



Legislation Text

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CITY of ALBUQUERQUE
TWENTY FIFTH COUNCIL

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

SPONSORED BY: Klarissa Peña

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 (Peña)
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.

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

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

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

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

WHEREAS, that study found the majority of Board and Commission members would like the

City to continue to offer remote and hybrid meeting options.

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

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

“ARTICLE 6: PUBLIC BOARDS, COMMISSIONS AND COMMITTEES

PART 1: GENERAL PROVISIONS

§ 2-6-1-4 ORGANIZATION.

(B) Meetings.

(1) All meetings of any public board, commission or committee shall be open to the public.

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

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

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

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

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

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

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

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

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect five (5) days after publication by title and general summary.

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