

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-22-66 ENACTMENT NO. _____

SPONSORED BY: Klarissa Peña

1 **ORDINANCE**

2 **AMENDING THE PUBLIC BOARDS, COMMISSIONS AND COMMITTEES**
3 **ORDINANCE, CHAPTER 2, ARTICLE 6 OF THE REVISED ORDINANCES OF**
4 **ALBUQUERQUE TO PROVIDE FOR REMOTE AND HYBRID MEETINGS.**

5 **WHEREAS, in 2020 during the public health crisis, public boards,**
6 **commissions and committees began holding meetings remotely; and**

7 **WHEREAS, remote meetings have provided the public increased access to**
8 **participate in public meetings; and**

9 **WHEREAS, remote meetings have increased the ease of participation for**
10 **members of public boards, commissions and committees; and**

11 **WHEREAS, City Council passed Resolution R-22-30 (Enactment Number R-**
12 **2022-043) staying the enforcement of §§ 2-6-1-4 (B)(1) & (5) of the City of**
13 **Albuquerque Code of Ordinances, which provides in relevant part, meetings of**
14 **any public board, commission or committee...insofar as possible, shall be**
15 **held at a city-owned facility”; requiring that a “...quorum of the public board,**
16 **commission or committee is physically present at the meeting”; and calling**
17 **for a study to be conducted of Board and Commission members regarding**
18 **their sentiments towards remote and hybrid meeting options; and**

19 **WHEREAS, that study found the majority of Board and Commission**
20 **members would like the City to continue to offer remote and hybrid meeting**
21 **options.**

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

24 **SECTION 1. Chapter 2, Article 6 of the Revised Ordinances of**
25 **Albuquerque, New Mexico, 1994 is hereby amended as follows:**

26 **“ARTICLE 6: PUBLIC BOARDS, COMMISSIONS AND COMMITTEES**

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1 PART 1: GENERAL PROVISIONS

2 § 2-6-1-4 ORGANIZATION.

3 (B) Meetings.

4 (1) All meetings of any public board, commission or committee shall be
5 open to the public ~~[and, insofar as possible, shall be held at a city-owned~~
6 ~~facility]~~.

7 [(a) When a meeting of any public board, commission or committee is
8 held in person, the meeting shall be held in a city owned facility.

9 (b) A meeting of a public board, commission or committee may be held
10 remotely or hybrid-in person with a remote option. Any meeting held
11 remotely or hybrid with a remote option is subject to the requirements
12 of the Open Meetings Act. Any hybrid in-person meeting with remote
13 option shall also be subject to subparagraph (a) of this provision of
14 code.]

15 (2) Reasonable notice shall be given to the public prior to any meeting of
16 any public board, commission or committee. At least once a year, each public
17 board, commission or committee shall determine what is reasonable notice to
18 the public; provided that in no event shall notice be less than the notice
19 required for Council meetings. Each public board, commission and committee
20 shall post on the City Clerk's web site: its annual schedule of meetings upon
21 adoption of its annual schedule of meetings; all changes in the annual
22 schedule of meetings; notice of special meetings; and notice of emergency
23 meetings, giving the time, date and location of each meeting with a phone
24 number of a contact person for those disabled people needing assistance to
25 attend and observe the meeting.

26 (3) Minutes shall be kept of each meeting and filed electronically with the
27 City Clerk by each public board, committee, and commission upon the
28 approval of such minutes by the public board, committee, or commission. The
29 City Clerk shall post all minutes received on the City Clerk's web site.

30 (4) Each public board, commission or committee shall meet at least
31 quarterly provided that hearings by a public body in connection with an
32 administrative adjudicatory proceeding need only occur as such cases are
33 brought before such board, commission or committee.

1 (5) A majority of all the members of a public board, commission or
2 committee shall constitute a quorum for the transaction of business. A motion
3 shall carry upon the affirmative vote of the majority of the members present at
4 any meeting. A member of a public board, commission or committee may
5 participate in a meeting of the public board, commission or committee by
6 means of a conference telephone or other similar communications equipment
7 when it is otherwise difficult or impossible for the member to attend the
8 meeting in person, provided that each member participating by conference
9 telephone can be identified when speaking, all participants are able to hear
10 each other at the same time, members of the public attending the meeting are
11 able to hear any member of the public body who speaks during the meeting
12 and a quorum of the public board, commission or committee is physically [or
13 remotely] present at the meeting.”

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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM

December 6, 2022

TO: Isaac Benton, President, City Council

FROM: Timothy M. Keller, Mayor 

SUBJECT: ORDINANCE AMENDING THE PUBLIC BOARDS, COMMISSIONS AND COMMITTEES ORDINANCE, CHAPTER 2, ARTICLE 6 OF THE REVISED ORDINANCES OF ALBUQUERQUE TO PROVIDE FOR REMOTE AND HYBRID MEETINGS

The attached Ordinance amendment proposes to change the requirement that public boards, commissions, and committees conduct meetings in-person. These changes will allow for a quorum to be present in-person and/or remotely and for meetings to be conducted remotely or hybrid with a remote option.

In 2020, an emergency declaration allowed public boards, commissions, and committees to meet remotely during the public health crisis. City Council passed Resolution R-22-20 on June 6, 2022, staying the enforcement of Section 2-6-1-4 (B)(1) & (5) requiring an in-person quorum, and calling for a Boards & Commissions working group to study the effects of remote meetings and make recommendations regarding the ongoing use of remote meetings. The study concluded with a recommendation that the Public Boards, Commissions and Committees Ordinance be amended to allow for virtual meeting options.

Approved:

SIR

Lawrence Rael Date
Chief Administrative Officer

Approved as to Legal Form:

Docusigned by:

Lauren Keefe
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City Attorney _____ Date _____

Recommended:

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Eric Griep 12/12/2022 | 5:41 PM MST
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Director _____ Date _____

Cover Analysis

1. What is it?

This is an amendment to the Public Boards, Commissions and Committees Ordinance to allow for remote and hybrid meetings.

2. What will this piece of legislation do?

If approved, this will allow public boards and commissions to continue to hold remote and hybrid meetings, as was permitted during the COVID-19 public health emergency.

3. Why is this project needed?

This amendment is needed to allow for public boards and commissions to continue to conduct remote and hybrid meetings, providing the public with continued increased access to participate in public meetings.

4. How much will it cost and what is the funding source?

No costs are associated with this amendment.

5. Is there a revenue source associated with this contract? If so, what level of income is projected?

N/A

6. What will happen if the project is not approved?

Public boards and commissions will not be permitted to conduct meetings remotely or using a hybrid format and will have to return to conducting meetings fully in-person.

7. Is this service already provided by another entity?

N/A