

RESOLUTION NO. 1706

WHEREAS, the intention of this resolution is to establish reasonable notice to the public of all public meetings of the City Council of the City of Roswell, New Mexico, (herein "Governing Body") as required by Chapter 91, Laws of New Mexico, 1974, being Secs. 5-6-23 through 5-6-26 inclusive (NMSA, 1953)

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

Section 1. The Governing Body hereby declares and determines that the notice heretofore given for the public meeting at which this resolution is adopted, constitutes reasonable notice in compliance with Chapter 91, Laws of New Mexico, 1974; and all such action preliminary to and in the giving of such notice and in the adoption of this resolution is ratified, approved and confirmed.

Section 2. The Governing Body hereby declares and determined that until such times as this resolution is appropriately amended or repealed by additional resolution of the Governing Body, the following notice of public meetings shall constitute reasonable notice as required by Chapter 91, Laws of New Mexico, 1974:

A. Notice of regular or special meeting may be given:

1. By written notice published in a newspaper of general circulation at least one day prior to the regular meeting; or
2. By oral or written notice to the news media in the City not later than 11:00 a. m. of the day prior to the meeting; or
3. By posting a written notice in a prominent place in the City Hall not later than 11:00 a. m. of the day prior to the meeting; or
4. By public oral announcement of the time and place of such meeting, made at the previous regular or special meeting of the governing body.

B. Notice of emergency meetings may be given:

1. By oral notice to the news media in the City not later than one hour prior to the scheduled commencement of such meeting; or
2. By oral announcement to be made at a prior regular or special meeting which must have been adjourned at least twenty-four hours prior to the emergency meeting.

C. The foregoing notice (either written or oral) is sufficient so long as the time and place of such meeting is given; but as to special matters, the Governing Body, in its sole discretion, additionally may include in such notice a brief description as to an item or items to be considered at such meeting, by reference to the general topic or by reference to all or a portion of the agenda.

As standard operating procedure, the City Manager is charged with the duty of filing for public inspection in this office an appropriate agenda co-extensive with the respective times herein expressed for the giving of notice.

Section 3. Substantial compliance with any one of the foregoing methods of giving of notice shall constitute compliance with this resolution and with Chapter 91, Laws of New Mexico, 1974. Nothing herein shall prevent the use of additional means or methods of giving notice of regular or special meetings; and nothing herein shall require new notice for any public meeting for which notice has been given pursuant to this resolution and which is recessed or adjourned except an oral announcement of the time and place which shall be made by the presiding officer before such meeting is recessed or adjourned. The Mayor, or anyone designated by such Mayor, hereby is authorized to give any such foregoing notice, and also any additional notice of regular or special meetings as such Mayor or designate, in his sole discretion, may consider to be appropriate.

Section 4. If any section, paragraph, clause or provision of this resolution shall be for any reason held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution or its application to other situations.

Section 5. All by-laws, orders, and resolution, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any by-law, order, or resolution or part thereof, heretofore repealed.

ADOPTED, SIGNED AND APPROVED this 14th day of March 1978.

CITY SEAL



JERRY N. SMITH, Mayor

ATTEST:



Sarah L. Carter, Acting City Clerk