TOWN OF SILVER CITY
RESOLUTION 2007-01
OPEN MEETINGS

WHEREAS, Section 10-15-1, NMSA 1978, states that, except as may be otherwise provided in the Constitution of New Mexico or the Open Meetings Act, all meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency, any agency or authority of any county, municipality, district or any political subdivision, 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 policymaking body, are declared to be public meetings open to the public at all times; and

WHEREAS, No public meeting once convened that is otherwise required to be open pursuant to the Open Meetings Act shall be closed or dissolved into small groups or committees for the purpose of permitting the closing of the meeting; and

WHEREAS, Any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and any closed meetings, shall be held only after reasonable notice to the public; and

WHEREAS, The affected body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Silver City that:

1. **Location.** All meetings of the Town Council shall be held at the Grant County Administration Center, 1400 Highway 180 East, Silver City, New Mexico, at 7:00 p.m., or as indicated in the meeting notice.

2. **Notice Contents.**
   a. Notice requirements are met if the notice of the date, time, place and agenda or information on how to obtain a copy of such agenda is placed in a newspaper of general circulation in the county or posted in the following locations:

      City Hall, 101 W. Broadway
      City Hall Annex, 1203 N. Hudson
      Public Safety Building, 1011 N. Hudson
      The Public Library, 515 W. College
      Grant County Administration Center, 1400 Highway 180 East
      Grant County Courthouse, 201 N. Cooper

Senior Citizens Center, 205 W. Victoria
Municipal Court, 213 N. Bullard
CATS-TV Bulletin Board
www.townofsilvercity.org

Copies of the written notice shall also be made available to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation, which have made a written request for notice of public meetings.

b. In addition to the information specified above, all posted notices will include the following language:

> If you are an individual with a disability who needs 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, please contact the Town Clerk at 534-6346 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Town Clerk if a summary or other type of accessible format is needed.

3. **Agenda.** Except in the case of an emergency meeting, the agenda of a meeting shall be available to the public at least 24 hours prior to the meeting from the Town Clerk, whose office is located at City Hall, 101 West Broadway, Silver City, New Mexico.

4. **Regular Meetings of the Town Council.** Unless otherwise specified, regular Town Council meetings shall be held as per Section 30.02 of the Code of Ordinances of the Town of Silver City. The regular meetings for the year 2007 are as follows:

January 9, 23	July 10, 24
February 13,27	August 14, 28
March 13,27	September 11, 25
April 10, 24	October 9, 23
May 8, 22	November 13, 27
June 12, 26	December 11, 27

Notice as provided herein shall be given at least forty-eight (48) hours before the regular meeting is held.

When it is otherwise difficult or impossible for a member of the Town Council to attend the meeting in person, such member may participate in the meeting by means of a conference telephone or other similar communications equipment. Such appearance shall be valid for the purpose of establishing a quorum, for voting on all matters, and for participation in any other matter.

The telecommunication must provide that each member appearing electronically can be identified while speaking, that all participants are able to hear each other at the same time, and that the members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

5. **Special Meetings of the Town Council.** Special meetings of the Town Council may be called by the Mayor, or in case of his absence or inability to act, the President pro tempore. Notice as provided herein shall be given at least 24 hours before the special meeting is held.

6. **Emergency Meetings of the Town Council.** Emergency meetings of the Town Council may be called by the Mayor, or in the case of his absence or inability to act, the President pro tempore, but only if there are unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens, or to protect the public body from substantial financial loss. The Town Council will avoid emergency meetings whenever possible. Notice as provided herein shall be given as is reasonable under the particular circumstances.

7. **Other Meetings.** Any meeting of any board, council, commission, committee, or other policy making body of the municipality held for the purpose of formulating public policy or for the purpose of taking any action within the authority of, or the delegated authority of such body, shall be called consistent with statute and the policy or by-laws of that policymaking body. Notice as provided herein shall be given at least twelve (12) hours before the meeting is held, unless an emergency meeting is called in which case the notice shall be given as is reasonable under the circumstances.

8. **Closed Meetings.**
   a. The Town Council or any other policy making body of the municipality may hold an Executive Session closed to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.

   b. If any meeting is closed for an Executive Session during an open public meeting, such closure shall be approved by a majority vote of a quorum

of the Town Council or other policy making body taken during the open public meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity 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 an executive session.

c. If the decision to hold an Executive Session is made when the Town Council or other policy making body is not in an open public meeting, the Executive Session shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the Executive Session and the subjects to be discussed with reasonable specificity is given to the members and to the general public.

d. Following completion of any Executive Session, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the Executive Session 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.

e. Except as provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussions in an executive session shall be made by vote of the Town Council in an open public meeting.

PASSED, ADOPTED and APPROVED this 9th day of January 2007.

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James R. Marshall, Mayor

Attest:

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Anita Norero, Acting Town Clerk