

**CITY of ALBUQUERQUE
TWENTIETH COUNCIL**

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

ENACTMENT NO. 0-2013-006

SPONSORED BY: Dan Lewis

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ORDINANCE

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

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

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

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

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

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

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

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

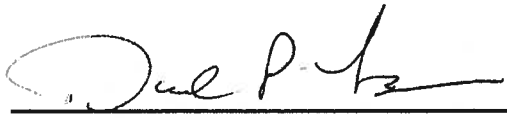
29 SECTION 5. EFFECTIVE DATE. This ordinance shall take effect five days
30 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 15th DAY OF April, 2013
2 BY A VOTE OF: 7 FOR 0 AGAINST.

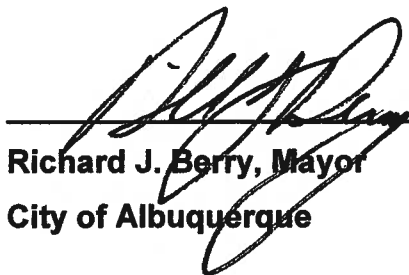
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4 **Excused: Sanchez, Winter**

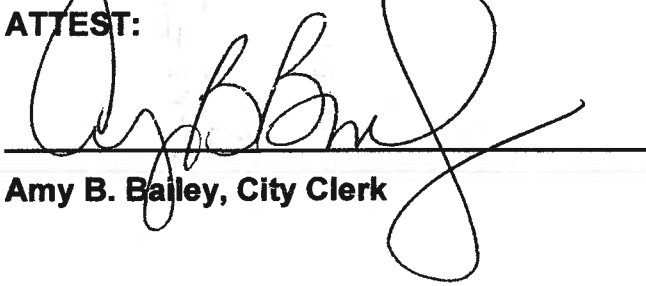
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8 **Daniel P. Lewis, President**
9 **City Council**

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12 APPROVED THIS 29th DAY OF April, 2013

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15 **Bill No. F/S O-12-20**

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19 **Richard J. Berry, Mayor**
20 **City of Albuquerque**

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23 **ATTEST:**
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26 **Amy B. Bailey, City Clerk**

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