

**THE BOARD OF DIRECTORS OF THE
SANTA FE COUNTY, NEW MEXICO
RENEWABLE ENERGY FINANCING DISTRICT**

RESOLUTION NO. 2010-01

**A RESOLUTION DETERMINING REASONABLE NOTICE FOR
PUBLIC MEETINGS OF THE BOARD OF DIRECTORS OF THE SANTA
FE COUNTY, NEW MEXICO RENEWABLE ENERGY FINANCING
DISTRICT**

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 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, the Act further provides that "(a)ny 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"; and

WHEREAS, the Act further requires a public body to determine in a public meeting at least annually what notice is reasonable when applied to that body; and

WHEREAS, the Board of Directors of the Santa Fe County, New Mexico Renewable Energy Financing District (hereinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings and to otherwise specify important elements of its continuing compliance with the Act.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SANTA FE COUNTY, NEW MEXICO RENEWABLE ENERGY FINANCING DISTRICT, AS FOLLOWS:

1. **Regular Meetings.** Unless otherwise specified in the notice of meeting, a regular meeting of the Board will be held beginning at 1:00 p.m. on the second Tuesday of each month. Notice of a Regular Meeting shall be published in a newspaper of general circulation at least ten (10) days before such meeting. Notice of a Regular Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

2. **Special Meetings.** A Special Meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the members of the Board deem appropriate. Notice of a Special Meeting shall be published in a

SFC CLERK RECORDED 7/27/2010

newspaper of general circulation at least three (3) days before such meeting. Notice of a Special Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

3. Emergency Meetings. An Emergency Meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss. An Emergency Meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate. If possible given the emergency circumstances, notice of an Emergency Meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's website (www.santafecounty.org) at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible under the emergency circumstances in existence. Notice of an Emergency Meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

4. Agendas. Meeting notices shall include a preliminary agenda containing a list of specific items of business to be discussed or transacted at the meeting, or information on how the public may obtain a copy of an agenda. A preliminary agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's website (www.santafecounty.org) at least three (3) working days prior to the meeting. A final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building no later than twenty-four (24) hours preceding the meeting.

5. Recessed Meetings. A meeting may be recessed to a later day if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. Cancelled Meetings. A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the Santa Fe County Administrative Building, posting a notice on the County's website (www.santafecounty.org), and posting notices of the cancelled meeting on the doors at the County Administrative Building, as soon as practicable prior to the time and date of the cancelled meeting. Notice of a cancelled meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

7. Participation by Conference Telephone. A member of the Board may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is 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 Board who speaks during the meeting.

8. **Closed Meetings.** A meeting of the Board may be closed in the following manner:

a. If the Board is in an open meeting when a closed meeting is desired and authorized by the Open Meetings Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

b. If the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

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 that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

9. **Definition: "Meeting."** For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board.

APPROVED AND ADOPTED this 8th day of June, 2010.

**THE BOARD OF DIRECTORS OF THE
SANTA FE COUNTY, NEW MEXICO
RENEWABLE ENERGY FINANCING DISTRICT**



[Handwritten Signature]
Board Chair

ATTEST:

[Handwritten Signature]
Board Secretary

APPROVED AS TO FORM:

[Handwritten Signature]
Stephen C. Ross, County Attorney

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss RENEWABLE ENERGY RESO
I Hereby Certify That This Instrument Was Filed for PAGES: 3
Record On The 7TH Day Of July, 2010 at 09:03:41 AM
And Was Duly Recorded as Instrument # 1603957
Of The Records Of Santa Fe County
Witness My Hand And Seal Of Office
Deputy *[Handwritten Signature]* Valerie Espinoza
County Clerk, Santa Fe, NM