BOARD OF DIRECTORS
RESOLUTION NO. 2022-04

NOTICE REQUIREMENTS FOR MEETINGS OF THE BOARD IN 2023

WHEREAS, the AHA Housing Development Corporation ("HDC") Board of Directors ("Board") met in public in a regular session in a hybrid format of holding an in person meeting at AHA main office and using an online video and audio conferencing system (www.zoom.us) in Albuquerque, New Mexico on Wednesday, December 21, 2022 at 12:00 p.m. (noon); and

WHEREAS, Section 10-15-1(B) NMSA 1978, of the Open Meetings Act states that "All 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

WHEREAS, Section 10-15-1(D) NMSA 1978, of the Open Meetings Act requires the Board to determine annually what constitutes reasonable notice of its public meetings; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE HDC BOARD OF DIRECTORS, the governing body of the HDC that:

Section 1. Unless otherwise specified, all meetings of the Board shall be held at the Manuel Cordova Conference Room, which is in the AHA Administrative Office, in the Carnis Salisbury Building, in Room 186, at 1840 University Blvd. South East, Albuquerque, New Mexico 87106 at 12:00 P.M. (noon) Mountain Time Zone following the Albuquerque Housing Authority (AHA) Board of Housing Commissioners meeting. In the event that a meeting with in-person physical attendance is not possible or advisable due to a public health emergency or otherwise, a virtual meeting will be held using an online video and/or audio conferencing system. The virtual meeting shall be conducted using online video-conferencing resources that allow all interested parties to participate remotely via phone and/or video conference. Currently, the AHA HDC Board uses Zoom.us as a video and audio conferencing system. The software that AHA HDC uses may change from time to time as needed by AHA HDC. If any meeting will be held in person at another location (other than the AHA Administrative Office), the alternate location shall be indicated in the meeting notice. The Board may also meet in a hybrid format of an in person meeting with remote participation.

Section 2. Unless otherwise specified, regularly scheduled meetings of the HDC Board shall be held on the third (3rd) Wednesday of a month in which the HDC Board chooses to meet. Public notice of any other regularly scheduled meetings (that are not held on the 3rd Wednesday of the month) will be given at least ten (10) days in

advance of the meeting date. The agenda for a regularly scheduled meeting will be available to the public least seventy-two (72) hours prior to such meeting. Copies of the agenda will be available to the public upon request from the Executive Assistant to the Executive Director, whose phone number is 505-764-3915 and whose office is located in the AHA Administrative Office, in the Carnis Salisbury Building, at 1840 University Blvd. SE, Room 131, Albuquerque, NM 87106.

Section 3. Special Meetings of the Board may be called by the Chairperson of the Board or by a majority of the Board members upon three (3) days advance notice. The agenda for a special meeting will be available to the public at least seventy two (72) hours prior to such special meeting. Copies of the agenda will be available to the public upon request from the Executive Assistant to the Executive Director, whose phone number is 505-764-3915 and whose office is located in the AHA Administrative Office, in the Carnis Salisbury Building, at 1840 University Boulevard South East, Room 131, Albuquerque, New Mexico 87106.

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

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

A. Notice of the date, time and place of the meeting is posted for public viewing in the following location: an electronic copy of the notice is posted on the AHA HDC Board web page. Currently, the HDC Board web page address is http://www.abqha.org/board-of-housing-commissioners.aspx. And this website address may change from time to time as needed by HDC.

B. Notice shall also be sent electronically to those broadcast stations (radio and television) licensed by the Federal Communications Commission (FCC) and newspapers of general circulation in the State of New Mexico that (i) have submitted a written request for notice of public meetings to the AHA Executive Director, at the AHA Administrative Office, in the Carnis Salisbury Building at 1840 University Blvd. SE, Room 131, Albuquerque, NM 87106, and (ii) have provided an electronic mail address to which public notices are to be sent.

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

"NOTICE TO PERSONS WITH DISABILITIES: If you are a person with a disability and require a reasonable accommodation to observe or participate in this meeting, please contact the Executive Assistant to the Executive Director, whose phone number is 505-764-3915 and whose office is located in the AHA Administrative Office, in the Carnis Salisbury Building at 1840 University Blvd. SE, Room 131, Albuquerque, NM 87106, at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats upon request. Please contact the Executive Assistant to the Executive Director if a summary or other type of accessible format is needed."

Section 7. Cancellations of meetings of the Board, and notice of different meeting times, date and/or location, may be announced at prior meetings of the Board. Sudden cancellations of meetings may occur if a quorum of Board members fails to attend a previously scheduled meeting time or if the location is suddenly not available or suitable for use or if there is a technical problem. Different meeting dates and times may be needed if a regularly scheduled meeting date is a government holiday and the AHA offices are closed that day, or if there is inclement weather, or if the usual meeting location is not available or suitable for use, or there is a public health emergency, or for other reasons.

Section 8. Notice of committee meetings, if any committees of a quorum of 3 or more Board members are formed, shall be equal to that specified in Sections 2 and 3 of this resolution. No such committees have been formed, presently. This may change from time to time as needed by HDC.

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

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

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

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

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

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

Section 11. If any section, paragraph, sentence, clause, word or phrase of this resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this resolution. The Board hereby declares that it would have passed this resolution and each section, paragraph, sentence, clause, word or phrase of this resolution irrespective of any provision being declared invalid or unenforceable.

PASSED and ADOPTED this 21st day of December 2022.
BY A VOTE OF 4 FOR, AND 0 AGAINST.

Members Absent: Skowran
Members voting against: _____

AHA HOUSING DEVELOPMENT CORPORATION
BOARD OF DIRECTORS

By: /s Rebecca Robinson
Rebecca Robinson, Vice Chairperson of the Board

ATTEST:
/s Linda Bridge
Linda Bridge, Secretary to the Board and Executive Director