

Resolution No. __

New York State Community Commission on Reparations Remedies

WHEREAS, with the enactment of Part WW of Chapter 56 of the Laws of 2022, the New York State Legislature amended Section 103 and added Section 103-a of the Open Meetings Law, thereby permitting a public body to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires a public body to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2)(b) requires a public body to establish written procedures governing member and public attendance consistent with Section 103-a and requires that such written procedures be conspicuously posted on the public website of the public body; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend”; and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, except during executive session, be “heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon”; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the public body’s webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference; and;

WHEREAS, the New York State Community Commission on Reparations Remedies (the “Commission”) has conducted a public hearing on this matter in accordance with Section 103-a(2)(a) and has prepared written procedures governing member and public attendance consistent with Section 103.

BE IT RESOLVED, that the Commission hereby adopts the written procedures governing member and public attendance consistent with Section 103-a and hereby authorizes its

members who experience an extraordinary circumstance, as described above and in the written procedures, to attend meetings by videoconference: (i) as long as a quorum of the members attend in-person at one or more locations open to the public; (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted by Section 103-a.

VOTES:

| <u>Member</u> | <u>Aye</u> | <u>No</u> | <u>Abstain</u> | <u>Absent</u> |
|-------------------------|------------|-----------|----------------|---------------|
| Jennifer Jones Austin | | | | |
| Linda Brown-Robinson | | | | |
| Ron Daniels | | | | |
| Lurie Daniel Favors | | | | |
| Darrick Hamilton | | | | |
| Seanelle Hawkins, Chair | | | | |
| Timothy R. Hogues | | | | |
| Deborah D. Jenkins | | | | |
| Linda Tarrant-Reid | | | | |

Adopted by the affirmative vote of a majority of the members at a duly constituted meeting of the New York State Community Commission on Reparations Remedies on August 27, 2024.