

**HUMAN RIGHTS BOARD
RESOLUTION NO. 2019- (1)**

NOTICE REQUIREMENTS FOR MEETINGS OF THE BOARD

WHEREAS, the City of Albuquerque (“City”) Human Rights Board (“Board”) met in regular session at the Office of Equity and Inclusion, November 20, 2018 at 4:00 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 Equity and Inclusion
<http://www.cabq.gov/humanrights/general-information>
oei@cabq.gov
505-768-4595

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

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

30 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ALBUQUERQUE**
31 **HUMAN RIGHTS BOARD, the Governing Body of the City's Office of Equity and**
32 **Inclusion, that:**

33
34 Section 1. Unless otherwise specified, all meetings of the Board shall be held in
35 the Main Conference Room in the Office of Equity and Inclusion, the
36 Albuquerque/Bernalillo County Government Center Building at 1 Civic Plaza NW,
37 Albuquerque, NM 87102, starting at 4:00 p.m. Mountain Time Zone.

38 Section 2. Unless otherwise specified, regularly scheduled meetings of the Board
39 shall be held bi-monthly on the third (3rd) Tuesday of the months of January, March,
40 May, July, September and November. Public notice in writing of any other regularly
41 scheduled meetings will be given at least five (5) days in advance of the meeting date.
42 The agenda for a regularly scheduled meeting will be available to the public at least 72
43 hours (3 days) prior to such meeting. Copies of the agenda will be available to the public
44 upon request from the Director of the Office of Equity and Inclusion, whose phone

45 number is 505-768-4595 and whose office is located in the Albuquerque/Bernalillo
46 County Government Center Building at 1 Civic Plaza NW, Albuquerque, NM 87102.

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

54 Section 4. Emergency meetings of the Board will be called only under unforeseen
55 circumstances that demand immediate action by the Board to protect the health, safety
56 and property of citizens or to protect the public body from substantial financial loss. The
57 Board will avoid holding emergency meetings whenever possible. Emergency meetings
58 may be called by the Chairperson or a majority of the Board members upon twenty-four
59 (24) hour's notice, unless threat of personal injury or property damage requires less
60 notice. Public notice for an emergency meeting shall include an agenda for the
61 emergency meeting.

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

64 A. a printed notice of the date, time and place of the meeting is posted for public
65 viewing in the following location: in the 1st floor lobby of the Albuquerque/Bernalillo
66 County Government Center (City-County Building) at 1 Civic Plaza NW, Albuquerque,
67 NM 87102 and

68 B. an electronic copy of the notice is posted on the Board web page. Currently,
69 the Board web page address is <http://www.cabq.gov/humanrights> and this website
70 address may change from time to time as needed by the City or the Board.

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

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

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

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

99 Section 8. Notice of committee meetings, if any committees are formed, shall be
100 equal to that specified in Sections 2 and 3 of this resolution.

101 Section 9. The Board may close a Meeting of the Board to the public only if the
102 subject matter of such discussion or action is exempted from the open to the public

103 meeting requirement under Section 10-15- 1(H) (NMSA 1978) of the Open Meetings
104 Act.

105 A. If any open meeting is closed during such open meeting, the closure shall be
106 approved by a majority vote of a quorum of the Board taken during the open meeting.
107 The specific provision of law authorizing the closed meeting and the subject(s) to be
108 discussed shall be stated with reasonable specificity in the motion to close the meeting to
109 public observation and the vote of each individual member on the motion to close the
110 meeting shall be recorded in the minutes, in a roll call vote. Only those subjects specified
111 in the motion to close the meeting may be discussed by the Board in the closed meeting.

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

117 C. Following completion of any closed meeting, the minutes of the open meeting
118 that was closed, or the minutes of the next open meeting of the Board if the closed
119 meeting was separately scheduled, shall state whether the matters discussed in the closed
120 meeting were limited only to those specified in the motion to close the meeting or the
121 public notice of a closed meeting.

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

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

129 Section 11. The official list of dates of the Regular Meetings of the City of
130 Albuquerque Human Rights Board for January 2019 to November 2019 are as follows:

131 Tuesday, January 15, 2019

132 Tuesday, March 19, 2019

133 Tuesday, May 21, 2019

134 Tuesday, July 16, 2019

135 Tuesday, September 17, 2019

136 Tuesday, November 19, 2019

137 Section 12. If any section, paragraph, sentence, clause, word or phrase of this
138 resolution is for any reason held to be invalid or unenforceable by any court of competent
139 jurisdiction, such decision shall not affect the validity of the remaining provisions of this

140 resolution. The Board hereby declares that it would have passed this resolution and each
141 section, paragraph, sentence, clause, word or phrase of this resolution irrespective of any
142 provision being declared invalid or unenforceable.

143 PASSED AND ADOPTED this 20th day of November, 2018.
144 BY A VOTE OF _____ and _____ AGAINST.

145
146 Members Absent: _____

147
148 Members voting against: _____

149
150 CITY OF ALBUQUERQUE
151 HUMAN RIGHTS BOARD

152
153 By:

154
155

156 *Signed copy available on request*

157 _____
158 Dusadee Sarangarm
159 Chairperson of the Board

160
161

162
163 ATTEST:

164
165

166 *Signed copy available on request*

167 _____
168 Michelle Melendez
169 Director of the Office of Equity and Inclusion

170