

**CITY OF RUIDOSO DOWNS
RESOLUTION 2022-28**

**A RESOLUTION ESTABLISHING THE CITY OF RUIDOSO DOWNS GOVERNING
BODY MEETINGS, COMMITTEE, AND BOARD MEETINGS, AND PUBLIC NOTICE
REQUIREMENTS**

WHEREAS, Section 10-15-1(8), NMSA 1978 provides that "All meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency or any agency or authority of any county, municipality, district or political subdivision held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or 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, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act"; and

WHEREAS, Section 10-15-3 (A), NMSA 1978 provides that "No resolution, rule, regulation, ordinance or action of any board, commission, committee or other policymaking body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA 1978"; and

WHEREAS, Section 10-15-4, NMSA 1978 provides that "Any person violating any of the provisions of Section 10-15-1 or 10-15-2 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) for each offense"; and

WHEREAS, Section 10-15-1(D) requires that "Any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public. 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. That notice shall include broadcast stations licensed by the federal communication commission and newspapers of general circulation that have provided a written request for such notice."

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the City of Ruidoso Downs, New Mexico that:

1. Public Notice shall be given at least five (5) days in advance of any regular meeting of a quorum of the members of the governing body and the agenda for such meeting shall be posted seventy-two (72) hours in advance of any board, commission, committee, agency, authority, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body.

2. **REGULAR MEETINGS.** Unless the business before the City Council dictates otherwise, the Governing Body of the City of Ruidoso Downs shall conduct two City Council Open Meetings at 2:00 p.m. on the second and fourth Monday of each month in the Council Chambers, The Hubbard Room. However, when that Monday is a city holiday, that meeting will be held on the next business day.
 - a. Council Members, Department Director, Attorney, and other staff members that have items for the agenda must have items to the City Clerk no later than Wednesday at 10:00 a.m. prior to the City Council meeting. These items must also include the appropriate backup documentation for submission. These deadlines must be adhered to in order to meet the other required time-sensitive deadlines.
 - b. All meetings shall be held at the City Council Chambers in the Hubbard Room; 123 Downs Drive in Ruidoso Downs, New Mexico 88346.
 - c. Public who wishes to be placed on the regular agenda for complaints or requests, must submit a detailed written summary of the items to be presented and discussed by outlined pre-agenda deadline. The requestor shall submit with their request their full name, and address, whether a resident/citizen, business owner, or property owner of the city or whether they receive city services. This criterion will be presented to anyone who wishes to be placed on the Council agenda.
3. **PUBLIC INPUT.** The public that would like to speak at the Council meeting on an item that is or is not on the agenda (except on Consent Regular Items) and does not want to be scheduled on the agenda will be provided the opportunity for input during the Public Input portion of the meeting with a three-minute time limit.
4. **PUBLIC HEARING.** The City of Ruidoso Downs shall assure that scheduled public hearings have been duly advertised. Public presenters or speakers shall be recognized by the presiding officer and sworn in as a group by the City Attorney. There will be no handouts allowed at these proceedings and there is a three-minute time limit to be applied to each speaker and/or presenter and they must clearly state their full name before comments are heard. Comments should be limited to the item presented for discussion only. Rebuttals shall only be heard with the consent of the Council. In an Appeal process proceeding for a Planning and Zoning issue, evidence for or against must be provided prior to the Public Hearing. At the end of three minutes, the presenter may request an additional two minutes. It is the Council's discretion to approve or deny this request. Opposing attorneys representing individuals in the Public Hearing matter will be allowed a fifteen-minute courtesy presentation.
5. **WORKSHOP MEETINGS.** The City of Ruidoso Downs Workshops may be called by the Mayor of the City of Ruidoso Downs at any time, within a seventy-two-hour period. The purpose of these Workshops is designed to facilitate the Council with a question-and-answer format for upcoming agenda items that require more information, review, presentation, etc. before a regularly scheduled meeting. A quorum of the Governing Body is required to hold these Workshops.

