

1 **WHEREAS**, the New Mexico Legislature has amended certain provisions of the Open
2 Meetings Act and the Board desires to revise its Open Meetings Act resolution to comply with
3 the amended version of the Act; and

4 **WHEREAS**, the Board of County Commissioners of Santa Fe County and the City of
5 Santa Fe are parties to that certain Joint Powers Agreement between the City of Santa Fe and the
6 County of Santa Fe Governing the Buckman Direct Diversion Project, dated March 7, 2005; and

7 **WHEREAS**, the Buckman Direct Diversion Board (the "Board") desires to determine
8 herein what constitutes reasonable notice to the public of its meetings as required by the Act, and
9 to otherwise specify important elements of its continuing compliance with the Act.

10
11 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BUCKMAN**
12 **DIRECT DIVERSION BOARD, AS FOLLOWS:**

13 1. **Regular Meetings.** Unless otherwise specified, regular meetings of the Board
14 shall be held each month on the first Thursday of the month. Notice of any regular meeting shall
15 be provided to those broadcast stations licensed by the Federal Communications Commission
16 and newspapers of general circulation that have made written request for such notice ten (10)
17 days before such meeting.

18 2. **Special Meetings.** A special meeting of the Board may be called by the Chair or
19 by any two members of the Board upon three (3) days' notice at such time and place as the Chair
20 or the two members deem appropriate. Notice of special meetings shall be met by posting notice
21 of the date, time and place in a conspicuous and appropriate place at the Santa Fe County
22 Administrative building, at Santa Fe City Hall and on the Board's, Santa Fe County's and City's
23 internet websites (www.bddproject.org, www.santafecounty.org and www.santafenm.gov) at
24 least seventy-two (72) hours prior to a special meeting. Notice of a special meeting shall also be

1 provided to those broadcast stations licensed by the Federal Communications Commission and
2 newspapers of general circulation that have made written request for such notice.

3 3. **Emergency Meetings.** An emergency meeting of the Board may be called by the
4 Chair or by any two members of the Board to consider unforeseen circumstances that, if not
5 addressed immediately, will likely result in injury or damage to persons or property or
6 substantial financial loss. An emergency meeting may be conducted at a time and place as the
7 Chair or the two members deem appropriate. If possible, given the emergency circumstances,
8 notice of an emergency meeting shall be posted in a conspicuous and appropriate place at the
9 Santa Fe County Administrative Building and at Santa Fe City Hall at least twenty-four (24)
10 hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice
11 shall be posted as soon as possible under the emergency circumstances in existence. Notice of
12 an emergency meeting shall also be provided to broadcast stations licensed by the Federal
13 Communications Commission and newspapers of general circulation that have made written
14 request for such notice. Within ten (10) days of taking action on an emergency matter, the Board
15 shall report to the attorney general's office the action taken and the circumstances creating the
16 emergency.

17 4. **Agendas.** Any notice for meetings of the Board shall include an agenda
18 containing a list of specific items of business to be discussed or transacted at the meeting, or
19 information on how the public may obtain a copy of an agenda. At least seventy-two (72) hours
20 prior to a regular or special meeting, the final agenda shall be posted in a conspicuous and
21 appropriate place at the Santa Fe County Administrative Building, at Santa Fe City Hall, and on
22 the Board's, Santa Fe County's and the City's internet web sites (www.bddproject.org,
23 www.santafecounty.org and www.santafenm.gov).

1 5. **Recessed Meetings.** The Board may recess and reconvene a meeting to a later
2 day, if, prior to recessing, the Board specifies the date, time and place for continuation of the
3 meeting, and, immediately following the recessed meeting, posts notice of the date, time and
4 place for the reconvened meeting on or near the door of the place where the original meeting was
5 held. Only matters appearing on the agenda of the original meeting may be discussed at the
6 reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth
7 herein.

8 6. **Participation by Conference Telephone.** A member of the Board may
9 participate in a meeting of the Board by means of conference telephone or other similar
10 communications equipment when it is difficult or impossible for the member to attend the
11 meeting in person and only when necessary to meet the quorum requirements for the meeting.

12 7. **Closed Meetings.** A meeting may be closed in the following manner:

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

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

20 c. Following completion of any closed meeting, the minutes of the open
21 meeting that was closed, or the minutes of the next open meeting if the closed meeting was
22 separately scheduled, shall state that the matters discussed in the closed meeting were limited
23 only to those specified in the motion or notice for closure.

SFC CLERK RECORDED 06/12/2013

1 8. **Definition: "Meeting."** For purposes of this Resolution, the term "meeting" shall
2 be defined as a meeting of a quorum of the members of the Board held for the purpose of
3 formulating public policy, including the development of personnel policy, rules, regulations or
4 ordinances, discussing public business, or taking any action within the authority of or the
5 delegated authority of the Board.

6 9. Resolution No. 2013-1 is hereby rescinded.

7 **PASSED, APPROVED AND ADOPTED this 2nd day of May, 2013.**

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9
10 **BUCKMAN DIRECT DIVERSION BOARD:**

11
12
13 *Kathy Holian*
14
15 KATHY HOLIAN, Chair

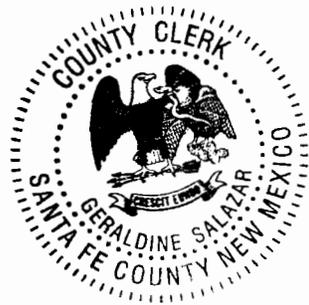
16
17 **ATTEST:**

18
19 *Geraldine Salazar*
20
21
22 GERALDINE SALAZAR, County Clerk
23
24
25 *6/11/2013*



26
27 **APPROVED AS TO FORM:**

28
29 *Nancy R. Long*
30 NANCY R. LONG, Board Counsel



Approved as to form
Santa Fe County Attorney
By: *[Signature]*
Date: *6-7-13*

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BUCKMAN DIRECT RESOLU
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I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of June, 2013 at 09:24:41 AM
And Was Duly Recorded as Instrument # **1708575**
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
[Signature] Geraldine Salazar
Deputy County Clerk, Santa Fe, NM