

**SANTA FE SOLID WASTE
MANAGEMENT AGENCY**

RESOLUTION NO. 2015-1

**A RESOLUTION DETERMINING REASONABLE NOTICE FOR PUBLIC
MEETINGS OF THE SANTA FE SOLID WASTE MANAGEMENT AGENCY**

WHEREAS, NMSA 1978, § 10-15-1 *et seq.*, as amended, known as the Open Meetings Act, provides in part that the formulation of public policy or the conduct of business by vote shall not be conducted in closed meetings, and that all meetings of a quorum of members of any board, commission, or other policy-making body of any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations, or ordinances, discussion of public business or taking any action within the authority or the delegated authority of any board are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act; and

WHEREAS, the Open Meetings Act further provides that any 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 meeting shall be held only after reasonable notice to the public of its meetings as required by the Open Meetings Act and that the affected body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body; and

WHEREAS, the Santa Fe Solid Waste Management Agency now desires to adopt this Open Meetings Act Resolution in compliance with the Act's requirement for annual determination of reasonable notice for meetings of the Agency.

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NOW, THEREFORE, BE IT RESOLVED BY THE SANTA FE SOLID WASTE MANAGEMENT AGENCY THAT:

1. Regular, Special and Emergency Meetings shall be held as follows:

- a. Regular Meetings: Regular meetings of the Santa Fe Solid Waste Management Agency (the "Agency") shall be held as determined by the Agency, and notice to the public of any and all regular meetings shall be given at least seven (7) days in advance of any meeting of a quorum of the members of the Agency held for the purpose of taking any action within the authority of the Agency. A notice shall be posted in a conspicuous and appropriate place at the Santa Fe County Administration Building and the Santa Fe City Clerk's Office at least seven (7) days prior to the public meeting, and notice shall be published in a newspaper of general circulation at least seven (7) days before such a meeting. Notice of meetings shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for such notices.
- b. Special Meetings: Special meetings may be scheduled by the Chairperson or by a majority of the Santa Fe Solid Waste Management Agency Joint Powers Board (the "Board") at such time and place as in the opinion of the Chairperson or a majority of the Board a special meeting should take place to consider and take action on public business. Notice of such special meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administration Building and Santa Fe City Clerk's office at least seventy-two (72) hours prior to the public meeting. Notice of meetings shall be provided to broadcast stations

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licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for such notices.

- c. Emergency Meeting: Emergency meetings may be scheduled by the Chairperson or by a majority of the Board to consider any matter which could not have been anticipated and which threatens the health, welfare or safety of the citizens of Santa Fe County if not addressed immediately by the Agency. Emergency meetings may be conducted at a time and place designated by the Chairperson or by a majority of the Board, and notice of such meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administration Building and Santa Fe City Clerk's office at least twenty-four (24) hours prior to the emergency meeting, if possible. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible under the circumstances. Notice of meetings shall be provided to broadcast stations licensed by the Federal Communication Commission and newspapers of general circulation that have made a written request for notices. Within ten (10) days of taking action on an emergency matter, the Agency shall report to the attorney general's office the action taken and the circumstances creating the emergency.
- d. Agendas: Any notice for meetings of the Board shall include an 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. At least seventy-two (72) hours before a regular or special meeting the agenda shall be made available at the Santa Fe County Administration Building, 102 Grant Avenue, and the Santa Fe City Clerk's Office, 200 Lincoln Avenue, Santa Fe,

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New Mexico, and shall be posted on the Agency's website at www.sfswwa.org.

Board members shall have the right to have matters placed on the agenda at their request.

2. **BE IT FURTHER RESOLVED**, that the Agency may recess and reconvene a meeting to a later day if, prior to recessing, the Agency specifies the date, time and place for continuation of the meeting, and immediately following the recessed meeting posts notice of the date, time and place of the reconvened meeting on or near the door of the place where the original meeting was held and on the public bulletin board at the Santa Fe County Administration Building or City Hall. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.
3. **BE IT FURTHER RESOLVED**, that a member of the Board 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.
4. **BE IT FURTHER RESOLVED**, that notwithstanding any provision contained herein, the Agency may establish such additional notice requirements as may be deemed necessary and advisable.
5. **BE IT FURTHER RESOLVED**, that Resolution 2014-1 is hereby rescinded.

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PASSED, APPROVED, AND ADOPTED this 15th day of January, 2015.

SANTA FE SOLID WASTE MANAGEMENT AGENCY

Approved by:

Miguel Chavez
Miguel Chavez
Chairperson

Attest:

Geraldine Salazar
Geraldine Salazar
Santa Fe County Clerk

1-21-2015



Approved as to form:

Justin W. Miller
Justin W. Miller
Agency Attorney

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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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I Hereby Certify That This Instrument Was Filed for
Record On The 22ND Day Of January, 2015 at 01:19:23 PM
And Was Duly Recorded as Instrument # 1755538
Of The Records Of Santa Fe County



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