



Agenda Item No. 8a

Meeting Date: February 4, 2026
Staff Contact: Mark S. Sanchez, Executive Director

TITLE: **R-26-4 – Determining Reasonable Notice of Public Meetings of the Albuquerque Bernalillo County Water Utility Authority**

ACTION: **Recommend Approval**

SUMMARY:

This Resolution fulfills the requirements of Section 10-15-1 (D) of the Open Meetings Act, which states that an affected public body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body.

Notice for regular meetings shall continue to be five days in advance of Albuquerque Bernalillo County Water Utility Authority (Water Authority) meetings, 72 hours for special meetings, and emergency meetings shall provide 24-hour notice.

The Water Authority notice requirements comply with state law.

FISCAL IMPACT:

None

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-26-4

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RESOLUTION

2 DETERMINING REASONABLE NOTICE OF PUBLIC MEETINGS OF THE
3 ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

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

12 WHEREAS, any meetings subject to the Open Meetings Act at which the
13 discussion or adoption of any proposed ordinance, resolution, rule, regulation or
14 formal actions occur shall be held only after reasonable notice to the public; and

15 WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the
16 Albuquerque Bernalillo County Water Utility Authority (Water Authority) to determine
17 at least annually what constitutes reasonable notice of its public meetings.

18 BE IT RESOLVED BY THE WATER AUTHORITY:

19 Section 1. Meetings of the Water Authority shall normally be held at the
20 Vincent E. Griego Chambers, lower level of the Albuquerque Government Center at
21 One Civic Plaza, near the intersection of Fifth Street and Marquette Avenue, NW,
22 Albuquerque, New Mexico.

23 Section 2. Meetings will be held each month on the dates specified by Water
24 Authority resolution. Generally, Water Authority meetings are regularly held at 5 p.m.
25 on the third Wednesday of each month. Reasonable notice for regular meetings
26 shall be five (5) days prior to the meeting and the agenda shall be available 72 hours
27 prior to the meeting where practicable or as required by law but shall be available at

1 least twenty-four (24) hours prior to the meeting at the office of the Albuquerque
2 Bernalillo County Water Utility Authority located on the fifth floor, Room 5012,
3 Albuquerque Government Center.

4 Section 3. Special meetings may be called by the Chair of the Water Authority
5 upon seventy-two (72) hours' notice. The notice shall include information on how
6 members of the public may obtain a copy of the agenda. The agenda shall be
7 available to the public at least twenty-four (24) hours before any special meeting.

8 Section 4. Emergency meetings will be called only under circumstances when
9 an unexpected occurrence or condition, or the state resulting therefrom requires
10 immediate consideration or action to protect the health, safety, and property of
11 citizens or to protect the public body from substantial financial loss. The Water
12 Authority will avoid emergency meetings whenever possible. Emergency meetings
13 may be called by the Chair of the Water Authority upon twenty-four (24) hours'
14 notice, unless the threat of personal injury or property damage requires less notice.
15 The notice for all emergency meetings shall include an agenda for the meeting or
16 information on how the public may obtain a copy of the agenda.

17 Section 5. For the purpose of meetings described in Section 2 of this
18 Resolution, notice requirements are met if notice of the date, time and place of the
19 meeting is placed in one or more newspapers of general circulation in Albuquerque,
20 published on the Water Authority website at www.abcwua.org at least five (5) days
21 prior to the meeting and/or posted in the lobby of the Albuquerque Government
22 Center.

23 Section 6. For the purpose of special meetings and emergency meetings
24 described in Sections 3 and 4 of this Resolution, notice requirements shall be met by
25 posting notice of the meeting date, time, place, and agenda in the lobby of the
26 Albuquerque Government Center. The Executive Director of the Water Authority
27 shall also provide telephone notices to those broadcast stations licensed by the
28 Federal Communications Commission and newspapers of general circulation in
29 Albuquerque that have made a written request for notice of public meetings.

30 Section 7. In addition to the information specified above, all notices shall
31 include the following language:

32 "NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require
33 special assistance to participate in this meeting, please contact the Water Authority

1 Office, Suite 5012, Albuquerque Government Center, phone 289-3100 or by the TTY
2 1-800-659-8331, as soon as possible prior to the meeting date. Public documents,
3 including the agendas and minutes, can be provided in various accessible formats.
4 Please contact the Executive Director of the Water Authority at the Water Authority
5 office if a summary or other type of accessible format is needed."

6 Section 8. Cancellations and different meeting times and places may be
7 announced at prior meetings of the Water Authority.

8 Section 9. Minutes or a transcription shall be made of all open meetings with
9 at least the following minimal information:

- 10 A. Date, time, and place of meeting;
- 11 B. Names of members present;
- 12 C. A general statement of each discussion topic and of how each
13 member voted on any motion before the Water Authority. A draft copy of the
14 minutes shall be available within three (3) working days prior to the next meeting.
15 Minutes become official when approved by the Water Authority at a subsequent
16 meeting.

17 Section 10. Closed meetings shall not be held except as provided in Open
18 Meetings Act.

19 Section 11. All or any part of this Resolution may be amended or modified by
20 the Board from time to time.

21 Section 12. All ordinances, resolutions, rules, or parts thereof, inconsistent
22 herewith, are hereby repealed to the extent only of such inconsistency. These
23 repeals shall not be construed to revive any ordinance, resolution, rule, or part
24 thereof heretofore repealed.

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