

**THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY, NEW MEXICO**

**RESOLUTION NO. 2019- 150**

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**A RESOLUTION**

**DETERMINING REASONABLE NOTICE FOR CALENDAR YEAR 2020 IN  
ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT, APPLICABLE  
TO ALL MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS ("BCC")  
AND TO THE MEETINGS OF COUNTY BOARDS AND COMMITTEES CREATED  
AND APPOINTED BY THE BCC ("APPOINTED COUNTY COMMITTEES");  
ESTABLISHING PERMISSIBLE MEETING LOCATIONS AND A WEBCAST AND  
BROADCAST POLICY**

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**WHEREAS**, the New Mexico Open Meetings Act ("Act") provides that "[a]ll meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of . . . any county, . . . held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking body 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 [Act]" [NMSA 1978, Section 10-15-1(B) (2013)]; 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" [NMSA 1978, Section 10-15-1(D)]; and

**WHEREAS**, the Act further requires a public body to "determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body" [NMSA 1978, Section 10-15-1(D)]; and

**WHEREAS**, pursuant to Section 10-15-1(D), the BCC hereby defines for calendar year 2020 reasonable notice for meetings of the BCC and Appointed County Committees; and

**WHEREAS**, this Resolution also establishes permissible meeting locations and a webcast and broadcast policy for calendar year 2020.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BCC AS FOLLOWS:**

**1. Regular Meetings.**

**A. BCC Meetings.**

**i. Time and Place; Schedule for Calendar Year 2019.** From January 1, 2020, through June 30, 2020, regular meetings of the BCC will be held at the Santa Fe County ("County") Administration Complex (located at 100 Catron Street, Santa Fe, New Mexico) and from July 1, 2020 through December 31, 2020 at the Administrative Building (located at 102 Grant Avenue, Santa Fe, New Mexico), beginning at 2:00 p.m., on the second and last Tuesday of each

month, except that there will be only one BCC meeting in December, on December 8, 2020. A copy of the complete calendar of regular meetings of the BCC for calendar year 2020 is attached to this Resolution as Appendix 1.

**ii. Notice.** This Resolution and Appendix 1 shall be posted in a conspicuous place at the County Administration Complex, if the initial date of posting is prior to July 1, 2020, or at the County Administrative Building, if the initial date of posting is on or after July 1, 2020. Posting of this Resolution and Appendix 1 shall constitute reasonable notice of all regular meetings of the BCC. This Resolution and Appendix 1 shall also be posted on the County website.

**iii. Notice of a Rescheduled Regular Meeting.** If a regular meeting is rescheduled from the date, time, or location specified in this Resolution and Appendix 1, at least ten (10) days prior to the date of the meeting, notice of the rescheduled meeting shall be posted in a conspicuous place at the County Administration Complex, if the initial date of posting is prior to July 1, 2020, or at the County Administrative Building, if the initial date of posting is after July 1, 2020.

**iv. Notice to Radio, Television and Print Media.** Notice of a regular meeting of the BCC will be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

## **B. Appointed County Committees.**

**i. Time and Place.** The regular meeting schedule of an Appointed County Committee may be specified in the BCC resolution creating the Committee. However, if not so specified, the time and place of regular meetings may be specified in a written decision of the Appointed County Committee or documented in the meeting minutes of the Committee.

**ii. Notice, Annual Schedule.** At least ten (10) days before a regular meeting of an Appointed County Committee, notice of the meeting shall be posted in a conspicuous place at the County Administration Complex, if the initial date of posting is prior to July 1, 2020, or at the County Administrative Building, if the initial date of posting is on or after July 1, 2020. Alternatively, a regular meeting schedule of an Appointed County Committee, if any, may be adopted for calendar year 2020 and posted in a conspicuous place at the County Administration Complex, prior to July 1, 2020, and thereafter at the County Administrative Building.

**iii. Notice of a Rescheduled Regular Meeting.** If a regular meeting of an Appointed County Committee is rescheduled from the date, time, or location specified on the annual schedule, at least ten (10) days prior to the date of the rescheduled meeting, notice of the rescheduled meeting shall be posted in a conspicuous place at the County Administration Complex, if the initial date of posting is prior to July 1, 2020, or at the County Administrative Building, if the initial date of posting is on or after July 1, 2020.

