

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

RESOLUTION NO. 2018- 119

A RESOLUTION

DETERMINING REASONABLE NOTICE FOR CALENDAR YEAR 2019 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

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 2019 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.

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, 2019, through December 31, 2019, regular meetings of the BCC will be held at the Santa Fe County (“County”) 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 10, 2019. A copy of the complete calendar of regular meetings of the BCC for calendar year 2019 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 Administrative Building. 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, notice of the rescheduled meeting shall be posted in a conspicuous place at the County Administrative Building at least ten (10) days prior to the date of the meeting.

**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.** Notice of a regular meeting of an Appointed County Committee shall be posted in a conspicuous place at the County Administrative Building at least ten (10) days before the meeting. Alternatively, a regular meeting schedule of an Appointed County Committee, if any, may be adopted for calendar year 2019 and posted in a conspicuous place 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, notice of the rescheduled meeting shall be posted in a conspicuous place at the County Administrative Building at least ten (10) days prior to the date of the meeting.

**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.** Notice of a special meeting shall be posted in a conspicuous place at the County Administrative Building at least three (3) days before the meeting.

**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.** If possible given the emergency circumstances, notice of an emergency meeting shall be posted in a conspicuous place at the County Administrative Building 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.

**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. If not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous place at the County Administrative Building and on the County's web site at least seventy-two (72) hours before the meeting. 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 Administrative Building 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, 2019, and shall sunset on December 31, 2019.

PASSED, APPROVED, AND ADOPTED THIS 11<sup>th</sup> DAY OF DECEMBER, 2018.

BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

By: Anna Hansen  
Anna Hansen, Chair

Date: 11/27/18



ATTEST:  
Geraldine Salazar  
Geraldine Salazar, Santa Fe County Clerk

Date: 11-27-2018

APPROVED AS TO FORM:

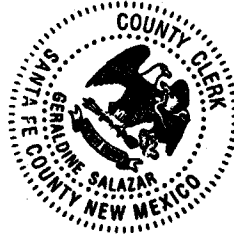
R. Bruce Frederick  
R. Bruce Frederick, Santa Fe County Attorney

Date: 11/15/2018

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 29TH Day Of November, 2018 at 10:30:17 AM  
And Was Duly Recorded as Instrument # **1873816**  
Of The Records Of Santa Fe County



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

SFC CLERK RECORDED 11/29/2018

**APPENDIX 1**

**NOTICE OF REGULAR MEETINGS OF THE BOARD OF COUNTY  
COMMISSIONERS OF SANTA FE COUNTY TO BE HELD FROM JANUARY 1, 2019,  
TO DECEMBER 31, 2019, IN THE COMMISSION CHAMBERS ON THE SECOND  
FLOOR OF THE SANTA FE COUNTY ADMINISTRATIVE BUILDING  
LOCATED AT 102 GRANT AVENUE SANTA FE NM 87501**

<b>January 8, 2019</b>	<b>2:00 PM</b>
<b>January 29, 2019</b>	<b>2:00 PM</b>
<b>February 12, 2019</b>	<b>2:00 PM</b>
<b>February 26, 2019</b>	<b>2:00 PM</b>
<b>March 12, 2019</b>	<b>2:00 PM</b>
<b>March 26, 2019</b>	<b>2:00 PM</b>
<b>April 9, 2019</b>	<b>2:00 PM</b>
<b>April 30, 2019</b>	<b>2:00 PM</b>
<b>May 14, 2019</b>	<b>2:00 PM</b>
<b>May 28, 2019</b>	<b>2:00 PM</b>
<b>June 11, 2019</b>	<b>2:00 PM</b>
<b>June 25, 2019</b>	<b>2:00 PM</b>
<b>July 9, 2019</b>	<b>2:00 PM</b>
<b>July 30, 2019</b>	<b>2:00 PM</b>
<b>August 13, 2019</b>	<b>2:00 PM</b>
<b>August 27, 2019</b>	<b>2:00 PM</b>
<b>September 10, 2019</b>	<b>2:00 PM</b>
<b>September 24, 2019</b>	<b>2:00 PM</b>
<b>October 8, 2019</b>	<b>2:00 PM</b>
<b>October 29, 2019</b>	<b>2:00 PM</b>
<b>November 12, 2019</b>	<b>2:00 PM</b>
<b>November 26, 2019</b>	<b>2:00 PM</b>
<b>December 10, 2019</b>	<b>2:00 PM</b>

**SFC CLERK RECORDED 11/29/2018**

**Final agendas for these meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501 and on the County's internet web site at least seventy-two (72) hours before the meeting.**