

1                                   **CITIZENS' INDEPENDENT SALARY COMMISSION**

2   **RESOLUTION #2017-1**

3                   **DETERMINING REASONABLE NOTICE OF PUBLIC MEETINGS OF THE**  
4                   **CITIZENS' INDEPENDENT SALARY COMMISSION**  
5

6                   **WHEREAS**, the Citizens' Independent Salary Commission met in regular session  
7 in the Office of Internal Audit/Office of Inspector General Conference Room, fifth floor - suite  
8 5025 of the Albuquerque City/Bernalillo County Government Center at On Civic Plaza NW,  
9 Near the intersection of 5<sup>th</sup> Street and Marquette Ave. NW, Albuquerque, New Mexico 87102 as  
10 required by law; and

11                   **WHEREAS**, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-  
12 15-1 to -4) states that, except as may be otherwise provided in the Constitution of New Mexico  
13 or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board,  
14 council, commission, administrative adjudicatory body or other policymaking body of any state  
15 or local public agency held for the purpose of formulating public policy, discussing public  
16 business or for the purpose of taking any action within the authority of or the delegated authority  
17 of such body, are declared to be public meetings open to the public at all times; and

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

21                   **WHEREAS**, Section 10-15-1(D) of the Open Meetings Act requires the Citizens'  
22 Independent Salary Commission to determine what constitutes reasonable notice of its public  
23 meetings; and

24                   **WHEREAS**, the *Public Boards, Commissions and Committees Ordinance*, Chapter 2,

1 Article 6, Section 1-4, (B)(2) Revised Ordinances of Albuquerque, New Mexico 1994 (ROA  
2 1994) requires that: “Reasonable notice shall be given to the public prior to any meeting of any  
3 public board, commission or committee. At least once a year, each public board, commission or  
4 committee shall determine what is reasonable notice to the public; provided that in no event shall  
5 notice be less than the notice required for Council (i.e. Albuquerque City Council) meetings.”;  
6 and

7 **WHEREAS**, the *Charter of the City of Albuquerque, Citizens’ Independent Salary*  
8 *Commission*, Article XVIII(e), requires that: “All meetings of the Commission shall be open to  
9 the public and subject to the Open Meetings Act, Sections 10-15-1 et seq. NMSA 1978.”

10 **NOW, THEREFORE, BE IT RESOLVED THAT THE A CITIZENS’**  
11 **INDEPENDENT SALARY COMMISSION HEREBY ADOPTS THESE PUBLIC**  
12 **NOTICE REQUIREMENTS WHICH ARE CONSISTENT WITH THOSE OF THE**  
13 **ALBUQUERQUE CITY COUNCIL AS ADOPTED ON SEPTEMBER 19, 2016 BY THE**  
14 **COUNCIL IN RESOLUTION R-16-99, ENACTMENT NO. R-2016-083.**

15 **Section 1. Location of Meetings.** Meetings of the Citizens’ Independent Salary  
16 Commission shall normally be held in the Office of Internal Audit/Office of Inspector General  
17 Conference Room, fifth floor - suite 5025 of the Albuquerque City/Bernalillo County  
18 Government Center at On Civic Plaza NW, Near the intersection of 5<sup>th</sup> Street and Marquette  
19 Ave. NW, Albuquerque, New Mexico 87102, or as indicated in the meeting notice.

20 **Section 2. Regular Meetings.** Unless otherwise specified, regular meetings shall be held  
21 at the call of the Chair of the Citizens’ Independent Salary Commission but must be at least one  
22 year prior to each regular municipal election. The agenda will be available at least seventy-two  
23 hours prior to the meeting from the Citizens’ Independent Salary Commission Liaison (Office of

1 Internal Audit – Executive Assistant), whose office is located in the Albuquerque-Bernalillo  
2 County Government Center at One Civic Plaza NW, fifth floor – suite 5025, near the intersection  
3 of 5<sup>th</sup> Street and Marquette Avenue NW, Albuquerque, New Mexico 87102. The agenda will also  
4 be posted on the Citizens’ Independent Salary Commission’s website at  
5 [www.cabq.gov/audit/citizens-independent-salary-commission](http://www.cabq.gov/audit/citizens-independent-salary-commission).

6 **Section 3. Other Regular Meetings.** Notice of regular meetings other than those  
7 described in Section 2 of this resolution will be given ten days in advance of the meeting date.  
8 The notice will include a copy of the agenda or information on how a copy of the agenda may be  
9 obtained. If not included in the notice, the agenda will be available at least seventy-two hours  
10 before the meeting and posted on the Citizens’ Independent Salary Commission’s website at  
11 [www.cabq.gov/audit/citizens-independent-salary-commission](http://www.cabq.gov/audit/citizens-independent-salary-commission).

