
- II. Approval of the Minutes from: November 30, 2020**
  - a. November 30, 2020 minutes approved.
- III. 2021 Meeting Schedule**
  - a. Personnel subcommittee recommends to move the meeting time from 3:00 p.m. to 4:00 p.m. beginning February 2021 and will continue to schedule the Personnel Subcommittee meetings as needed.
  - b. If a Personnel Subcommittee meeting is needed in the month of May 2021, the meeting will be held on the following day June 1, 2021 at 4:00 p.m. due to the City's observed holiday on Monday, May 31, 2021.
- IV. Report from Director on Staffing and Agency Processes.**
  - a. Director Harness reported on CPOA Agency staffing and processes.
- V. Discussion and Possible Action:**
  - 1. 2020 Evaluation**

- a. Amanda Bustos, CPOA Community Engagement Specialist provided an update on the progress of the 2020 CPOA Executive Director Evaluation Survey and stated that it will be distributed on January 4, 2021 via Survey Monkey to include the recipients provided by Chair Olivas and the subcommittee will follow-up on the responses at next regularly scheduled Personnel meeting.

**\*\*\*Member Mitchell arrived at 3:19 p.m.\*\*\***

## **2. CPC Inclusion**

- a. Chair Olivas's updated the subcommittee on the email invitation he forwarded to the CPC Council of Chairs to attend the Personnel subcommittee meeting on January 25, 2021 and recommends that the subcommittee members read the CPC ordinance prior to the meeting.  
*(see attached)*

## **VI. Meeting with Counsel re: Personnel Issues and Closed Discussion to discuss Possible Action re: Personnel Issues**

### **Limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2)**

#### **i. Executive Director's Evaluation 2019**

1. **Motion.** Motion by Member Kass to take a member by member vote to move into closed session. Roll call vote taken. Motion passed.

**For: 3 – Kass, Mitchell, Olivas**

**---Meeting on Personnel issues began at 3:39 p.m. and reconvened at 4:14 p.m.---**

2. **Motion.** Motion by Member Mitchell to reconvene into open session and that the matters discussed were limited to a personnel matter. Roll call vote taken. Motion passed.

**For: 3 – Kass, Mitchell, Olivas**

## **VII. Other Business**

- a. None.

## **VIII. Next Regular Meeting - January 25, 2021 at 3:00 p.m. (video conference)**

## **IX. Adjournment**

- a. The meeting adjourned at 4:16 p.m.

APPROVED:

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Eric Olivas, Chair  
Personnel Subcommittee

January 25, 2021  
Date

CC: Julian Moya, City Council Staff  
Ethan Watson, City Clerk  
Cynthia Borrego, City Council President (via email)

Minutes drafted and submitted by:  
Valerie Barela, Administrative Assistant

## Attachments

**CIVILIAN POLICE OVERSIGHT AGENCY BOARD  
PERSONNEL SUBCOMMITTEE**

*Eric Olivas - Chair*

*Dr. William Kass*

*Doug Mitchell*

Edward Harness, CPOA Executive Director

Hello Members of The CPC Council of Chairs,

The members of the Personnel Subcommittee of the Civilian Police Oversight Agency Board would like to solicit the input of the CPC Council of Chairs on how to incorporate the feedback of CPC's into the evaluation of the Executive Director of the Civilian Police Oversight Agency with respect to the roles and responsibilities assigned to the Executive Director by the CPC ordinance. We would like to invite you to our January zoom meeting of the subcommittee on Monday January 25th at 3:00 PM. You will find the current board approved evaluation process attached to this email for your review. If members are unable to attend they should feel free to forward any feedback they may have to the Chair of the Personnel Subcommittee, Eric Olivas, at [eolivas.pob@cabo.gov](mailto:eolivas.pob@cabo.gov). A zoom link will be sent to you by CPOA staff as the meeting date approaches.

