

**State of New Mexico  
Water Quality Control Commission  
Open Meetings Resolution**

WHEREAS the Water Quality Control Commission met in Santa Fe on Tuesday, March 8, 2016 at 9:00 AM; and

WHEREAS the Open Meetings Act, NMSA 1978, §§ 10-15-1 through 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 the Open Meetings Act requires the Water Quality Control Commission to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Water Quality Control Commission that:

1. All meetings shall be held on the date and at the time and place indicated on the meeting notice. Notice of regular meetings will be given seventy-two (72) hours in advance of the meeting date. The notice shall include an agenda or information on how the public may obtain a copy of the agenda. The agenda shall be posted pursuant to the provisions of Paragraph 5 and shall be made available to the public in the office of the Commission.
2. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety, or property of citizens or to protect the Water Quality Control Commission from substantial financial loss. The Water Quality Control Commission will avoid emergency meetings whenever possible. Emergency meetings may be called upon twenty four (24) hours notice, unless the threat of personal injury, property damage or financial loss requires less notice. The notice for all emergency meetings shall include an agenda or information on how the public may obtain a copy of the agenda.
3. When it is difficult or impossible for a member to attend a meeting of the Water Quality Control 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 Water Quality Control Commission.

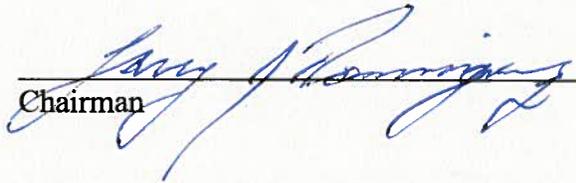
4. For purposes of general meetings described in paragraph 1 of this Resolution, notice of the date, time, place and agenda shall be given to the newspapers of general circulation in the state, those broadcast stations licensed by the Federal Communications Commission, and posted at the New Mexico Environment Department office at 1190 South St. Francis Drive, S-2102, Santa Fe, NM 87505. Copies of the written notice shall also be mailed to and newspapers of general circulation which have made a written request for notice of public meetings.
5. For purposes of emergency meetings described in paragraph 2 of this Resolution, notice of the date, time, place and agenda shall be posted at the New Mexico Environment Department office at 1190 South St. Francis Drive, Suite-2102, Santa Fe, NM 87505. Telephone notice shall be provided 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 Pam Castaneda at (505) 827-2425 at least one (1) week 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 Castaneda at (505) 827-2425 if a summary or other type of accessible format is needed.
7. The Water Quality Control 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 Water Quality Control 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 Water Quality Control 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 the Open Meetings Act, NMSA 1978 § 10-15-1(H), any action taken as a result of discussion in a closed meeting shall be made by vote of the Board in an open public meeting.

PASSED BY the Water Quality Control Commission this 8th day of March, 2016.

  
Chairman

  
Date