



Albuquerque Bernalillo County Water Authority

Albuquerque
Government Center
One Civic Plaza
Albuquerque, NM 87102

Legislation Details (With Text)

File #: R-20-2 **Version:** 1 **Name:**
Type: Resolution **Status:** Adopted
File created: 1/23/2020 **In control:** Albuquerque Bernalillo County Water Utility Authority
On agenda: 2/26/2020 **Final action:** 2/26/2020
Title: Determining Reasonable Notice of Public Meeting of the Albuquerque Bernalillo County Water Utility Authority
Sponsors: Albuquerque Bernalillo County Water Utility Author
Indexes:
Code sections:
Attachments: 1. R-20-2

Date	Ver.	Action By	Action	Result
2/26/2020	1	Albuquerque Bernalillo County Water Utility Authority	Passed	Pass

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-20-2

RESOLUTION

Determining Reasonable Notice of Public Meeting of the Albuquerque Bernalillo County Water Utility Authority

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 4) states that, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act, all meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policy making body of any state or local 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 ordinance, 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 Albuquerque Bernalillo County Water Utility Authority (Water Authority) to determine at least annually what constitutes reasonable notice of its public meetings.

BE IT RESOLVED BY THE WATER AUTHORITY:

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

Section 2. Meetings will be held each month on the dates specified by Water Authority resolution. Generally, Water Authority meetings are regularly held at 5 p.m. on the third Wednesday of each month. Reasonable notice for regular meetings shall be five (5) days prior to the meeting and the agenda shall be available 72 hours prior to the meeting where practicable or as required by law, but shall be available at least twenty-four (24) hours prior to the meeting at the office of the Albuquerque Bernalillo County Water Utility Authority located on the fifth floor, Room 5012, Albuquerque/Bernalillo County Government Center.

Section 3. Special meetings may be called by the Chair of the Water Authority upon seventy-two (72) hours' notice. The notice shall include 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.

Section 4. Emergency meetings will be called only under circumstances when an unexpected occurrence or condition, or the state resulting therefrom requires immediate consideration or action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Water Authority will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair of the Water Authority upon twenty-four (24) hours notice, unless the 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.

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

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

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

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

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

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

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

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

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

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