Thank you,

-Eric Olivas

Chair, Personnel Subcommittee CPOAB

**CITY of ALBUQUERQUE  
TWENTY FOURTH COUNCIL**

COUNCIL BILL NO. 0-20-27 ENACTMENT NO. 0-2020-032

SPONSORED BY: Klarissa J. Peña

1 **ORDINANCE**  
2 **ESTABLISHING COMMUNITY POLICING COUNCILS; COMMUNITY POLICING**  
3 **COUNCIL MEMBERSHIP; REQUIREMENTS AND DUTIES.**

4 WHEREAS, Community Policing Councils were formalized by the City of  
5 Albuquerque as part of the Court-Approved Settlement Agreement (CASA) in the  
6 case of the *United States v. City of Albuquerque*, No. 1:14-cv-1025-JB-SMV, (the  
7 CASA), Paragraphs 266 through 270. The CASA required the City to establish a  
8 Community Policing Council ("CPC") in each of the six (6) Area Commands; and

9 WHEREAS, each CPC is comprised of volunteer members from the  
10 community and facilitate regular communication and cooperation between the  
11 Albuquerque Police Department and community members; and

12 WHEREAS, the purpose of this Ordinance is to institutionalize and  
13 establish the City's commitment to continue the Community Policing Councils in  
14 perpetuity when *United States v. City of Albuquerque* is dismissed.

15 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**  
16 **ALBUQUERQUE:**

17 **SECTION 1. A NEW PART, PART 6, IS HEREBY ADDED TO ARTICLE 4,**  
18 **CHAPTER NINE OF THE REVISED ORDINANCES OF ALBUQUERQUE AS**  
19 **FOLLOWS:**

20 "§ 9-4-6-1. SHORT TITLE. This Ordinance may be referred to as the  
21 "Community Policing Council Ordinance."

22 § 9-4-6-2. ESTABLISHMENT OF COMMUNITY POLICING COUNCILS. The  
23 Community Policing Councils (CPCs) were initialized by the Court-Approved  
24 Settlement Agreement (CASA) in the case of *United States v. City of Albuquerque*,  
25 No. 1:14-cv-1025, and are hereby formally established and recognized by the City  
26 Council as entities that shall hereto forward operate pursuant to this Ordinance

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1 together with other applicable guidelines and requirements, and shall continue in  
2 existence after the case of *United States v. City of Albuquerque* is dismissed.

3 § 9-4-6-3. PURPOSE OF COMMUNITY POLICING COUNCILS. The  
4 purpose of the CPCs is to facilitate regular communication, collaboration,  
5 consensus-building, and cooperation between the Albuquerque Police  
6 Department and the community. All community members are encouraged to  
7 attend Community Policing Council meetings, to provide comments, and are  
8 welcome to participate on Community Policing Council committees.

9 § 9-4-6-4. COMMUNITY POLICING COUNCILS NUMBER; BOUNDARIES.  
10 There is one Community Policing Council for each Albuquerque Police  
11 Department Area Command.

12 § 9-4-6-5. MEMBERSHIP OF COMMUNITY POLICING COUNCILS.

13 A. Members of Community Policing Councils shall serve on a voluntary  
14 basis;

15 B. Community Policing Council members must live or work within the  
16 boundaries of the Area Command to which they request membership;

17 C. Each Community Policing Council must include diverse membership  
18 reflecting a broad cross-section of the demographic of their respective Area  
19 Command, including but not limited to race, ethnicity, national origin, religion,  
20 gender identity, sexual orientation, and physical ability; and, for example,  
21 representatives of social services providers and diverse neighborhoods leaders  
22 in faith, business, or academic communities, and youth;

23 D. Persons will not be disqualified based on race, ethnicity, national  
24 origin, religion, gender identity, sexual orientation, physical ability, membership  
25 in any protected class, or for having a criminal history, however, current active  
26 felony warrants or active felony charges will disqualify a person from  
27 membership;

28 E. Each Community Policing Council shall strive to have a minimum of  
29 five members. No Community Policing Council shall have more than eleven nor  
30 fewer than three members at a time;

31 F. Terms:

32 1. Members shall serve a maximum of two terms.

