

**CITY of ALBUQUERQUE  
NINETEENTH COUNCIL**

COUNCIL BILL NO. R-11-287

ENACTMENT NO. R. 2011. 108

SPONSORED BY: Don Harris

1 RESOLUTION

2 DETERMINING REASONABLE NOTICE OF PUBLIC MEETINGS OF THE CITY  
3 COUNCIL.

4 WHEREAS, the Albuquerque City Council met in regular session at the  
5 Council/Commission Chambers, One Civic Plaza, on October 5, 2011 at 5:00  
6 p.m. as required by law and with notice as specified in Council Resolution R-  
7 10-137, Enactment No. R-2010-112; and

8 WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978,  
9 Sections 10-15-1 to 4) states that, except as otherwise provided in the  
10 constitution of New Mexico or the Open Meetings Act, all meetings of a  
11 quorum of members of any board, commission, administrative adjudicatory  
12 body or other policy making body of any state or local agency held for the  
13 purpose of formulating public policy, discussing public business or for the  
14 purpose of taking any action within the authority of or the delegated authority  
15 of such body, are declared to be public meetings open to the public at all  
16 times; and

17 WHEREAS, any meetings subject to the Open Meetings Act at which the  
18 discussion or adoption of any proposed ordinance, resolution, rule, regulation  
19 or formal action occurs shall be held only after reasonable notice to the  
20 public; and

21 WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the  
22 Albuquerque City Council to determine at least annually what constitutes  
23 reasonable notice of its public meetings.

24 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF  
25 ALBUQUERQUE:

[Bracketed/Underscored Material] - New  
[Bracketed/Strikethrough Material] - Deletion

[Bracketed/Underscored Material] - New  
[Bracketed/Strikethrough Material] - Deletion

1 Section 1. Meetings of the full Council shall normally be held at the  
2 Vincent E. Griego Chambers, lower level of the Albuquerque/Bernalillo County  
3 Government Center at One Civic Plaza, near the intersection of Fifth Street and  
4 Marquette Avenue NW, Albuquerque, New Mexico.

5 Section 2. Meetings will be held each month on the dates specified by  
6 Council resolution, as provided in Section 2-1-1 of the Revised Ordinances of  
7 Albuquerque, 1994. Generally, Council meetings are held at 5:00 p.m. on the  
8 first and third Mondays of each month, pursuant to the Council Rules. The  
9 final agenda will normally be available three days prior to the meeting, but at  
10 least 24 hours prior to the meeting from the Clerk of the Council, whose office  
11 is located in Suite 9087, Albuquerque/Bernalillo County Government Center, 1  
12 Civic Plaza NW. The Clerk of the Council shall post, if possible, a draft listing  
13 of agenda items to come before the full Council on the Albuquerque city web  
14 site ([www.cabq.gov/council](http://www.cabq.gov/council)) at least five working days prior to the meeting,  
15 subject to revision until the agenda is deemed final.

16 Section 3. Special meetings may be called by the President of the  
17 Council or by three Councilors upon 48 hours notice. The notice shall include  
18 information on how members of the public may obtain a copy of the agenda.  
19 The agenda shall be available to the public at least 24 hours before any special  
20 meeting.

21 Section 4. Emergency meetings will be called only under circumstances  
22 when an unexpected occurrence or condition, or the state resulting therefrom  
23 requires immediate consideration or action to protect the health, safety and  
24 property of citizens or to protect the public body from substantial financial  
25 loss. The Council will avoid emergency meetings whenever possible.  
26 Emergency meetings may be called by the President of the Council upon 24  
27 hours notice, unless the threat of personal injury or property damage requires  
28 less notice. The notice for all emergency meetings shall include an agenda for  
29 the meeting or information on how the public may obtain a copy of the  
30 agenda.

