

CAMINO REAL REGIONAL UTILITY AUTHORITY RESOLUTION NO. 2017-___

**2017 OPEN MEETINGS POLICY OF THE
EXTRA-TERRITORIAL PLANNING AND ZONING COMMISSION**

WHEREAS, The Open Meetings Act NMSA 1978 § 10-15-1 (B) 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 the members of any board, council, commission, administrative adjudicatory body or other policy making body of any state, political subdivision, county or municipal authority or public agency held for the purpose of formulating public policy, discussion of 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, pursuant to the February 24th, 2009 Joint Powers Agreement between Doña Ana County and the City of Sunland Park, the Camino Real Regional Utility Authority (“CRRUA”) by Resolution No. 2013-08 created the Extra-Territorial Zoning Authority (“Authority”), and the Extra-Territorial Planning and Zoning Commission (“ETZC”) to provide for and administer subdivision, zoning, planning and platting regulations for present and future development within the designated service area within southern Doña Ana County, is a local government entity and public body subject to the Open Meetings Act; and

WHEREAS, any meeting 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 is given; and

WHEREAS, Section 10-15-1 (C) of the Open Meetings Act provides that a public body may authorize by its own rules the participation of its member in its meetings via telephone or other similar means of communication; and

WHEREAS, Section 10-15-1 (D) of the Open Meetings Act requires the ETZC as a public body to determine at least annually what constitutes reasonable notice of its public meetings, and the ETZC wishes to enact a resolution setting and announcing its public meeting notice policy.

WHEREAS, the ETZC has established an Open Meetings Policy for the year 2017 and recommends its approval by the ETA.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that:

1. Unless otherwise posted, all meetings of the ETZC shall be held at the Gadsden Independent School District Board Room, 4950 McNutt Rd., Sunland Park NM 88063.
2. Unless otherwise posted, regular meetings of the ETZC shall be held on the first Monday of each month at 4:00 p.m. See Meeting Calendar Exhibit A, attached. Notice of the meeting’s Agenda shall be available at least seven (7) days prior to the meeting. Special meetings and Work Sessions may be called at the discretion of the Chair or upon the request of two Board members. Notice of the Special Meetings and Work Sessions Agenda shall be made available and posted at least 72

hours prior to the Special Meeting or Work Session. All notices of meetings and Work Sessions shall be posted as provided for in paragraph 4.

3. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety, and property of citizens or to protect the ETZC from substantial financial loss. Emergency meetings may be called upon twenty-four (24) hours' notice, unless threat of personal injury or property damage requires less notice. Notice of emergency meetings shall be posted pursuant to the provisions of Paragraph 4. Within ten (10) days of taking action on an emergency matter, the public body shall report to the Attorney General's Office the action taken and the circumstances creating the emergency.
4. Notice requirements are met if the notice of time, place, and agenda are posted at the Office of the Authority, the County Government Center, the City of Sunland Park City Hall, the US Post Offices at Sunland Park and Santa Teresa, the Sunland Park State Motor Vehicle Division Office, the Sunland Park Library and the New Mexico Public Health Office at Sunland Park as well as notice provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written request for such notice. Notice will also be provided on the Doña Ana County Web Site.
5. Consistent with the American Disabilities Act, all notices are to be made available in alternative formats and shall include the following language: "If you are an individual with a disability who is in need of a reasonable accommodation to attend or participate in any Authority hearing or meeting open to the public, please contact the Authority's Americans with Disability Act Coordinator at least seventy-two (72) hours prior to the meeting, or as soon as possible. Public documents, including the Agenda and Minutes, can be provided in various accessible formats. The Authority's Americans with Disabilities Act Coordinator may be contacted at the Gadsden Independent School District Board Room, 4950 McNutt Rd., Sunland Park NM 88063, or call 575-589-1075.
6. The ETZC may close an ETZC meeting to the public if the subject matter of such discussion or action is exempt from the open meetings requirement under § 10-15-1 (H) of the Open Meetings Act, which may involve discussions relating to; licensing; limited personnel matter; administrative adjudication deliberations; collective bargaining; certain purchases; litigation and attorney client privileged communications; real property and water rights; and strategic planned and long-range business plans or trade secrets by a public hospital board.
7. If a meeting is closed to the public during a duly noticed upon meeting, such closure shall be approved by a majority vote of the ETZC members present, 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. The motion may cross reference the printed Agenda, provided items to be discussed in closed session are listed with reasonable specificity. The vote of each individual member regarding closure of the meeting shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

8. If the decision to hold a closed meeting is made when the ETZC is not a duly noticed open meeting, the closed meeting shall not be held until public notice is posted, appropriate under the circumstances, stating the specific provision of law authorizing the close meeting and the subjects to be discussed with reasonable specificity. Notice of emergency meetings shall be posted pursuant to the provisions of Paragraph 4.

9. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting of the closed meeting was separately scheduled, shall state whether the matter discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

10. In accordance with NMSA 1978 § 10-15-1, a member of the ETZC may participate in a meeting of the ETZC by means of 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 so participating is 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 ETZC who speaks during the meeting.

RECOMMEND FOR APPROVAL this 13TH day of January, 2017.

EXTRA-TERRITORIAL PLANNING AND ZONING COMMISSION

Chair	For /Against
Secretary	For /Against
Member	For /Against
Member	For /Against
Member	For /Against

APPROVED AND ADOPTED this 13th day of February, 2017

CAMINO REAL REGIONAL UTILITY AUTHORITY

Member For / Against

County Commissioner, Member For / Against

County Commissioner, Member For / Against

City of Sunland Park, Member For / Against

City of Sunland Park, Member For / Against

State Senator, Member For / Against

State Representative, Member For / Against