

CITY OF HOBBS

RESOLUTION NO. 7145

A RESOLUTION STATING THE REASONABLE NOTICE PROCEDURES FOR THE CITY OF HOBBS PURSUANT TO THE NEW MEXICO OPEN MEETINGS ACT

WHEREAS, The City of Hobbs City Commission met in regular session at the City Hall, City Commission Chambers located at 200 E. Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico, on January 3, 2022, at 6 p.m. as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, §§ 10-15-1 through 10-15-4) 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, all persons desiring shall be permitted to attend and listen to the deliberations and proceedings of all public meetings; 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 Meeting Act requires the City of Hobbs City Commission to determine annually what constitutes reasonable notice of its

public meetings;

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO that:

1. All meetings shall be held at City Hall, City Commission Chambers, 200 E. Broadway, 1<sup>st</sup> Floor Annex, Hobbs, New Mexico at 6 p.m., or as otherwise indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the first and third Monday of the month. The agenda will be available from the City Clerk's Office, whose office is located at City Hall in Hobbs, New Mexico, at least seventy-two hours prior to the meeting. The agenda will also be posted on the Public Notice Board located on the first floor of City Hall, and on the City of Hobbs' website at [www.hobbsnm.org](http://www.hobbsnm.org).
3. Special meetings may be called by the Mayor and any two (2) members of the commission, or by any three (3) members of the commission at any time, by written notice to all members of the commission. In the event a special meeting is called, three days' written notice must be given to the members of the commission of the calling of such special meeting. 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. The agenda will be available at least seventy-two hours before the meeting and posted on the City of Hobbs' website at [www.hobbsnm.org](http://www.hobbsnm.org).
4. 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 City of Hobbs City Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor 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 City of Hobbs City Commission will notify the Attorney General's Office.

5. For the purpose of regular meetings described in Paragraph 2 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: on the Public Notice Board located on the first floor of City Hall, and the City of Hobbs' website at [www.hobbsnm.org](http://www.hobbsnm.org). 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.
6. For the purposes of special meetings and emergency meetings described in Paragraphs 3 and 4, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted on the Public Notice Board located on the first floor of City Hall. Telephone notice also shall be given 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. 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 City Clerk's Office at City Hall located at 200 E. Broadway, Hobbs, New Mexico, or by calling (575) 397-9200 at least 72 hours 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 City Clerk's Office if a summary or other type of accessible format is needed.

8. The City of Hobbs City Commission 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 City of Hobbs City Commission 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 City of Hobbs City Commission 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 City of Hobbs City Commission in an open public meeting.
9. As provided by NMSA 1978, §10-15-1(C), a member of the public body may participate in a meeting of the public body by means of a conference telephone 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 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. Additionally, the City of Hobbs

City Commission may hold “virtual” meetings in response to a public health threat or corresponding public health orders from the State of New Mexico, provided that all measures advisable and necessary are implemented to ensure public access and participation.

PASSED, ADOPTED AND APPROVED this 3rd day of January, 2022.

*Joseph D. Cobb*  
For SAM D. COBB, Mayor

ATTEST:

*Jan Fletcher*  
JAN FLETCHER, City Clerk