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1           2. Terms shall be staggered so that the term of no more than four  
2 members expires each year.

3           3. Each term shall be for three years.

4           4. The Community Policing Council shall begin reviewing applications  
5 for members at least two months before the expiration of a member's second  
6 term, and shall strive to select a replacement member at the meeting concurrent  
7 with the expiration of the incumbent member's term.

8           5. If there are no eligible candidates to replace a member on the  
9 expiration of the member's term, that member may remain on the Community  
10 Policing Council until an eligible replacement is selected.

11           **§9-4-6-6. DUTIES AND RESPONSIBILITIES**

12 Each Community Policing Council shall:

13           A. Facilitate communication, collaboration, consensus-building, and  
14 cooperation between the Albuquerque Police Department and the community;

15           B. Hold each of a quorum of Community Policing Council meeting open  
16 to the public and provide notice of the meetings by publishing agendas and  
17 minutes on a City of Albuquerque affiliated website, at a minimum. This  
18 provision does not create any obligations under the New Mexico Open Meetings  
19 Act nor does it create a cause of action for violation of this provision;

20           C. Create its own guidelines for establishing operational processes and  
21 procedures;

22           D. Provide advice and recommendations to the Albuquerque Police  
23 Department in areas including:

24               1. Reviewing and assessing the propriety and effectiveness of law  
25 enforcement priorities and related community policing strategies, materials, and  
26 training;

27               2. Reviewing and assessing concerns or recommendations about  
28 specific Albuquerque Police Department policing tactics and initiatives;

29               3. Obtaining information from the Albuquerque Police Department and  
30 conveying feedback from the community to the Albuquerque Police Department;

31               4. Advising the Chief of Police on recruiting a qualified, diverse  
32 workforce;



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1           5. Advising the Chief of Police on ways to collect and publicly  
2 disseminate data and information, including information about the Albuquerque  
3 Police Department's compliance with the CASA (while it is in effect) in a  
4 transparent and public-friendly format to the greatest extent allowable by law;  
5 and

6           6. Advising the Chief of Police on support for constitutional,  
7 community policing.

8           E. Accept recommendations and concerns relevant to the operations of  
9 the Albuquerque Police Department from recognized neighborhood associations  
10 whose area of coverage corresponds at least in part with the respective CPCs  
11 area command, and shall submit recommendations or concerns so received to  
12 the Albuquerque Police Department. Community Policing Councils shall share all  
13 responses from the Albuquerque Police Department with the neighborhood  
14 association that submitted the recommendation.

15           F. Each Community Policing Council shall memorialize its activities and  
16 initiatives undertaken pursuant to duties and responsibilities prescribed by this  
17 Section in an annual report.

18           § 9-4-6-7. CITY COLLABORATION WITH, AND STAFFING OF THE  
19 COMMUNITY POLICING COUNCILS

20           A. Community Policing Councils are funded as part of the budget of the  
21 Civilian Police Oversight Agency. Subject to budget sufficiency and  
22 appropriation, the City shall provide sufficient funds to the Civilian Police  
23 Oversight Agency to ensure that the Community Policing Councils can fulfill their  
24 duties.

25           B. The Albuquerque Police Department shall collaborate with the  
26 Community Policing Councils by, at a minimum:

27                 1. Regularly communicating with the Community Policing Councils and  
28 the Community Policing Council Liaison;

29                 2. Providing information and speakers for meetings of and inquiries by  
30 the Community Policing Councils;

31                 3. Reviewing, assessing, and responding to Community Policing  
32 Council recommendations within forty-five days of receiving a recommendation;

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1 informing the Community Policing Council of whether the recommendation will  
2 be implemented; and providing a rationale for rejected recommendations;

3 4. Making training available to Community Policing Council members;  
4 and

5 5. Holding an annual meeting between the Chief of Police, Mayor and  
6 the Chair of each Community Policing Council to present their annual reports,  
7 discuss progress and concerns.

