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Meeting Date: April 22, 2020  
Staff Contact: Peter Auh, General Counsel

**TITLE: R-20-13 – Approving the Albuquerque Bernalillo County Water Utility Authority Meeting Protocol During Covid-19**

**ACTION: Recommend Approval**

**SUMMARY:**

In compliance with Public Health Emergency Orders issued by New Mexico Governor Lujan Grisham, it is essential for the Water Authority to do its part to slow the spread of the Coronavirus by limiting mass gatherings. During the pendency of the Governor's Stay-at-Home orders, the Water Authority still needs to continue its board meetings to address necessary business. In doing so, the Open Meetings Act requires that members of the public be allowed to attend and listen to meetings of a quorum of a governing body. Additionally, the Open Meetings Act requires that public business be conducted in full public view, that the actions of public bodies be taken openly, and that the deliberations of public bodies be open to the public. Accordingly, this protocol is designed to help accomplish these important goals utilizing available services. The duration of this action is until further notice.

- A. All Water Authority Board meetings will be physically closed to the public, but open to the public's view on GovTV Comcast Channel 16 or via live-stream at <https://www.cabq.gov/culturalservices/govtv>. It may also be viewed via the Water Authority website at <https://abcwua.legistar.com/Calendar.aspx>
- B. All Water Authority Board members will make an individual determination regarding whether to attend meetings in person or whether to participate remotely.
- C. Water Authority Administration will post notice of the time, date and how to access the live-stream on the Water Authority's website, as well as in the lobby of the Albuquerque/Bernalillo County Government Center, in accordance with its Open Meetings resolution and the Open Meetings Act.
- D. Video Conferencing will be set up to allow key meeting participants to participate. These individuals include the Water Authority Board, the Executive Director and critical staff. This may be accomplished with Zoom or Teams video conferencing platforms or similar service. The video conference will be heard on the live-stream.
- E. Individuals may email public comments as well as comment on the meeting's specific agenda items to [icarreon@abcwua.org](mailto:icarreon@abcwua.org) up until 4:00 p.m. MDT on the day

of the meeting. These comments will be distributed to all Board Members for review.

F. The live-streaming will be paused upon the commencement of a closed meeting and continued after completion of the closed meeting.

G. Telephonic or other forms of electronic approval shall be sufficient for any documentation requiring signatures by the Water Authority Board, and Authorization is given to the Executive Director for the execution of agreements. Where signatures are required, the use of electronic/stamp signatures is permitted.

The Water Authority will make every effort to comply with the Open Meeting Act compliance guidance issued by New Mexico Attorney General Hector Balderas on March 17, 2020.

**FISCAL IMPACT:**

None



1           Section 4. Video Conferencing will be set up to allow key meeting participants to  
2 participate. These individuals include the Water Authority Board, the Executive Director  
3 and critical staff. This may be accomplished with Zoom or Teams video conferencing  
4 platforms or similar service. The video conference will be heard on the live-stream.

5           Section 5. Individuals may email public comments as well as comment on the  
6 meeting's specific agenda items to [lcarreon@abcwua.org](mailto:lcarreon@abcwua.org) up until 4:00 p.m. MDT on the  
7 day of the meeting. These comments will be distributed to all Board Members for  
8 review.

9           Section 6. The live-streaming will be paused upon the commencement of a  
10 closed meeting and continued after completion of the closed meeting.

11           Section 7. Telephonic or other forms of electronic approval shall be sufficient for  
12 any documentation requiring signatures by the Water Authority Board, and Authorization  
13 is given to the Executive Director for the execution of agreements. Where signatures  
14 are required, the use of electronic/stamp signatures is permitted.

15           Section 8. The Water Authority will make every effort to comply with the  
16 Guidance to Public Entities Regarding Open Meetings Act and Inspection of Public  
17 Records Act Compliance During COVID-19 State of Emergency issued by New Mexico  
18 Attorney General Hector Balderas on March 17, 2020.

19           Section 9. This resolution shall remain effective until it is rescinded.  
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