

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2023-1**

3 **INTRODUCED BY:**

4
5 Mayor Alan Webber
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10 **A RESOLUTION**

11 **RESCINDING RESOLUTION NO. 2022-2 RELATING TO THE OPEN MEETINGS ACT; AND**
12 **ADOPTING ANNUAL NOTICE REQUIREMENTS PURSUANT TO THE OPEN MEETINGS**
13 **ACT FOR 2023.**
14

15 **WHEREAS**, the New Mexico Open Meetings Act (“Open Meetings Act”), NMSA 1978,
16 Sections 10-15-1 to -4, requires that public bodies “determine at least annually in a public meeting what
17 notice for a public meeting is reasonable when applied to that body”; and

18 **WHEREAS**, the Open Meetings Act governs the Governing Body and the Governing Body’s
19 subordinate policymaking bodies; and

20 **WHEREAS**, the City desires to comply with the Open Meetings Act by rescinding its prior year’s
21 Open Meeting Act Resolution, Resolution No. 2022-2, and to adopt new notice requirements for the City’s
22 policymaking bodies; and

23 **WHEREAS**, the City of Santa Fe seeks to give annual notice to the public of its determination,
24 pursuant to NMSA 1978, Section 10-15-1(D), that seventy-two (72) hours’ notice prior to its regular and
25 special meetings and the meetings of its subordinate policymaking bodies is deemed by the City to be

1 reasonable notice.

2 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY**
3 **OF SANTA FE:**

4 **Section 1.** Resolution No. 2022-2 is hereby rescinded.

5 **Section 2.** The applicability of the Open Meetings Act to the City's policymaking bodies is
6 recognized.

7 **Section 3.** The notice requirements set forth below are hereby adopted.

8 A. The City shall give a minimum of seventy-two (72) hours' notice of all regular
9 and special meetings of the Governing Body and its subordinate policymaking
10 bodies.

11 B. The notice shall include the date, time, and place of the planned meeting and a
12 list of specific items of business to be discussed or transacted at the meeting or
13 information on how the public may obtain a copy of such an agenda.

14 C. The City shall make the notice available to the public and news media through
15 reasonable means, including posting on the City's website.

16 D. The agenda shall be filed, recorded, and posted on the City's website.

17 **Section 4.** Regular Meetings of the Governing Body

18 A. Unless otherwise specified, including in subsections B below, regular meetings
19 of the Governing Body shall be held as follows:

20 i. On the second and last Wednesday of each month.

21 ii. In the City Council Chambers of the municipal building of the City,
22 located at 200 Lincoln Avenue, Santa Fe.

23 B. When it is difficult or impossible for members of the Governing Body to meet in
24 person, they may participate virtually pursuant to SFCC 1987, Section 1-9.

25 C. To the extent possible, meetings will be broadcast via the City's YouTube channel

1 and other media as available, such as the City's Government Channel on Comcast
2 Channel 28 or Comcast Channel HD928, and on the radio at KSFR 101.1 FM.

3 **Section 5:** Special Meetings

4 A. The City shall provide a minimum of 72 hours' notice of all special meetings of
5 the Governing Body and its subordinate policymaking bodies.

6 B. Unless otherwise specified, special meetings are held at the same place specified
7 in NMSA 1978, Sections 10-15-1 to -4. The date, time, and place of a special
8 meeting shall appear on the agenda and be made available to the public and news
9 media through reasonable means including posting on the City's website.

10 C. The agenda shall be filed, recorded, and posted with the office of the City Clerk.

11 D. When it is difficult or impossible for members of the Governing Body to meet
12 in person, they may participate virtually pursuant to SFCC 1987, Section 1-9.

13 E. To the extent possible, meetings will be broadcast via the City's YouTube
14 channel and other media as available, such as the City's Government Channel
15 on Comcast Channel 28 or Comcast Channel HD928, and on the radio at KSFR
16 101.1 FM.

17 **Section 6:** Quasi-Judicial Committees and Subordinate Policymaking Bodies

18 A. The Governing Body hereby requires that every quasi-judicial committee, board,
19 or commission, including but not limited to the planning commission, historic
20 design review board, and board of adjustment, follow the same notice
21 requirements as the Governing Body, and as provided in this resolution and the
22 Open Meetings Act.

23 B. The Governing Body of the City hereby requires that all other policymaking
24 boards, commissions, and committees shall follow the same notice requirements
25 as provided by the Open Meetings Act.

Section 7: Emergency Meetings

A. Pursuant to its procedural rules, the Governing Body or subordinate policymaking body may call, with, if possible, up to 24-hours' notice, a meeting to consider any matter that needs emergency treatment because of a clear and present danger to the health, welfare, or safety of the people of the City. When possible, 24-hour telephonic notice will be given to all media who normally cover City meetings before the emergency meeting commences.

B. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Unless there is a state of national emergency already declared for the same reasons, within ten days of taking action on an emergency matter, the City will notify the Attorney General's Office that the emergency meeting took place.

PASSED, APPROVED, and ADOPTED this 11th day of January, 2023.



ALAN WEBBER, MAYOR

ATTEST:



KRISTINE MIHELICIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

Legislation/Resolutions/2023/2203-1 Open Meetings Act 2023