

CITY of ALBUQUERQUE

TWENTY FIFTH COUNCIL

COUNCIL BILL NO. O-22-66 ENACTMENT NO. 0-2023-008

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**
14 **of 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.

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

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

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

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

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

14 SECTION 2. SEVERABILITY CLAUSE. If any section paragraph, sentence,
15 clause, word, or phrase of this Ordinance is for any reason held to be invalid
16 or unenforceable by any court of competent jurisdiction, such decision shall
17 not affect the validity of the remaining provisions of this Ordinance. The
18 Council hereby declares that it would have passed this Ordinance and each
19 section, paragraph, sentence, clause, word, or phrase thereof irrespective of
20 any provisions being declared unconstitutional or otherwise invalid.

21 SECTION 3. COMPILATION. “SECTION 1” of this Ordinance amends, is
22 incorporated in, and made part of the Revised Ordinances of Albuquerque,
23 New Mexico, 1994.

24 SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect five (5)
25 days after publication by title and general summary.
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1 PASSED AND ADOPTED THIS 22nd DAY OF February, 2023
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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10 Pat Davis, President
11 City Council

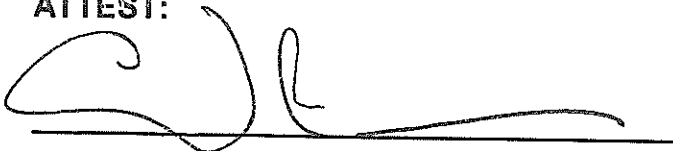
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13 APPROVED THIS 9 DAY OF March, 2023

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16 Bill No. O-22-66

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21 Timothy M. Keller, Mayor
22 City of Albuquerque
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26 ATTEST:

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29 Ethan Watson, City Clerk
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