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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2024-1

INTRODUCED BY:

Mayor Alan Webber

A RESOLUTION

**RESCINDING RESOLUTION NO. 2023-1 RELATING TO THE OPEN MEETINGS ACT
AND ADOPTING ANNUAL OPEN MEETINGS ACT NOTICE REQUIREMENTS FOR
2024.**

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

WHEREAS, the Open Meetings Act governs the City of Santa Fe’s (“City’s”) Governing Body and the Governing Body’s subordinate policymaking bodies; and

WHEREAS, the Governing Body desires to comply with the Open Meetings Act by rescinding its prior year’s Open Meeting Act Resolution, Resolution No. 2023-1, and to adopt new notice requirements for the City’s policymaking bodies; and

WHEREAS, the Governing Body seeks to give annual notice to the public of its determination, pursuant to NMSA 1978, Section 10-15-1(D), that a seventy-two (72) hour notice prior to its regular and special meetings and that it deems that the same notice for the meetings of

1 its subordinate policymaking bodies is reasonable.

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

4 **Section 1.** Resolution No. 2023-1 is hereby rescinded.

5 **Section 2.** The applicability of the Open Meetings Act to the City's policymaking
6 bodies is 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
9 regular and special meetings of the Governing Body and its subordinate
10 policymaking bodies.

11 B. The notice shall include the date, time, and place of the planned meeting
12 and a list of specific items of business to be discussed or transacted at the meeting
13 or 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
15 through reasonable means, including posting on the City's website, and providing
16 it to broadcast stations licensed by the federal communications commission and
17 newspapers of general circulation that have provided a written request for such
18 notice.

19 D. The agenda shall be posted on the City's website.

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

21 A. Unless otherwise specified, including in subsection B below, regular
22 meetings of the Governing Body shall be held as follows:

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

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

1 B. When it is difficult or impossible for members of the Governing Body to
2 meet in person, they may participate virtually pursuant to SFCC 1987, Section 1-
3 9.

4 C. To the extent possible, meetings will be broadcast via the City's YouTube
5 channel and other media as available, such as the City's Government Channel on
6 Comcast Channel 28 or Comcast Channel HD928, and on the radio from KSFR
7 101.1 FM.

8 **Section 5: Special Meetings**

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

11 B. Unless otherwise specified, special meetings are held at the same place as
12 regular meetings. The date, time, and place of a special meeting shall appear on
13 the agenda and be made available to the public and news media through reasonable
14 means including posting on the City's website.

15 C. The agenda shall be posted on the City's website.

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

19 E. To the extent possible, meetings will be broadcast via the City's
20 YouTube channel and other media as available, such as the City's Government
21 Channel on Comcast Channel 28 or Comcast Channel HD928, and on the radio
22 station KSFR 101.1 FM.

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

24 A. The Governing Body hereby requires that every quasi-judicial committee,
25 board, or commission, including but not limited to the planning commission,

1 historic design review board, and board of adjustment, follow the same notice
2 requirements as the Governing Body, and as provided in this resolution and the
3 Open Meetings Act.

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

7 **Section 7:** Emergency Meetings


8 A. Pursuant to its procedural rules, the Governing Body or subordinate
9 policymaking body may call, with, if possible, up to 24 hours' notice, a meeting to
10 consider any matter that needs emergency treatment because of a clear and present
11 danger to the health, welfare, or safety of the people of the City. When possible,
12 24-hour telephonic notice will be given to all media who normally cover City
13 meetings before the emergency meeting commences.

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

19 **Section 8:** Term

20 This Resolution shall sunset upon adoption of the 2025 Open Meetings Act
21 Resolution, making it unnecessary to rescind.


22 PASSED, APPROVED, and ADOPTED this 10th day of January, 2024.

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24 
Alan Webber (Jan 12, 2024 17:16 MST)

25 ALAN WEBBER, MAYOR

1 ATTEST:

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3 
GERALYN F. CARDENAS (Jan 16, 2024 12:06 MST)

4 GERALYN F. CARDENAS, INTERIM CITY CLERK

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8 APPROVED AS TO FORM:

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10 
ERIN K. McSHERRY (Jan 12, 2024 13:56 MST)

11 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2024/Resolutions/2024-1 (R)/ 2024 Open Meetings Act 2024*