

1 AMERICANS WITH DISABILITIES ACT ADVISORY COUNCIL (ADAAC)

2 **RESOLUTION 2025**

3 **NOTICE REQUIREMENTS FOR MEETINGS OF THE COUNCIL**

4 WHEREAS, the City of Albuquerque (“City”) Americans with
5 Disabilities Act Advisory Council (“Council”) met in regular session remotely via
6 Zoom videoconference, at 1:00 pm as required by law; and

7 WHEREAS, NMSA 1978, §10-15-1(B) of the Open Meetings Act states
8 that “[A]ll meetings of a quorum of members of any board, commission,
9 administrative adjudicatory body or other policymaking body of any state agency,
10 any agency or authority of any county, municipality, district or any political
11 subdivision, held for the purpose of formulating public policy, including the
12 development of personnel policy, rules, regulations or ordinances, discussing
13 public business or for the purpose of taking any action within the authority of or
14 the delegated authority of any board, commission or other policymaking body are
15 declared to be public meetings open to the public at all times except as may be
16 otherwise provided in the Constitution of New Mexico, or the provisions of the
17 Open Meetings Act;” and

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

21 WHEREAS, §10-15-1(D) of the Open Meetings Act requires the Council
22 to determine annually what constitutes reasonable notice of its public meetings;
23 and

24 WHEREAS, § 2-6-1-4(B) (ROA 1994) of the City of Albuquerque Public
25 Boards, Commissions and Committees Ordinance requires that every public
26 board, commission or committee created by the City of Albuquerque must
27 determine what is reasonable notice to the public of its meetings; provided that in
28 no event shall notice be less than the notice required for Albuquerque City
29 Council meetings;

30 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF**
31 **ALBUQUERQUE AMERICANS WITH DISABILITIES ACT ADVISORY**
32 **COUNCIL that:**

33 Section 1. Unless otherwise specified, all meetings of the Council shall be
34 held virtually via Zoom or other video communications platform starting at 1:00
35 p.m. Mountain Time Zone.

36 Section 2. Unless otherwise specified, regularly scheduled meetings of the
37 Council shall be held on the first Friday of the month. July's meeting will be held
38 on Monday, July 7, 2025. Public notice in writing of any other regularly
39 scheduled meetings will be given at least ten (10) days in advance of the meeting
40 date. The agenda for a regularly scheduled meeting will be available to the public
41 at least 72 hours (3 days) prior to such meeting. Copies of the agenda will be
42 available to the public upon request from the General Services Department, which

43 can be reached by email at adacoordinator@cabq.gov and which is located in the
44 Albuquerque Government Center Building at 1 Civic Plaza NW, Albuquerque,
45 NM 87102.

46 Section 3. Special meetings of the Council may be called by the
47 Chairperson of the Council or by a majority of the Council members upon three
48 (3) days advance notice. The agenda for a special meeting will be available to the
49 public at least seventy-two (72) hours prior to such special meeting. Copies of the
50 agenda will be available to the public upon request from the General Services
51 Department, which can be reached by email at adacoordinator@cabq.gov and
52 which is located in the Albuquerque Government Center Building at 1 Civic Plaza
53 NW, Albuquerque, NM 87102..

54 Section 4. Emergency meetings of the Council will be called only under
55 unforeseen circumstances that demand immediate action by the Council to protect
56 the health, safety and property of citizens or to protect the public body from
57 substantial financial loss, pursuant to the Open Meetings Act, NMSA 1978, §10-
58 15-1 (F). The Council will avoid holding emergency meetings whenever
59 possible. Emergency meetings may be called by the Chairperson or a majority of
60 the Council members upon twenty-four (24) hours' notice unless threat of
61 personal injury or property damage or substantial financial loss to the public body
62 requires less notice. Public notice for an emergency meeting shall include an
63 agenda for the emergency meeting.

64 Section 5. For all meetings described in this resolution, public notice
65 requirements are met if:

66 A. The notice containing the date, time and place of the meeting is posted
67 for public viewing in the following location: in the 1st floor lobby of the
68 Albuquerque Government Center at 1 Civic Plaza NW, Albuquerque, NM 87102,
69 unless posting such notice is made difficult or impossible due to ongoing public
70 health restrictions or other legal limitations. An electronic copy of the notice will
71 be posted on the City website at <https://www.cabq.gov/generalservices/events> and
72 this website address may change from time to time as needed by the City or the
73 Council.

74 B. Notice shall also be sent electronically to those broadcast stations (radio
75 and television) licensed by the Federal Communications Commission (FCC) and
76 newspapers of general circulation in the State of New Mexico that (i) have
77 submitted a written request for notice of public meetings to the General Services
78 Department, which can be reached by email at adacoordinator@cabq.gov and
79 which is located in the Albuquerque Government Center Building at 1 Civic Plaza
80 NW, Albuquerque, NM 87102, and (ii) have provided an electronic mail (e-mail)
81 address to which public notices are to be sent. Currently, the Council finds that
82 the Coordinator has not received any written requests for ongoing notice of all
83 Council meetings from any FCC licensed broadcast stations or from newspapers
84 of general circulation, located in New Mexico or anywhere else.