**iv. Notice to Radio, Television and Print Media.** Notice of a regular meeting of an Appointed County Committee shall also be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

## **2. Special Meetings.**

**A. When Held.** A special meeting of the BCC may be called by the Chair or by a majority of the members of the BCC at such time and place as they deem appropriate. A special

meeting of an Appointed County Committee may be called by its chair or by a majority of its members at such time or place they deem appropriate.

**B. Notice of Special Meeting.** At least three (3) days before a special meeting, notice of the meeting shall be posted in a conspicuous place at the County Administration Complex, if the initial date of posting is prior to July 1, 2020, or at the County Administrative Building, if the initial date of posting is after July 1, 2020.

**C. Notice to Radio, Television and Print Media.** 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.**

**A. BCC Emergency Meeting.** An emergency meeting of the BCC may be called by the Chair or by a majority of the members of the BCC to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County. An emergency meeting may be conducted at a time and place as the Chair or a majority of the members of the BCC may deem appropriate under the circumstances.

**B. Appointed County Committee Emergency Meetings.** An emergency meeting of an Appointed County Committee may be called by its chair or by a majority of its members to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County, to be held at such time or place as they may deem appropriate under the circumstances.

**C. Notice.** At least twenty-four (24) hours prior to an emergency meeting, if possible given the emergency circumstances, notice of the meeting shall be posted in a conspicuous place at the County Administration Complex, if the initial date of posting is prior to July 1, 2020, or at the County Administrative Building, if the initial date of posting is on or after July 1, 2020. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible.

**D. Notice to Radio, Television and Print Media.** 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.

**E. Required Report.** Any action taken at an emergency meeting shall be reported to the Attorney General's Office, as described in paragraph 4 of this Resolution.

**4. Agendas.** Meeting notices 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 such an agenda. At least seventy-two (72) hours before the meeting, if not included in the notice of meeting, a final agenda shall be prepared and posted on the County's web site and in a conspicuous place at the County Administration Complex, if the initial date of posting is prior to July 1, 2020, or at the County Administrative Building, if the initial date of posting is on or after July 1, 2020. Except for emergency matters, action shall be taken only on items appearing on the final agenda. An "emergency" refers to "unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial loss to the public body." NMSA 1978, Section 10-15-1(F). Within ten (10) days of taking action on an emergency matter, the County shall report to the Attorney General's Office the

action taken and the circumstances creating the emergency, except in the event of a declared state or federal emergency.

**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 place at the County Administration Complex, if the initial date of posting is prior to July 1, 2020, or at the County Administrative Building, if the initial date of posting is on or after July 1, 2020, and posting notices of the cancelled meeting on the doors of the building where the meeting was to be held as soon as practicable prior to the time and date of the cancelled meeting.

**7. Participation by Conference Telephone.** A member of the BCC may participate in a meeting of the BCC 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 BCC who speaks, during the meeting.

**8. Closed Meetings.** If authorized by the Act, the BCC or an Appointed County Committee may meet in executive session, which shall be closed to the general public, as follows:

A. An otherwise open meeting may temporarily be closed during the meeting, by majority vote of the quorum. The authority for closing the meeting and the subject to be discussed in executive session shall be stated with reasonable specificity in a motion to go into executive session. The votes on the motion shall be made in open session, and the vote of each member shall be recorded in the minutes. Only those subjects announced or voted upon prior to going into executive session may be discussed in the executive session.

B. A closed meeting may be scheduled and conducted separately from an open meeting if advance public notice of the closed meeting appropriate under the circumstances provided. Such notice shall state with reasonable specificity: (1) the provision(s) of the Act authorizing the closed meeting; and (2) the subject(s) to be discussed.

C. Following completion of a closed meeting, the minutes of the open meeting that was temporarily closed under Paragraph 8(A), or the minutes of the next open meeting if the closed meeting was separately scheduled under Paragraph 8(B), shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice of the closed meeting, as applicable.

