

**STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION**

RESOLUTION NO. 2019-01: OPEN MEETINGS

WHEREAS, the New Mexico Water Quality Control Commission (“the Commission”) met in open session during a regularly scheduled meeting in Santa Fe on April 9, 2019, at 9:00 AM; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -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, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Commission to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Commission that:

1. Unless otherwise specified, regular meetings of the Commission shall be held on the second Tuesday of each month, in Santa Fe at 9:00 a.m. Regular meetings may be canceled for lack of business. Meeting agendas will be available at least seventy-two (72) hours prior to the meeting on the Commission’s website maintained by the New Mexico Environment Department at www.env.nm.gov/water-quality-control-commission/wqcc/ or from the Commission Administrator, whose office is located at 1190 South St. Francis Drive, S-2100 in Santa Fe and can be contacted at (505) 827-2425.
2. Special meetings may be called by the Chair or a majority of the members with seventy-two (72) hours’ notice. The agenda for the meeting shall be posted on the Commission’s website at least (72) hours in advance of any special meeting.
3. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety, or property of citizens or to protect the Commission from substantial financial loss. The Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair or a majority of the members with twenty-four (24) hours’ prior notice, unless the threat of personal injury, property damage, or substantial financial loss requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information

on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the Commission will notify the Office of the Attorney General.

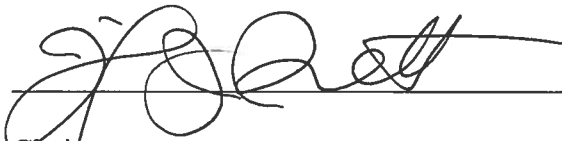
3. When it is difficult or impossible for a member to attend a meeting of the Commission in person, the member may participate by means of a conference telephone or similar communications equipment as authorized by the Open Meetings Act, NMSA 1978 § 10-15-1(C) and as provided by the rules and regulations of the Commission.
4. For the purposes of regular meetings described in Paragraph 1 of this Resolution, notice requirements are met if notice of the date, time, place, and either a copy of the agenda or information on how the public may obtain a copy of such an agenda is sent to the Commission's electronic mailing list maintained by the Commission Administrator and to the Governor's Office, and also posted in a visible location at the office of the Commission Administrator and on the Commission's website. Written notice shall also be sent to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of meetings.
5. For purposes of special and emergency meetings described in Paragraphs 2 and 3 of this Resolution, notice requirements are met if notice of the date, time, place and either a copy of the agenda or information on how the public may obtain a copy of such an agenda is sent to the Commission's electronic mailing list maintained by the Commission Administrator and to the Governor's Office, and also posted in a visible location at the office of the Commission Administrator and on the Commission's website. Telephone notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made written request for notice of public meetings.
6. In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the Commission Administrator, Pam Castañeda, at (505) 827-2425, at least ten (10) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Pam Castañeda if a summary or other type of accessible format is needed.
7. The Commission may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under the Open Meetings Act, NMSA 1978 § 10-15-1(H).
 - a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Commission taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with

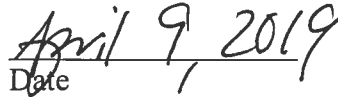
reasonable specificity in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

- b. If the decision to hold a closed meeting is made when the Commission is not in open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, is given to the members of the general public stating with reasonable specificity the specific provision(s) of law authorizing the closed meeting and the subject(s) to be discussed.
- 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 whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
- d. Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussion in a closed meeting shall be made by vote of the Commission in an open public meeting.

PASSED BY the Water Quality Control Commission this 9th day of April, 2019.



Chair



Date