85 Section 6. In addition to the information specified above, all public
86 notices shall include the following language: English and any requested language.
87 “NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and
88 need an accommodation in order to participate in this public meeting, please
89 contact the General Services Department at 505-768-4684 or
90 adacoordinator@cabq.gov. Please request any accommodations necessary at least
91 72 hours prior to the meeting. Further advance notice is preferred if possible, and
92 you may request accommodations up to 10 days before the meeting. Best efforts
93 will be made to provide the requester with their auxiliary aid of choice. If doing
94 so is not possible due to time constraints or other logistical concerns, the City will
95 work directly with the requester to provide an alternate method of
96 accommodation.

97 Section 7. Notice of Cancellations of meetings of the Council, and notice
98 of different meeting times and/or dates and/or locations, may be announced at
99 prior meetings of the Council. Sudden cancellations of meetings may occur if a
100 quorum of Council members cannot or unexpected fail to attend a previously
101 scheduled meeting time. Different meeting dates and times may be needed if a
102 regularly scheduled meeting date (such as a Monday) is a federal, state or city
103 holiday and City offices are closed that day. Different meeting dates and/or times
104 and/or locations may be needed for a regularly scheduled meeting date if there is
105 inclement weather, or if the meeting location is not available for use, or for other
106 reasons.

107 Section 8. Notice of committee meetings, if any committees are formed
108 that are delegated the authority to make decisions on behalf of, formulate
109 recommendations that are binding in any legal or practical way on, or otherwise
110 establish policy for the public body, shall be equal to that specified in Sections 2
111 and 3 of this resolution.

112 Section 9. The Council may close a Meeting of the Council to the public
113 only if the subject matter of such discussion or action is exempted from the open
114 to the public meeting requirement under §10-15- 1(H) (NMSA 1978) of the Open
115 Meetings Act.

116 A. If any open meeting is closed during such open meeting, the closure
117 shall be approved by a majority vote of a quorum of the Council taken during the
118 open meeting. The specific provision of law authorizing the closed meeting and
119 the subject(s) to be discussed shall be stated with reasonable specificity in the
120 motion to close the meeting to public observation and the vote of each individual
121 member on the motion to close the meeting shall be recorded in the minutes in a
122 roll call vote. Only those subjects specified in the motion to close the meeting
123 may be discussed by the Council in the closed meeting.

124 B. If a closed meeting is conducted when the Council is not in an open
125 meeting, the closed meeting shall not be held until a written public notice of the
126 meeting of the Council, appropriate under the circumstances, stating the specific
127 provision of law authorizing the closed meeting and the subjects to be discussed
128 with reasonable specificity, is given to Council members and to the public.

129 C. Following completion of any closed meeting, the minutes of the open
130 meeting that was closed, or the minutes of the next open meeting of the Council if
131 the closed meeting was separately scheduled, shall state whether the matters
132 discussed in the closed meeting were limited only to those specified in the motion
133 to close the meeting or the public notice of a closed meeting.

134 D. Except as provided in §10-15-1(H) of the Open Meetings Act, any
135 action taken as a result of discussions in a closed meeting shall be made by a
136 public vote of the Council in an open meeting.

137 Section 10. All resolutions, rules or parts of resolutions or rules,
138 inconsistent with this resolution, are hereby repealed only to the extent of such
139 inconsistency. Such implied repeal shall not be construed to revive any
140 resolution, rule or part of any resolution or rule that was previously repealed.

141 Section 11. The official list of dates of the Regular Meetings of the City of
142 Albuquerque Americans with Disabilities Act Advisory Council for February
143 2025 to December 2025 are as follows:

144 Friday, February 7, 2025

145 Friday, March 7, 2025

146 Friday, April 4, 2025

147 Friday, May 2, 2025

148 Friday, June 6, 2025

149 Monday, July 7, 2025
150 Friday, August 1, 2025
151 Friday, September 5, 2025
152 Friday, October 3, 2025
153 Friday, November 7, 2025
154 Friday, December 5, 2025

155 Section 12. If any section, paragraph, sentence, clause, word or phrase of
156 this resolution is for any reason held to be invalid or unenforceable by any court
157 of competent jurisdiction, such decision shall not affect the validity of the
158 remaining provisions of this resolution. The Council hereby declares that it
159 would have passed this resolution and each section, paragraph, sentence, clause,
160 word or phrase of this resolution irrespective of any provision being declared
161 invalid or unenforceable.

162 PASSED AND ADOPTED this 7th day of February, 2025.

163 BY A VOTE OF 4 FOR and 0 AGAINST.

164

165 Members Absent: None

166

167 Members voting against: None

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169

CITY OF ALBUQUERQUE

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AMERICANS WITH DISABILITIES ACT
ADVISORY COUNCIL

By:



Manuel Baca
Chairperson of the Council

ATTEST:

Charles Davis, Attorney for the Americans with Disabilities Act Advisory Council