

RESOLUTION 09-10

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any council, commission, or other policy-making body of any state or local public agency held for the purpose of formulating public policy, discussing public business, or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

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

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the City Council of the City of Roswell to determine annually what constitutes reasonable notice of its public meetings;

NOW THEREFORE, BE IT RESOLVED by the GOVERNING BODY OF THE CITY OF ROSWELL that:

1. All meetings shall be held at City Hall, 425 North Richardson Avenue, Roswell, New Mexico, or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the second Thursday at 7:00 p.m. The agenda will be available at least forty eight hours (48) prior to the meeting from the City Clerk, whose office is located at City Hall in Roswell, New Mexico. In addition, for the convenience of its citizens, it is the goal of the City to enhance this process by also posting the agenda on its website located at www.roswellmysteries.com. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by the Mayor/Chairman or a majority of the members upon two (2) days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least twenty-four (24) hours before any special meeting.
4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety, and property of citizens or to protect the public body from substantial financial loss. The Council and each committee will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor/Chairman or a majority of the members upon twenty-four (24) hours' notice. Unless threat of personal injury or property damage require less notice. 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.
5. For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place, and agenda is placed in newspapers of general circulation and posted on the City Hall Bulletin Board, 425 North Richardson Avenue, Roswell, New Mexico. The City Clerk shall also mail or fax copies of the written notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings. In addition, for the convenience of its citizens, it is the goal of the City to enhance this process by also posting the agenda on its website located at www.roswellmysteries.com.
6. For the purposes of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, place and agenda on the City Hall Bulletin Board, 425 North Richardson, Roswell, New Mexico. The City Clerk shall also provide fax notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. In addition, for the convenience of its citizens, it is the goal of the City to enhance this process by also posting the agenda on its website located at

7. For the purposes of telephonic conference or voting and the approval of the presiding officer, a member of the City Council may participate by telephone or other similar communications equipment when it is difficult or impossible for the Councilor to attend the meeting in person, provided that the Councilor can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Council.

8. In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.


9. The Council or Committee may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Council or Committee taken during the open meeting. The authority for closure and the subjects to be discussed shall be stated in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

(b) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(c) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Council or Committee in an open public meeting.

Passed and Adopted this 14th day of May, 2009.



SAM LAGRONE, MAYOR

SEAL

ATTEST:



DAVE KUNKO, CITY CLERK