8 C. The Civilian Police Oversight Agency shall provide staff and  
9 administrative support to the Community Policing Councils, including:

10 1. Subject to budget sufficiency, appropriation, and city personnel  
11 policies and procedures, employing staff, including but not limited to a liaison  
12 and an administrative assistant, who are responsible for:

13 a. Taking minutes at Community Policing Council meetings;

14 b. Publishing Community Policing Council meeting minutes,  
15 agendas, and annual reports on the Community Policing Council website;

16 c. Communicating with and coordinating resources for the  
17 Community Policing Councils;

18 d. Keeping the Community Policing Councils informed of  
19 Department developments including but not limited to information related to the  
20 CASA;

21 e. Community outreach plans; recruitment plans; and overall  
22 strategic goals and objectives;

23 f. Providing support to Community Policing Councils for  
24 recruitment activities and recruitment planning;

25 g. Notifying Community Policing Councils of potential  
26 recruitment opportunities;

27 h. Helping ensure that each Community Policing Councils'  
28 selection process is fair, transparent, non-discriminatory, includes a  
29 representative cross-section of the community, and ultimately results in at least a  
30 CPC that satisfies the minimum membership and duties of this Ordinance; and

31 i. Providing materials and supplies to the Community Policing  
32 Councils to support the Community Policing Councils in fulfilling their duties.

33 § 9-4-6-8. GENERAL PROVISIONS

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1           **A. The provisions of the Public Boards, Commissions and Committees**  
2 **Ordinance, ROA 1994, §§ 2-6-1-1 through 2-6-1-6, do not apply to the Community**  
3 **Policing Councils established by this Ordinance.**

4           **B. No Community Policing Council shall organize, sponsor, advertise, or**  
5 **host any political forum, or candidates running for elected office. However,**  
6 **nothing in this section is intended to restrict the members of Community Policing**  
7 **Councils from engaging in any political activities outside the course and scope of**  
8 **their duties as a Community Policing Council member. No CPC member shall run**  
9 **for or hold elective office while serving on a CPC."**

10           **SECTION 2. EXISTING MEMBERS. All existing CPC members are members**  
11 **of the CPCs established by this Ordinance. Members who have been members**  
12 **for less than three years are considered to be serving their first term, which first**  
13 **term ends upon the expiration of two years from the enactment of this Ordinance.**  
14 **All existing CPC members who have been members for three years or more are**  
15 **considered to be serving their second term, which second term shall end upon**  
16 **the expiration of three years from the enactment of this Ordinance.**

17           **SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,**  
18 **clause, word or phrase of this ordinance is for any reason held to be invalid or**  
19 **unenforceable by any court of competent jurisdiction, such decision shall not**  
20 **affect the validity of the remaining provisions of this ordinance. The Council**  
21 **hereby declares that it would have passed this ordinance and each section,**  
22 **paragraph, sentence, clause, word or phrase thereof irrespective of any provision**  
23 **being declared unconstitutional or otherwise invalid.**

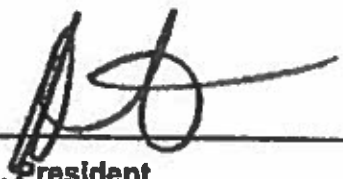
24           **SECTION 4. COMPILATION. Section 1 of this Ordinance shall amend, be**  
25 **incorporated in and compiled as part of the Revised Ordinances of Albuquerque,**  
26 **New Mexico, 1994.**

27           **SECTION 5. EFFECTIVE DATE. This ordinance is effective five days after**  
28 **publication by title and general summary.**

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1 PASSED AND ADOPTED THIS 21<sup>st</sup> DAY OF September, 2020  
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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Patrick Davis, President  
City Council

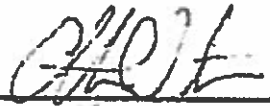
APPROVED THIS 1 DAY OF October, 2020

Bill No. O-20-27



Timothy M. Keller, Mayor  
City of Albuquerque

ATTEST:



Ethan Watson, City Clerk

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