

# BOARD OF ETHICS AND CAMPAIGN PRACTICES

## A RESOLUTION

NO: 1-2023

### *A RESOLUTION ADOPTING ANNUAL OPEN MEETINGS POLICY FOR THE 2023 ELECTION CYCLE*

**WHEREAS**, the Board of Ethics and Campaign Practices hereby adopts the following Amended Open Meetings Policy for the 2023 election cycle:

**WHEREAS**, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) 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, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of 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 or formal action occurs shall be held only after reasonable notice to the public; and

**WHEREAS**, Section 10-15-1(D) of the Open Meetings Act and Section 5(B) of the Board's Rules require the City Board of Ethics to determine annually what constitutes reasonable notice of its public meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Ethics and Campaign ("The Board") Practices that:

1. **Location of the Meetings:** All in-person meetings shall be held at the Vincent E. Griego Chambers, Basement Level of the City of Albuquerque Government Center at Once Civic Plaza, NW, near the intersection of 5<sup>th</sup> Street and Marquette Ave. NW, Albuquerque, NM 87102. Remote meetings will be held via zoom. The meeting may also be streamed at <https://www.cabq.gov/artsandculture/govtv>.

2. **Regular meeting:** With the exception of Special or Emergency Open Meetings as provided herein, the Board of Ethics will conduct regular monthly meetings during the 2023 campaign season beginning in June of 2023. Regular monthly meetings shall be conducted on the following dates, unless the business of the Board dictates otherwise:

- June 9
- July 14
- August 11
- September 8
- October 13
- November 10
- December 8

The meetings shall be at 9:00am unless otherwise noted. The purpose of these meetings shall be considering and acting on proceedings before the Board as well as its practice of informational and informal discussions of items of public issues and Board Business. It is the intent of the Board to continue to provide itself with flexibility in taking action on time sensitive matters and any matter may

appear on the agenda of each form of meeting in the event administrative and time considerations may dictate.

The agenda will be available at least seventy-two hours prior to the meeting from the Office of the City Clerk, whose office is located in Albuquerque, New Mexico. The agenda will also be posted at the offices of the City Clerk and on the City Clerk's website at [www.cabq.gov/clerk/ethics-1/board-of-ethics/board-of-ethics-agendas-minutes](http://www.cabq.gov/clerk/ethics-1/board-of-ethics/board-of-ethics-agendas-minutes).

3. Notice of regular meetings other than those described in Paragraph 2 will be given ten days in advance of the meeting date. The notice will include a copy of the agenda or information on how a copy of the agenda may be obtained. If not included in the notice, the agenda will be available at least seventy-two hours before the meeting and posted on the City Clerk's website at [www.cabq.gov/clerk/ethics-1/board-of-ethics/board-of-ethics-agendas-minutes](http://www.cabq.gov/clerk/ethics-1/board-of-ethics/board-of-ethics-agendas-minutes).

4. Special meetings may be called by the Chair or a majority of the members upon three days notice. The notice for a special meeting shall include an agenda for the meeting or information on how a copy of the agenda may be obtained a copy of the agenda. The agenda will be available at least seventy two hours before the meeting and posted on the City Clerk's website at [www.cabq.gov/clerk/ethics-1/board-of-ethics/board-of-ethics-agendas-minutes](http://www.cabq.gov/clerk/ethics-1/board-of-ethics/board-of-ethics-agendas-minutes).

5. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Board of Ethics and Campaign Practices will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair or a majority of the members with twenty-four hours prior notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the Board of Ethics and Campaign Practices will notify the Attorney General's Office.

6. For the purposes of regular meetings described in Paragraph 3 of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state and posted in the following locations: The City Clerk's Office and City Hall. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

7. For the purposes of special meetings and emergency meetings described in Paragraphs 4 and 5, notice requirements are met if notice of the date, time, place and agenda is provided by online and posted in the offices of The City Clerk's Office and City Hall.

8. In addition to the information specified above, all notices shall include the following language: If you are an individual with a disability who is 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, please contact the Office of the City Clerk at 505-924-3650 at least one (1) 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 Office of the City Clerk at 505-924-3650 if a summary or other type of accessible format is needed.

9. The Board of Ethics and Campaign Practices may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-

1(H) of the Open Meetings Act. (a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board of Ethics and Campaign Practices taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting. (b) If a closed meeting is conducted when the Board of Ethics and Campaign Practices is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to 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 Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Board of Ethics and Campaign Practices in an open public meeting.

**10: Cancellations and Different Meeting Times and Locations:** Meetings may be cancelled or set at different times and locations than set forth herein. The announcement of such changes should be made, when possible, at a prior meeting of the full Board of Ethics. When this is not possible, the notice of the cancellation, or the different meeting time or location shall be posted on the City Clerk's website and in City Hall.

Passed by the Board of Ethics and Campaign Practices this \_\_\_ day of \_\_\_\_\_, 20\_\_.

