

RESOLUTION 2015-38

**CITY OF TUCUMCARI
A RESOLUTION REGARDING
THE OPEN MEETINGS ACT**

WHEREAS, Section 10-15-(B) of the Open Meetings Act (NMSA 1978, Section 10-15-1 to 4) states that, except as may be otherwise provided in the Constitution or provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking 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 Opening Meetings Act requires the City of Tucumcari to determine annually what constitutes reasonable notice of its public meetings;

NOW THEREFORE, BE IT RESOLVED by the City of Tucumcari that:

1. All meetings shall be held at Commission Chambers, located at 215 E. Center St., Tucumcari, NM at 6:00 p.m. or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held on the 2nd and 4th Thursday of each month as follows:

January 14, 2016	July 14, 2016
January 28, 2016	July 28, 2016
February 11, 2016	August 11, 2016
February 25, 2016	August 25, 2016
March 10, 2016	September 8, 2016
March 24, 2016	September 22, 2016
April 14, 2016	October 13, 2016
April 28, 2016	October 27, 2016
May 12, 2016	November 10, 2016
May 26, 2016	November 24, 2016 (**)
June 9, 2016	December 8, 2016
June 23, 2016	December 22, 2016(**)

(**) Subject to change with prior approval of the city commission

The agenda will be available at least seventy-two hours prior to the meeting from the City Clerk, whose office is located at 215 East Center Street, Tucumcari, New Mexico. Notice of any other regular meetings will be given seventy-two hours 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 or a majority of the members upon seventy-two-hour 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 seventy-two hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The governing body will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor or a majority of the members upon twenty-four hour notice, unless threat of personal injury or property damage requires 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 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 in the state and posted in the following locations: City Hall, Tucumcari Public Library, Quay County Courthouse, Community Development Office, Housing Authority and Senior Citizens Center. Copies of the written notice shall also be mailed or faxed 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.

6. For purposes of special meetings and emergency meetings described in paragraphs 3 and 4 of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted in the office of City Hall, Tucumcari Public Library, Quay County Courthouse, Community Development Office, Housing Authority and Senior Citizens Center. Telephone notice also shall be given 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.

7. The governing body may close a meeting to the public only if the subject matter of such discussion or action is excepted from open meeting requirements 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 governing body taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
- b. If a closed meeting is conducted when the governing body is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.

- c. Following the 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.
 - d. 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 governing body in an open public meeting.
8. When it is difficult or impossible for a board member, council, commission, administrative adjudicatory body or other policymaking body to attend a meeting in person, the member may participate by means of a conference telephone or similar communications equipment as authorized by Section 10-15-1 (C) and as provided by the Board's rules and regulations.

PASSED, ADOPTED, AND APPROVED on this 10th day of December, 2015.

Robert C. Lumpkin, Mayor

Attest:

Angelica M. Gray, City Clerk