



## **RESOLUTION NO. 2018-01**

### **PUBLIC MEETING POLICY**

#### **A RESOLUTION CONCERNING GOVERNING BODY MEETINGS AND PUBLIC NOTICE REQUIRED**

**WHEREAS**, Section 10-15-1B, NMSA 1978 provides that "All meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policy making body of any state agency, any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policy making body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act"; and,

**WHEREAS**, Section 10-15-3A, NMSA 1978 provides that "No resolution, rule, regulation, ordinance or action of any board, commission, committee or other policy making body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA 1978"; and,

**WHEREAS**, Section 10-15-4, NMSA 1978 provides that "Any person violating any of the provisions of Section 10-15-1 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred (\$500) for each offense"; and,

**WHEREAS**, Section 10-15-1D requires that "Any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice for a public meeting shall be reasonable when applied to that body."

**NOW, THEREFORE BE IT RESOLVED** by the governing body of the City of Raton, New Mexico, that:

Section 1. Notice shall be given at least 72 hours in advance of any regular meeting of a quorum of the members of the governing body or any board, commission, committee, agency, authority or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body. 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 an agenda.

Section 2. The regularly scheduled meetings of the City Commission will be held at 6:00 p.m. on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month in the City Commission Meeting Room in the municipal building located at 224 Savage Avenue in Raton, NM. For the month of December only one meeting will be held.

In the event that the regular meeting date falls on a legal holiday, the governing body shall designate an alternate meeting date and/or time at the regular meeting prior to the holiday and shall cause advance notice of the changed meeting date and/or time to be published as provided in this Resolution. In the event that a regular meeting of the governing body is cancelled, postponed or changed to a different location, advance notice of the meeting location shall be given as provided in this Resolution.

Section 3. Notice shall be given at least 72 hours in advance of any special meeting, or of a closed meeting not called when the policy-making body is in an open meeting, of a quorum of the members of the governing body of any board, commission, agency, authority or other policy-making body held for the purpose of discussion of public business or taking any action within the authority of such body.

Section 4. The notice requirements of Section 1, 2 and 3 of this Resolution are complied with if notice of the date, time and place of any regular or special meeting are:

A. made available for inspection by the public during the normal and regular business hours of the office of the Municipal Clerk prior to the respective time limits designated for regular and special meeting in Sections 1, 2 and 3 of this Resolution; or

B. disseminated to at least one (1) newspaper of general circulation with offices in Colfax County, and KRTN Radio Station prior to respective time limits designated for regular and special meeting in Sections 1, 2 and 3 of this Resolution; or Notice of commission meetings will be posted in six public places ( City Hall, Arthur Johnson Memorial Library, Colfax County Courthouse, International Bank, Senior Center, and Post Office. Also posted on the City of Raton website- Ratonnm.gov)

Section 5. In addition to the information specified above, all notices shall include the following language: If you are an individual who requires special accommodations, please notify City Clerk at 445-9451 of such needs at least one week prior to the meeting(s) you plan to attend or as soon as possible.

Section 6. Notwithstanding any other provisions of sections 1 through 5 of this Resolution, the governing authority may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

Section 7. If any meeting is closed pursuant to exclusions contained in Section 10-15-1, Subsection H, NMSA 1978, such closed meeting called by a policy-making body shall not be held until public notice, appropriate under the circumstances, and in compliance with Sections 1 through 4 of this Resolution, has been given. In addition, such notice shall state the exclusion or exclusions in Section 10-15-1, Subsection H, NMSA 1978 of the Open Meetings Act, under which such closed meeting is permitted.

Section 8. Notwithstanding any other provision of sections 1 through 6 of this Resolution, the governing authority of the City of Raton may call, with whatever notice is possible under the circumstances, a meeting of the governing body, any board, commission, committee or other policy-making body of the municipality to consider or act on any emergency matter which appears to be a clear and immediate danger to the health, welfare or safety of the inhabitants of the City of Raton.

Section 9. Members of the Raton City Commission may participate in a meeting of the Commission by means of a conference telephone or similar communications equipment when it is otherwise difficult or impossible for the member to attend 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, and members of the public attending the meeting are able to hear any member of the Commission who speaks during the meeting.

Section 10. If any section, paragraph, clause or provision of the Resolution shall be for any reason held to be invalid, such invalidism shall not affect any of the remaining provisions to this Resolution, and the City Commission hereby declares that the provisions adopted hereunder are severable.

Section 11. All bylaws, orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall be construed to revive any bylaw, order or resolution of part thereof, heretofore, repealed.

Section 12. This Resolution shall become effective upon passage and approval.

**PASSED, ADOPTED, SIGNED AND APPROVED THIS 9<sup>th</sup> day of January, 2018.**

**City of Raton**

---

**Sandra Mantz, Mayor**

**ATTEST:**

---

**Michael Anne Antonucci, Interim City Clerk**