12 **Section 4. Special Meetings.** Special meetings may be called by the Chair of the  
13 Citizens’ Independent Salary Commission or a majority of the members upon seventy-two hours  
14 notice. The notice for a special meeting shall include an agenda for the meeting or information  
15 on how a copy of the agenda may be obtained. The agenda shall be available at least seventy-two  
16 hours before the meeting and posted on the Citizens’ Independent Salary Commission’s website  
17 at [www.cabq.gov/audit/citizens-independent-salary-commission](http://www.cabq.gov/audit/citizens-independent-salary-commission).

18 **Section 5. Emergency Meetings.** Emergency meetings will be called only under  
19 unforeseen circumstances that demand immediate action. The Citizens’ Independent Salary  
20 Commission will avoid emergency meetings whenever possible. Emergency meetings may be  
21 called by the Chair of the Citizens’ Independent Salary Commission or a majority of the  
22 members with twenty-four hours prior notice, unless threat of personal injury or property damage  
23 requires less notice. The notice for all emergency meetings shall include an agenda for the

1 meeting or information on how the public may obtain a copy of the agenda.

2 **Section 6. Regular Meeting Notice Requirements.** For the purposes of regular meetings  
3 described in Sections 2 and 3 of this resolution, notice requirements are met by posting a notice  
4 of the date, time, place and agenda in the lobby of the Albuquerque-Bernalillo County  
5 Government Center at One Civic Plaza NW, near the intersection of 5<sup>th</sup> Street and Marquette  
6 Avenue NW, Albuquerque, New Mexico 87102 and by posting on the Citizens' Independent  
7 Salary Commission's website at [www.cabq.gov/audit/citizens-independent-salary-commission](http://www.cabq.gov/audit/citizens-independent-salary-commission).

8 **Section 7. Special and Emergency Meeting Notice Requirements.** For the purposes of  
9 special meetings and emergency meetings described in Sections 4 and 5 of this resolution, notice  
10 requirements are met by posting a notice of the date, time, place and agenda in the lobby of the  
11 Albuquerque-Bernalillo County Government Center at One Civic Plaza NW, near the  
12 intersection of 5<sup>th</sup> Street and Marquette Avenue NW, Albuquerque, New Mexico 87102 and by  
13 posting on the Citizens' Independent Salary Commission's website at  
14 [www.cabq.gov/audit/citizens-independent-salary-commission](http://www.cabq.gov/audit/citizens-independent-salary-commission).

15 **Section 8. Cancellations and Changes of Venue and Meeting Time.** Cancellations and  
16 changes to meeting times and locations may be announced at prior meetings of the Citizens'  
17 Independent Salary Commission or following notice requirements of this Resolution.

18 **Section 9. Accessibility.** In addition to the information specified above, all notices shall  
19 include the following language:

20 "NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and  
21 require special assistance to participate in this meeting, please contact the  
22 Citizens' Independent Salary Commission Liaison as soon as possible before the  
23 meeting date at (505) 768-3150. Those in need of hearing assistance may call

1 711.”

2 **Section 10. Closed Meetings.** The Citizens’ Independent Salary Commission may close  
3 a meeting to the public only if the subject matter of such discussion or action is excepted from  
4 the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.

5 **Section 10(a).** If any meeting is closed during an open meeting, such closure shall be  
6 approved by a majority vote of a quorum of the Citizens’ Independent Salary Commission taken  
7 during the open meeting. The authority for the closed meeting and the subjects to be discussed  
8 shall be stated with reasonable specificity in the motion to close and the vote of each individual  
9 member on the motion to close shall be recorded in the minutes. Only those subjects specified in  
10 the motion may be discussed in the closed meeting.

11 **Section 10(b).** If a closed meeting is conducted when the Citizens’ Independent Salary  
12 Commission is not in an open meeting, the closed meeting shall not be held until public notice,  
13 appropriate under the circumstances, stating the specific provision of law authorizing the closed  
14 meeting and the subjects to be discussed with reasonable specificity, is given to the members and  
15 to the general public.

16 **Section 10(c).** Following completion of any closed meeting, the minutes of the open  
17 meeting that was closed, or the minutes of the next open meeting if the closed meeting was  
18 separately scheduled, shall state whether the matters discussed in the closed meeting were  
19 limited only to those specified in the motion or notice for closure.

20 **Section 10(d).** Except as provided in Section 10-15-1(H) of the Open Meetings Act, any  
21 action taken as a result of discussions in a closed meeting shall be made by vote of the Citizens’  
22 Independent Salary Commission in an open public meeting.

1 Passed and Adopted by the Citizens' Independent Salary Commission this 9<sup>th</sup> day of February,  
2 2017.

3 **BY A VOTE OF 4 FOR, AND 0 AGAINST.**

4  
5 Absent: Joe Conte

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7  
8 Attest:

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11 \_\_\_\_\_  
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