

**CITY OF AZTEC
RESOLUTION 2022-1309**

**A Resolution Amending the Governing
Body Meetings and Public Notice Requirement**

WHEREAS, the Aztec City Commission, is a policy making body as defined in the New Mexico Open Meetings Act (N.M.S.A. 1978, Section 10-15-1 et seq.); and

WHEREAS, Section 10-15-1B, NMSA 1978 provides that “all meetings of a quorum of members of any board, commission or other policy-making body of any state agency, or agency or authority of any county, municipality, district or any political subdivision held for the purpose of taking any action within the authority of or the delegated authority of such board, commission or the policy-making body, is declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provision of the Open Meetings Act”; and

WHEREAS, Section 10-15-3A, NMSA 1978 provides that “No resolution, rule, regulation, ordinance or action of any board, commission, committee, or other policy making body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA, 1978,” and

WHEREAS, Section 10-15-4, NMSA 1978 provided that “Any person violating any of the provisions of Section 10-15-1 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500.00) for each offence,” and

WHEREAS, Section 10-15-1D, requires that “Any meeting at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public.

WHEREAS, all public bodies are required to determine, at least annually, in a public meeting, reasonable notice provisions for public meetings of the public body;

NOW, THEREFORE, BE IT RESOLVED that the Aztec City Commission, of Aztec, New Mexico, adopts the following open meeting policy: (All Aztec Advisory Boards and Committees will follow the requirements as stated)

1. The regularly scheduled meetings of the governing body will be held at 6:00 p.m., second and fourth Tuesday of each month and the Commission Organizational Meetings will be held on an as-needed basis in the Commission Room of City Hall located at 201 West Chaco in Aztec. If there is a need for a special workshop or meeting it will be scheduled according to need. In the event that the regular meeting

date falls on a legal holiday or Election Day, the governing body may cancel or designate an alternate meeting date and shall cause advance notice of the change to be published or posted as provided in this resolution. In the event that a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be published as provided in this resolution.

2. Notice of all meetings shall be available at City Hall, 201 W Chaco, Aztec, New Mexico and on the City's website www.aztecm.gov. Notice of all meetings shall be given to all broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written request for such notice.
3. Notice of all meetings shall include information on how the public may obtain a copy of a preliminary or final agenda. A final agenda for all meetings shall be available at City Hall and on the City's Website, no later than 72 hours preceding the meeting.
4. Special Meetings: Notice shall be given at least three (3) days in advance of any special meeting of a quorum of the members of the governing body, board, commission, committee, agency, authority or other policy-making body held for the purpose of discussing public business or taking any formal action with the authority of such body. An agenda shall be available to the public at least 72 hours prior to any special meeting.
5. Emergency Meetings: which demand immediate action to protect the health, safety, and property of citizens or to protect the public body from substantial financial loss shall be held as required, with as much advance notice as the emergency permits.
6. Telephone Conference: A member of the governing body or any board, commission, committee, agency or other policy-making body may participate in a meeting of the public body by means of a telephone conference or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by telephone conference can be identified when speaking, and all participants are able to hear each other at the same time members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.
7. Citizens Input: A maximum of three (3) minutes may be allowed during Citizens Input.
8. Presentations: A maximum of 10 minutes unless extended by the chair, will be allowed for each presentation. A copy of the presentation and/or any related documents, if available, shall be presented to the City Clerk prior to preparing the Commission packets.
9. Attendance: Public Attendance and participation shall be in accordance with all Public Health Orders and guidance from the New Mexico Attorney General.

10. Closed Meetings: Shall be held in the following manner:

- 1) If the Commission is in an open meeting when a closed meeting is desired and authorized by the Open Meetings Act, then the closed meeting shall be approved on motion by a majority of a quorum of the City Commission, and the authority for closure shall be stated in the motion.
- 2) If the Commission is not in a public meeting and a closed meeting is desired and authorized, public notice, appropriate under the circumstances, shall be given stating the authority for the closure.
- 3) Following completion of any closed meeting, the minutes of the open meeting as closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

11. Minutes: Once transcribed, all minutes produced, as a result of open meetings will be open for public inspection. Recordings are recycled or destroyed 30 days after the minutes are approved with the exception of *Public Hearings*.

12. All meetings shall be conducted in accordance with accepted parliamentary procedures.

13. All Aztec Advisory Boards and Committees will follow the requirements as stated above.

14. Agendas for all Aztec Advisory Board and Committee meetings shall be prepared by City Staff in conjunction with the Chair of the particular Board or Committee.

15. Aztec Advisory Board and Committee meetings are scheduled as follows:

Airport Advisory Board

- Meets the Third Monday of the first month of each quarter (January, April, July and October) at 4:30 pm.
- Meeting held in the Commission Room at City Hall.

Economic Development Advisory Board

- Meets the third Thursday of each Month at 8:00 a.m.
- Meeting held in the Commission Room at City Hall.

Library Advisory Board

- Meets the second Wednesday of January, March, May, July, September, and November at 5:30 p.m.
- Meeting held at the Aztec Public Library.

Lodger's Tax Advisory Board

- Meets the third Monday of January, March, May, July, September, and November at 2:00 p.m.
- Meeting held in the Commission Room at City Hall.

Planning and Zoning Advisory Board

- Meets the third Thursday of each month at 2:00pm
- Meeting held in the Commission Room at City Hall

PASSED, APPROVED AND ADOPTED this 27th day of September 2022.



A handwritten signature in black ink, reading 'Michael A. Padilla Sr.', written over a horizontal line.

Mayor Michael A. Padilla Sr.

ATTEST:

A handwritten signature in black ink, reading 'Karla Sayler', written over a horizontal line.

Karla Sayler, City Clerk CMC