

CITY of ALBUQUERQUE

TWENTIETH COUNCIL

COUNCIL BILL NO. F/S O-12-20 ENACTMENT NO. _____

SPONSORED BY: DAN LEWIS

1 ORDINANCE
2 AMENDING ~~SECTION 2-1-2 AND~~ SECTION 2-1-4 ROA 1994, AMENDING
3 NOTICE OF PUBLIC MEETINGS TO REQUIRE ~~THAT~~ AGENDAS BE
4 AVAILABLE TO THE PUBLIC ~~AND POSTED ON THE COUNCIL'S WEBSITE~~ AT
5 LEAST SEVENTY-TWO HOURS PRIOR TO A PUBLIC MEETING; ~~AND~~
6 ~~REQUIRING THE COUNCIL TO REPORT TO THE ATTORNEY GENERAL~~
7 ~~REGARDING CERTAIN EMERGENCY ACTIONS TAKEN~~.

8 BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
9 ALBUQUERQUE:

10 SECTION 1. Section 2-1-2 ROA 1994, SPECIAL MEETINGS, is amended to
11 read:

12 "Special meetings of the Council may be called by the President or by three
13 Councilors; provided that a written notice of such meeting shall be given to
14 each member of the Council at least ~~48~~72 hours before the time set for the
15 meeting~~s~~, except as otherwise provided by this ordinance."

16 SECTION 2. Section 2-1-4 ROA 1994, NOTICE OF PUBLIC MEETINGS, is
17 amended to read:

18 "(A) (1) The Council shall adopt in its Rules of Procedure provisions to
19 give notice of public meetings of the Council and its committees, which rules
20 shall be in compliance with Section 10-15-1 NMSA 1978, a portion of the Open
21 Meetings Act.

22 (2) Meeting notices shall include an agenda containing a list of
23 specific items of business to be discussed or transacted at the meeting or
24 information on how the public may obtain a copy of such agenda. Except in
25 the case of ~~an~~ emergency, ~~at least 72 hours prior to the meeting,~~ the
26 agenda shall be available to the public ~~and posted on the Council's website~~

[Bracketed/Underscored Material] - New
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1 ~~[at least 24 hours prior to the meeting]~~. Except for emergency matters, the
2 Council shall take action only on items appearing on the agenda. For
3 purposes of this division (2), ~~[an]~~ EMERGENCY refers to unforeseen
4 circumstances that, if not addressed immediately by the public body, will
5 likely result in injury or damage to persons or property or substantial financial
6 loss to the public body. [Within 10 days of taking action on an emergency
7 matter, the Council shall report to the Attorney General’s Office the action
8 taken and the circumstances creating the emergency; provided that the
9 requirement to report to the Attorney General is waived upon the declaration
10 of a state or national emergency.] (Section 10-15-1(F) NMSA 1978)

11 (B) The Council may recess and reconvene a meeting to a day
12 subsequent to that stated in the meeting notice if, prior to recessing, the
13 Council specifies the date, time and place for continuation of the meeting, and,
14 immediately following the recessed meeting, posts notice of the date, time and
15 place for the reconvened meeting on or near the door of the place where the
16 original meeting was held and in at least one other location appropriate to
17 provide public notice of the continuation of the meeting. Only matters
18 appearing on the agenda of the original meeting may be discussed at the
19 reconvened meeting. (Section 10-15-1(E) NMSA 1978)”

20 SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
21 clause, word or phrase of this ordinance is for any reason held to be invalid or
22 unenforceable by any court of competent jurisdiction, such decision shall not
23 affect the validity of the remaining provisions of this ordinance. The Council
24 hereby declares that it would have passed this ordinance and each section,
25 paragraph, sentence clause, word or phrase thereof irrespective of any
26 provision being declared unconstitutional or otherwise invalid.

27 SECTION 4. COMPILATION. This ordinance shall be incorporated in and
28 made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

29 SECTION 5. EFFECTIVE DATE. This ordinance shall take effect five days
30 after publication by title and general summary.

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