**9. Scope of Resolution.** This Resolution applies to the meetings of the BCC and, except as may otherwise be provided by a resolution specific to a given Committee, the meetings of Appointed County Committees. The Resolution does not apply to meetings of any board or committee of entities created under the New Mexico Joint Powers Agreement Act or that are otherwise legally separate from the County, including the Extraterritorial Land Use Authority, the

Extraterritorial Land Use Commission, the Buckman Direct Diversion Board, the Regional Planning Authority, the Regional Emergency Communications Committee, the Northern Central Regional Transit District, and the Solid Waste Management Authority.

**10. BCC Meeting Locations.** Pursuant to NMSA 1978, Section 4-38-8 (1981), BCC meetings shall be held in the City of Santa Fe, except that meetings concerning matters of local interest only may be held in the community affected. All BCC meetings shall be held in a public building owned by the State, County, or public schools.

**11. Webcasting and Broadcasting Policy.** Unless it is impracticable or impossible to do so, BCC meetings shall be webcast live on the County's internet site and broadcast live on local radio and television stations. In addition, video recordings of BCC meetings shall be made available on the County's internet site for no less than one year.

**12. Effective Date; Sunset.** This Resolution shall become effective on January 1, 2020, and shall sunset on December 31, 2020.

PASSED, APPROVED, AND ADOPTED THIS 10<sup>th</sup> DAY OF DECEMBER, 2019

BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

By: Anna T. Hamilton  
Anna T. Hamilton, Chair



ATTEST:

Geraldine Salazar  
Geraldine Salazar  
Santa Fe County Clerk

Date: 12-10-2019

APPROVED AS TO FORM:

Rachel A. Brown  
Rachel A. Brown  
Interim Santa Fe County Attorney

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC RESOLUTIONS  
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I Hereby Certify That This Instrument Was Filed for  
Record On The 11TH Day Of December, 2019 at 11:01:59 AM  
And Was Duly Recorded as Instrument # **1904092**  
Of The Records Of Santa Fe County



Deputy Estrella Martinez Witness My Hand And Seal Of Office  
Geraldine Salazar  
County Clerk, Santa Fe, NM

## **APPENDIX 1**

**NOTICE OF REGULAR MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY TO BE HELD AND FROM JANUARY 1, 2020, THROUGH JUNE 30, 2020, IN THE EAST CONFERENCE ROOM ON THE SECOND FLOOR OF THE SANTA FE COUNTY ADMINISTRATION COMPLEX LOCATED AT 100 CATRON STREET, SANTA FE, NEW MEXICO, 87501 AND FROM JULY 1, 2020, TO DECEMBER 31, 2020, IN THE COMMISSION CHAMBERS ON THE SECOND FLOOR OF THE SANTA FE COUNTY ADMINISTRATIVE BUILDING LOCATED AT 102 GRANT AVENUE, SANTA FE, NEW MEXICO 87501**

January 14, 2020	2:00 PM
January 28, 2020	2:00 PM
February 11, 2020	2:00 PM
February 25, 2020	2:00 PM
March 10, 2020	2:00 PM
March 31, 2020	2:00 PM
April 14, 2020	2:00 PM
April 28, 2020	2:00 PM
May 12, 2020	2:00 PM
May 26, 2020	2:00 PM
June 9, 2020	2:00 PM
June 30, 2020	2:00 PM
July 14, 2020	2:00 PM
July 28, 2020	2:00 PM
August 11, 2020	2:00 PM
August 25, 2020	2:00 PM
September 8, 2020	2:00 PM
September 29, 2020	2:00 PM
October 13, 2020	2:00 PM
October 27, 2020	2:00 PM
November 10, 2020	2:00 PM
November 24, 2020	2:00 PM
December 8, 2020	2:00 PM

**SFC CLERK RECORDED 12/11/2019**

At least seventy-two (72) hours before the meeting, final agendas for these meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administration Complex (located at 100 Catron Street, Santa Fe, New Mexico), if the initial date of posting is prior to July 1, 2020 or at the Santa Fe County Administrative Building (located at 102 Grant Avenue, Santa Fe, New Mexico), if the initial date of posting is on or after July 1, 2020.