

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

**HUMAN RIGHTS BOARD
RESOLUTION NO. 2022- (1)**

NOTICE REQUIREMENTS FOR MEETINGS OF THE BOARD

WHEREAS, the City of Albuquerque (“City”) Human Rights Board (“Board”) met in regular session at Legal, West Conference Room 1, 4th Floor, Suite 4012 of the (City Hall) Albuquerque Government Building, One Civic Plaza NW, Albuquerque, NM 87103, or remotely via Zoom videoconference, at 5:00 pm 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

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

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

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

36 Section 1. Unless otherwise specified, all meetings of the Board shall be
37 held in Suite 4012 in the Office of Civil Rights, the Albuquerque Government
38 Center Building at 1 Civic Plaza NW, Albuquerque, NM 87102, starting at 5:00
39 p.m. Mountain Time Zone. Alternatively, during the COVID-19 Pandemic,
40 meetings will be held in-person, via Zoom videoconference, or a combination
41 thereof.

42 Section 2. Unless otherwise specified, regularly scheduled meetings of the
43 Board shall be held monthly on the third (3rd) Thursday of the month Public
44 notice in writing of any other regularly scheduled meetings will be given at least
45 ten (10) days in advance of the meeting date. The agenda for a regularly

46 scheduled meeting will be available to the public at least 72 hours (3 days) prior
47 to such meeting. Copies of the agenda will be available to the public upon request
48 from the Office of Civil Rights, whose phone number is 505-768-4595 and whose
49 office is located in the Albuquerque Government Center Building at 1 Civic Plaza
50 NW, Suite 4012, Albuquerque, NM 87102.

51 Section 3. Special meetings of the Board may be called by the
52 Chairperson of the Board or by a majority of the Board members upon three (3)
53 days advance notice. The agenda for a special meeting will be available to the
54 public at least seventy-two (72) hours prior to such special meeting. Copies of the
55 agenda will be available to the public upon request from the Office of Civil
56 Rights, whose phone number is 505-768-4595 and whose office is located in the
57 Albuquerque Government Center Building at 1 Civic Plaza NW, Suite 4012,
58 Albuquerque, NM 87102.

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

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

70 A. The notice contains the date, time and place of the meeting is posted
71 for public viewing in the following location: in the 1st floor lobby of the
72 Albuquerque Government Center at 1 Civic Plaza NW, Albuquerque, NM 87102,
73 unless posting such notice is made impossible due to ongoing public health
74 restrictions or other legal limitations. An electronic copy of the notice will be
75 posted on the City website at <https://www.cabq.gov/civilrights/events> and this
76 website address may change from time to time as needed by the City or the Board.

77

78 B. Notice shall also be sent electronically to those broadcast stations (radio
79 and television) licensed by the Federal Communications Commission (FCC) and
80 newspapers of general circulation in the State of New Mexico that (i) have
81 submitted a written request for notice of public meetings to the Director of the
82 Office of Civil Rights, whose office is located in the Albuquerque Government
83 Center Building at 1 Civic Plaza NW, Suite 4012, Albuquerque, NM 87102, and
84 (ii) have provided an electronic mail (e-mail) address to which public notices are
85 to be sent. Currently, the Board finds that the Director has not received any
86 written requests for ongoing notice of all Board meetings from any FCC licensed
87 broadcast stations or from newspapers of general circulation, located in New
88 Mexico or anywhere else.

89 Section 6. In addition to the information specified above, all public
90 notices shall include the following language: English and any requested language.

91 “NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and
92 need an accommodation in order to participate in this public meeting, please
93 contact Crystal Velarde at 505-768-4595 or civilrights@cabq.gov. Please request
94 any accommodations necessary at least 72 hours prior to the meeting. Further
95 advance notice is preferred if possible, and you may request accommodations up
96 to 10 days before the meeting. Best efforts will be made to provide the requester
97 with their auxiliary aid of choice. If doing so is not possible due to time
98 constraints or other logistical concerns, the City will work directly with the
99 requester to provide an alternate method of accommodation.

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

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

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

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

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

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

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

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

144 Section 11. The official list of dates of the Regular Meetings of the City of
145 Albuquerque Human Rights Board for January 2023 to November 2023 are as
146 follows:

147 Thursday, January 19, 2023

148 Thursday, February 16, 2023

149 Thursday, March 16, 2023

150 Thursday, April 20, 2023

151 Thursday, May 18, 2023

152 Thursday, June 15, 2023

153 Thursday, July 20, 2023

154 Thursday, August 17, 2023

155 Thursday, September 21, 2023

156 Thursday, October 19, 2023

157 Thursday, November 16, 2023

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

165 PASSED AND ADOPTED this 17th day of November, 2022.

166 BY A VOTE OF 5 FOR and 0 AGAINST.

167

168 Members Absent: Larry Hinojos Jr.

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170 Members voting against: 0

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CITY OF ALBUQUERQUE

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HUMAN RIGHTS BOARD

By:



Beckham Rivera
Chairperson of the Board

ATTEST:



Alan Heinz, Attorney for the Human Rights Board

