
Meeting Date: December 13, 2023
Staff Contact: Mark S. Sanchez, Executive Director

TITLE: R-23-47 – Determining Reasonable Notice of Public Meeting 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.

Requirements for notice of public meetings have been modified due to building renovations of the Albuquerque Bernalillo County Government Center. There will no longer be an available space to post notice of meetings in the Government Center lobby. Meeting notice requirements will be compliant by posting notice and the agenda on the Water Authority website and in the Water Authority Reception of the Albuquerque/Bernalillo County Government Center.

The Water Authority notice requirements comply with state law.

FISCAL IMPACT:

None

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1 www.abcwua.org and posted in the Water Authority reception lobby located on the
2 fifth floor, Room 5012, Albuquerque/Bernalillo County Government Center.

3 Section 3. Special meetings may be called by the Chair of the Water Authority
4 upon seventy-two (72) hours' notice. The notice shall include information on how
5 members of the public may obtain a copy of the agenda. The agenda shall be
6 available to the public on the Water Authority website at www.abcwua.org at least
7 seventy-two (72) 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 notice
14 unless the threat of personal injury or property damage requires less notice. The
15 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 Wa. Authority website at www.abcwua.org at least five (5) days
21 prior to the meeting and posted in the Water Authority reception lobby located on the
22 fifth floor, Room 5012, of the Albuquerque/Bernalillo County Government Center.

23 Section 6. For the. f special meetings and emergency meetings described in
24 Sections 3 and 4 of this resolution, notice requirements shall be met by publishing
25 notice of the meeting date, time, place and agenda on the Water Authority website at
26 www.abcwua.org prior to the meeting and posting notice and the agenda in the
27 Water Authority reception lobby located on the fifth floor, Room 5012, of the
28 Albuquerque/Bernalillo County Government Center. The Executive Director of the
29 Water Authority shall also provide telephone notice to those broadcast stations
30 licensed by the Federal Communications Commission and newspapers of general
31 circulation in Albuquerque that have made a written request for notice of public
32 meetings.

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

3 “NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require
4 special assistance to participate in this meeting, please contact the Water Authority
5 Office, Suite 5012, Albuquerque/Bernalillo County Government Center, phone 289-
6 3100 or by the TTY 1-800-659-8331, as soon as possible prior to the meeting date.
7 Public documents, including the agendas and minutes, can be provided in various
8 accessible formats. Please contact the Executive Director of the Water Authority at
9 the Water Authority Office if a summary or other type of accessible format is
10 needed.”

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

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

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

21 Section 10. Closed meetings shall not be held except as provided in the Open
22 Meetings Act.

23 Section 11. All or any part of this resolution may be amended or modified by the
24 Board from time to time.

25 Section 12. All ordinances, resolutions, rules or parts thereof, inconsistent
26 herewith, are hereby repealed to the extent only of such inconsistency. This repealer
27 shall not be construed to revive any ordinance, resolution, rule or part thereof
28 heretofore repealed.

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