6. **BOARD AND COMMISSION APPOINTMENTS.** Board and Commission appointments are presented by the mayor and ratified by the Council. Any Council member may submit suggestions to the mayor prior to the meeting for consideration, but it is at the mayor's discretion to submit the names for consideration. Council Appointed Commissions, Committees, and Advisory Boards of the City of Ruidoso Downs shall issue their agendas by posting on the three (3) City Hall bulletin boards, the City's Social Media accounts, and the City's official website and provide such other notice as may be required by Ordinance or law. Such issuance and posting are determined to be reasonable notice.
7. **EMERGENCY MEETINGS.** Emergency Meetings are called as required and defined by the New Mexico Open Meetings Act. Notice shall be given at least twenty-four hours in advance for the purpose of considering any matter that needs emergency treatment because of a clear and present danger to the health, welfare, or safety of the people of the City of Ruidoso Downs. An "Emergency Meeting" is for unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body. Within ten (10) days of taking action on an emergency matter, the public body shall report to the Attorney General's Office the action is taken and the circumstances creating the emergency; provided that the requirement to report to the Attorney General is waived upon the declaration of a State or National Emergency.
8. **SPECIAL MEETINGS.** The City of Ruidoso Downs Special Meeting may be called by the Mayor of the City of Ruidoso Downs at any time, within a seventy-two-hour period. A Majority of the Governing Body may also request a Special Meeting within a seventy-two-hour period, served in accordance with Section 3-12-3(D.), NMSA 1978 by notice to each member of the Governing Body, served or left at his/her usual place of residence. Further, notice shall be provided by email. Items requested to be placed under a Special Meeting agenda are only items that absolutely cannot be considered under a Regular Meeting format or in time constraints.
9. **CLOSED MEETING.** If any meeting is closed pursuant to exclusions contained in Section 10-15- 1(H.), NMSA 1978, such closed meeting called by a policy-making body shall not be held until public notice, appropriate under the circumstances and in compliance with Sections 1 through 2 of this Resolution, has been given. Such notice shall state the exclusion(s) in Section 10-15-1 (H.), NMSA 1978 of the Open Meetings Act, under which such closed meeting is permitted.
10. In addition to the information specified above, all notices shall include the following language:
If you are an individual 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 City Clerk at the City of Ruidoso Downs City Hall at least one week prior to the meeting or as soon as possible.

11. Notice of a quorum of the Governing Body shall be posted on the three (3) City Hall bulletin boards, the City's Social Media accounts, the Local Post Office, and the City's official website for any event at which there may be a quorum of Governing Body members present.
12. The notice requirements of Sections 1 through 11 of this Resolution are satisfied if the date, time, place, and agenda of any regular or special meeting is posted in six (6) public places which are the three (3) City Hall bulletin boards, the City's Social Media accounts, the Local Post Office and the City's official website.
13. Notwithstanding any other provisions of Sections 1 through 2 of this Resolution, the governing authority may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act, Section 10-15-1, NMSA 1978.
14. A member of the Governing Body may participate in a meeting of the public body by means of a conference call or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone or other similar communications equipment can be identified when speaking, all participants are able to hear each other at the same time, and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.
15. Notwithstanding any other provision of this Resolution, meeting locations, in-person meetings, virtual meetings, posting requirements, and any other deviation made necessary or advisable by any public health emergency or conditions, may be made while considering guidance provided by the New Mexico Attorney General's Office for public meetings during public health emergencies.
16. This Resolution repeals and replaces Open Meetings Act with Resolution 2021-24, with the adoption of this Resolution.

PASSED, ADOPTED, AND APPROVED by the Governing Body of the City of Ruidoso
Downs on this 12th day of December 2022.

THE CITY OF RUIDOSO DOWNS,
LINCOLN COUNTY, NEW MEXICO

Dean Holman

Dean Holman, Mayor

Attest

Alejandra L. Giron
Alejandra L. Giron, MMC
City Clerk/Treasurer

**CITY OF RUIDOSO DOWNS
REGULAR COUNCIL MEETINGS CALENDAR YEAR 2023
TO COMMENCE AT 2:00 P.M. MOUNTAIN STANDARD TIME
CITY HALL COUNCIL CHAMBERS**

JANUARY:

Monday: January 9, 2023
Monday: January 23, 2023

FEBRUARY:

Monday: February 13, 2023
Monday: February 27, 2023

MARCH:

Monday: March 13, 2023
Monday: March 27, 2023

APRIL:

Monday: April 10, 2023
Monday: April 24, 2023

MAY:

Monday: May 8, 2023
Monday: May 22, 2023

JUNE:

Monday: June 12, 2023
Monday: June 26, 2023

JULY:

Monday: July 10, 2023
Monday: July 24, 2023

AUGUST:

Monday: August 14, 2023
Monday: August 28, 2023

SEPTEMBER:

Monday: September 11, 2023
Monday: September 25, 2023

OCTOBER:

Tuesday: October 10, 2023
Monday: October 23, 2023

NOVEMBER:

Monday: November 13, 2023
Monday: November 27, 2023

DECEMBER:

Monday: December 11, 2023