31 Section 5. For the purpose of meetings described in Section 2 of this  
32 resolution, notice requirements are met if notice of the date, time and place is  
33 placed in one or more newspapers of general circulation in Albuquerque or

[Bracketed/Underscored Material] - New  
[Bracketed/Strikethrough Material] - Deletion

1 posted in the lobby of the Albuquerque/Bernalillo County Government Center.  
2 The Clerk of the Council shall also provide copies of the above information as  
3 well as copies of the agendas to those broadcast stations licensed by the  
4 Federal Communications Commission and newspapers of general circulation  
5 in Albuquerque, which entities have made a written request for notice of  
6 public meetings. Such notice shall be provided to the Government Access  
7 Cable TV Channel to be transmitted, and posted on the Albuquerque city web  
8 site ([www.cabq.gov/council](http://www.cabq.gov/council)).

9 Section 6. For the purpose of special meetings and emergency meetings  
10 described in Sections 3 and 4 of this resolution, notice requirements shall be  
11 met by posting notice of the date, time, place and agenda in the lobby of the  
12 Albuquerque/Bernalillo County Government Center. The Clerk of the Council  
13 shall also provide telephone notice to those broadcast stations licensed by  
14 the Federal Communications Commission and newspapers of general  
15 circulation in Albuquerque that have made a written request for notice of  
16 public meetings.

17 Section 7. Public documents, including the agendas and minutes, can be  
18 provided in various accessible formats. Please contact the Clerk of the  
19 Council at the Council Office if a summary or other type of accessible format  
20 is needed. In addition to the information specified above, all notices shall  
21 include the following language:

22 "NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and  
23 require special assistance to participate in this meeting, please contact the  
24 Council Office as soon as possible before the meeting date at 768-3100 or by  
25 TTY at 1-800-659-8331."

26 Section 8. Cancellations and different meeting times and places may be  
27 announced at prior meetings of the full Council.

28 Section 9. Notice of committee meetings shall be equal to that specified  
29 in Sections 5, 6 and 7 of this resolution. Council committees do not hold  
30 emergency meetings.

31 Section 10. All ordinances, resolutions, rules or parts thereof, inconsistent  
32 herewith, are hereby repealed to the extent only of such inconsistency. This

1 repealer shall not be construed to revive any ordinance, resolution, rule or  
2 part thereof heretofore repealed.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

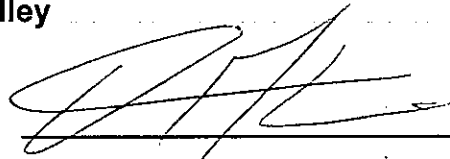
31

32 X:\SHARE\Legislation\Nineteen\R-287final.doc

[Bracketed/Underscored Material] - New  
[Bracketed/Strikethrough-Material] - Deletion

1 PASSED AND ADOPTED THIS 5<sup>th</sup> DAY OF October, 2011  
2 BY A VOTE OF: 6 FOR 1 AGAINST.

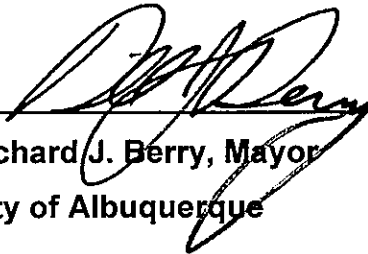
3  
4 Excused: Jones, Sanchez  
5 Against: O'Malley

6  
7 

8 Don F. Harris, President  
9 City Council

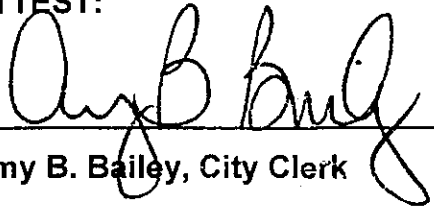
10  
11  
12 APPROVED THIS 18 DAY OF October, 2011

13  
14  
15  
16  
17 Bill No. R-11-287

18  
19 

20  
21 Richard J. Berry, Mayor  
22 City of Albuquerque

23  
24  
25 ATTEST:

26 

27  
28 Amy B. Bailey, City Clerk

[+Bracketed/Underscored Material+] - New  
[-Bracketed/Strikethrough-Material-] - Deletion