



## **Resolution No. 09-01**

### **OPEN MEETINGS ACT**

**WHEREAS**, the Town of Taos Town Council, met at the State of the Town Meeting on this 27<sup>th</sup> day of January, 2009, at 5:30 p.m.; and

**WHEREAS**, Section 10-15-1(B) of the New Mexico Open Meetings Act NMSA 1978 §10-15-1 et seq. (2006) ) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission or other policymaking body of any state or local public agency, held for the purpose of formulating public policy, public business or taking any action within the authority of, or the delegated authority of, such body, are declared to be public meetings open to the public at all times, and

**WHEREAS**, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation, ordinance or formal action occurs shall be held only after reasonable notice to the public; and

**WHEREAS**, NMSA 1978 §10-15-1(D) (2006), of the Open Meetings Act requires the Town of Taos Town Council to determine annually what constitutes reasonable notice of its public meetings.

#### **NOW, THEREFORE, BE IT RESOLVED that:**

1. The Regular Meetings of the Town Council are scheduled as follows:

On the second Tuesday of each month at 1:30 p.m. at the Town Council Chambers, Coronado Hall, 120 Civic Plaza, Taos, New Mexico.

2. In addition to the Regular Meetings of the Town Council, there may be Special Meetings scheduled at which the Council will address time sensitive items that come before the Town between Regular Meetings. Special Meetings may be held as follows:

On the fourth Tuesday of each month at 1:30 p.m. at the Town Council Chambers, Coronado Hall, 120 Civic Plaza Drive, Taos, New Mexico as needed.

3. In addition to the Regular Meetings and Special Meetings of the Town Council, there are scheduled Quarterly Briefing Meetings and Quarterly Citizens' Forums where no Council action will be taken, and which are held principally as informational and study sessions. These meetings are scheduled as follows:

Quarterly Briefing Meetings – Members of the Town of Taos Management Team shall present department reports and briefings to the Council at 9:30 a.m. at Town Council Chambers, Coronado Hall, 120 Civic Plaza Drive, Taos, New Mexico on the following dates:

Tuesday, January 6, 2009  
Tuesday, April 14, 2009  
Tuesday, July 14, 2009  
Tuesday, October 13, 2009

Quarterly Citizens' Forums - These meetings are for the express purpose of enabling working Taoseños to connect with their Mayor and/or Council. These meetings also provide a regular venue, not limited by an agenda, where constituents can present different ideas, air grievances, and otherwise interact with their Mayor and/or Council and contribute to the operations of their Town. Quarterly Citizens' Forums are held at 6:30 p.m. at Town Council Chambers, Coronado Hall, 120 Civic Plaza Drive, Taos, New Mexico on the following dates:

Tuesday, March 31, 2009  
Tuesday, June 30, 2009  
Tuesday, September 29, 2009  
Tuesday, December 29, 2009

4. Special meetings of the Town Council may be called by the Mayor or by request of a majority of the Council upon three (3) days notice to the members of the Council. Special meetings shall be held at the date, time and place set-forth in the notice of the special meeting.
5. Emergency meetings of the Town Council will be called by the Mayor or by request of majority of the Council under circumstances which require immediate action to protect the health, safety and /or property of the Town or its citizens. Emergency meetings may be called upon twenty-four (24) hours notice to the members of the Council, unless threat of personal injury or property damage requires less notice. Said meetings shall be held at the date, time and place set-forth in the call of said emergency meeting.
6. Meetings of boards, committees, commissions, agencies or other policy-making advisory bodies of the Town of Taos shall establish their own individual meeting schedule and publish notice in accordance with this resolution to the extent required by the Open Meetings Act.

7. Reasonable notice of meetings is hereby declared to exist when:
  - A. Notice of the Annual Schedule of meetings as set forth in this Resolution shall be published in the Taos News, a newspaper of general circulation in the Town and/or County, during the first week of February, 2009. Copies of the 2009 Annual Calendar will be provided to the news media in January, 2009; and
  - B. Notices of Regular and Special meetings shall be provided by delivery, telephone, fax or e-mail to local newspaper, radio or television media (that has made a written request for notice of public meetings), and by posting notice of the meeting at Town Hall 3 days before the scheduled or special/emergency meeting, and
  - C. Notices of Emergency meetings shall be provided by delivery, telephone, fax or e-mail to local newspaper, radio or television media (that has made a written request for notice of public meetings), and by posting notice of the meeting at Town Hall 24 hours prior to the emergency meeting, or with as much time as practical in advance of the emergency meeting; and
  - D. In addition to the local media, notice shall also be provided to any licensed media (newspaper, radio or television) that has made a written request for notice of public meetings; and
  - E. The proposed agenda of a meeting shall be available at Town Hall and on the Town's website ([www.taosgov.com](http://www.taosgov.com)) 3 days prior to the scheduled or special meeting. For Emergency Meetings the proposed agenda shall be available 24 hours prior to the emergency meeting, or with as much time as practical in advance of the emergency meeting.
8. Individuals with a disability who are in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting must contact the Town Clerk at least one week prior to the meeting or as soon as possible. Public documents, including the agendas and minutes, can be provided in various formats (i.e.: paper, electronic, audio, video). Please contact the Town Clerk at (575) 751-2003 if you have questions or require additional information.
9. A meeting may be closed to the public only if the subject matter of such discussion or action is exempted from the open meeting requirements under NMSA 1978 §10-15-1 (2006), a provision of the Open Meetings Act or other applicable law.
  - A. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Council or other body, taken during the open meeting. The authority for the closure and the subject(s) to be discussed shall be stated in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.
  - B. If the decision to hold a closed meeting is made when the Council or other body is not in an open meeting, the closed meeting shall not be held until reasonable public

notice, appropriate under the circumstances and stating the specific provision of law authorizing the closed meeting and the subject(s) to be discussed, is given to the members and the general public.

- C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
- D. Except as provided in NMSA 1978 §10-15-1(H) (2006), any action taken as a result of discussion in a closed meeting shall be made by vote in an open public meeting.

**PASSED, ADOPTED AND APPROVED THIS 27<sup>th</sup> DAY OF JANUARY, 2009.**

Councilmember Rudy C. Abeyta	_____
Councilmember A. Eugene Sanchez	_____
Councilmember Amy J. Quintana	_____
Councilmember Michael A. Silva	_____

**TOWN OF TAOS**

\_\_\_\_\_  
**Darren M. Cordova, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Renee Lucero, Town Clerk**

\_\_\_\_\_  
**Allen Ferguson, Town Attorney**