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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2022-38

INTRODUCED BY:

Mayor Alan Webber

A RESOLUTION

PERMITTING REMOTE MEETINGS FOR ADVISORY COMMITTEES WHETHER OR NOT IT IS DIFFICULT OR IMPOSSIBLE FOR MEMBERS OF THE COMMITTEE TO MEET IN PERSON WHEN THE ADVISORY COMMITTEE DETERMINES IT IS IN THE BEST INTEREST OF THE PUBLIC TO DO SO.

WHEREAS, the rules governing committees, Resolution No. 2009-20, require that all City boards, committees, task forces, and commissions follow the Open Meetings Act, regardless of if they are policy-making bodies; and

WHEREAS, the Open Meetings Act only permits remote attendance by committee members when it is difficult or impossible for the member to attend; and

WHEREAS, in-person meetings are difficult to attend for certain committee members and certain members of the public; and

WHEREAS, facilitating hybrid meetings can require significant staff resources, with a minimum of two staff currently needed to support hybrid meetings in the Council Chambers; and

WHEREAS, certain accessibility technology is not easily incorporated into a hybrid

1 meeting; and

2 **WHEREAS**, the existing Committee Rules’ standards and limitations do not maximize
3 opportunities for participation in City meetings; and

4 **WHEREAS**, a “remote meeting” means a meeting at which all participants participate via
5 video conferencing, such as Zoom, Microsoft Teams, Google Meet, or other similar platforms,
6 through which all participants may be heard and identified by each other and by the public.

7 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
8 **CITY OF SANTA FE** that, upon a vote of a committee’s membership that it is in the best interest
9 of the public for the committee to hold a remote meeting, either for a particular meeting, a set of
10 meetings, or indefinitely, the advisory committee may hold remote meetings, regardless of whether
11 it is difficult or impossible for the members of the committee to meet in person.

12 **BE IT FURTHER RESOLVED** that a committee may vote to meet in person again at
13 any time.

14 **BE IT FURTHER RESOLVED** that an advisory committee shall place a vote to meet
15 remotely or return to in-person meetings on its published agenda before voting on the issue.

16 **BE IT FURTHER RESOLVED** that this resolution does not modify the requirement that
17 advisory committees follow other aspects of the Open Meetings Act, such as notice, minutes,
18 limitations on communications among quorums, etc.

19 PASSED, APPROVED, and ADOPTED this 27th day of July, 2022.

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23 ALAN WEBBER, MAYOR
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1 ATTEST:

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KRISTINE MIHELIC, CITY CLERK

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APPROVED AS TO FORM:

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ERIN K. McSHERRY, CITY ATTORNEY

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Legislation/2022/Resolutions/2022-38 Permitting Remote Meetings for Advisory Committees

FISCAL IMPACT REPORT

General Information:

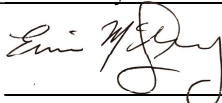
(Check) **Bill:** _____ **Resolution:** X

Short Title(s): Permitting Remote Meetings for Advisory Committees

Sponsor(s): Mayor Alan Webber

Reviewing Department(s): City Attorney's Office

Staff Completing FIR: Erin McSherry **Date:** 6/22/2022 **Phone:** 505-955-6961

Reviewed by City Attorney:  **Date:** Jun 24, 2022

Reviewed by Finance Director:  **Date:** Jun 24, 2022
Alexis Lotero (Jun 24, 2022 09:49 MDT)

Summary:

This resolution allows advisory committees to hold remote meetings, whether or not it is difficult or impossible for members of the committee to meet in person, when the advisory committee determines it is in the best interest of the public to do so. Currently, the City's Committee Rules require all committees to follow the Open Meetings Act, which only allows remote participation by members when it is difficult or impossible for members to attend in person and when the technology used to appear remotely is sufficient to allow all members and the public to hear and identify each speaker. Fully remote meetings have certain advantages over hybrid meetings. Hybrid meetings can require significant staff resources, with a minimum of two staff needed to conduct hybrid meetings in the Council Chambers. In addition, certain accessibility technology is not easily incorporated into a hybrid meeting.

Departments Affected:

All departments that participate in advisory committees would be affected by this legislation.

Consequences of Not Enacting Legislation:

If the legislation is not adopted, advisory committees will not be permitted to meet 100% remotely and some interested parties will be unable to participate in meetings. Committees may not be able to meet in a timely manner or at all if some members are unable to attend in-person meetings.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

This Resolution relates to Resolution 2009-20, establishing rules for committees, including the requirement that they follow the Open Meetings Act.

Performance and Administrative Implications:

If a committee votes to hold meetings remotely, staff will need set up and host the virtual meetings.

Fiscal Implications:

None identified.

Fiscal Impact

 X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE ___	FYE ___	FYE ___	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
<u>Personnel and Benefits*</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Contractual/ Professional Services</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	_____
<u>Operating</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	\$ _____

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE ___	FYE ___	FYE ___	Recurring (R) or Non-recurring (NR)	Fund
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____	_____	_____

Revenue Narrative:











2022-38 (R) Permitting Remote Meetings for Advisory Committees

Final Audit Report

2022-07-28


Created:	2022-07-28
By:	Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
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"2022-38 (R) Permitting Remote Meetings for Advisory Committees" History

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-  Signer kmmihelcic@santafenm.gov entered name at signing as Kristine Mihelcic
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 Agreement completed.

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