

STATE OF NEW MEXICO  
ACEQUIA COMMISSION

JULY 2023 – JULY 2024 OPEN MEETINGS ACT NOTICE RESOLUTION

WHEREAS, the New Mexico Acequia Commission (the “Commission”) met in a hybrid meeting via Zoom and in person at the Bataan Memorial Building on July 28th, 2023.;  
and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) (“OMA”) requires that, except as otherwise provided in the New Mexico Constitution or the provisions of OMA, all meetings of a quorum of members of any board, 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 public meetings open to the public at all times;  
and

WHEREAS, the Commission is a public body subject to the provisions of OMA;

WHEREAS, under Section 10-15-1(D), any meetings subject to the OMA 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) requires the Commission to determine annually what constitutes reasonable notice of its public meetings;

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

1. All regular Commission meetings shall be held at 10:00 a.m. in the Bataan Memorial Building at the Department of Finance and Administration, Local Government Division Conference Room, 407 Galisteo Street, Santa Fe, unless otherwise indicated in the meeting notice.
2. Unless otherwise specified in the meeting notice, regular Commission meetings shall be held on the fourth Friday of each month. Notice of any other regular meetings will be given no less than ten (10) days in advance of the meeting date. The agenda for all regular meetings will be available at least seventy-two (72) hours prior to the meeting electronically on the Commission’s website and in hardcopy form from the Department 1 of Finance and Administration, Local Government Division, whose office is located in the Bataan Memorial Building, 407 Galisteo Street, Room 201, Santa Fe.
3. Special meetings may be called by the Chair or a majority of the Commission members upon seventy-two (72) hours notice. The notice shall include an agenda. The agenda shall also be available to the public at least seventy-two hours before any special

<sup>1</sup> <http://www.nmacequiacommission.state.nm.us/meetings.html>

meeting electronically on the Commission's website and in hardcopy form from the Department of Finance and Administration, Local Government Division, whose office is located in the Bataan Memorial Building, 407 Galisteo Street, Room 201, Santa Fe.

4. 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 public body from likely 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 upon twenty-four (24) hours notice, unless threat of personal injury or property damage 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 Attorney General's Office in accordance with Section 10-15-1(F).

5. In the event it is difficult or impossible for a Commissioner to attend a Commission meeting in person, Commissioners may participate by electronic or telephonic means so long as the Commission can hear and communicate clearly with the physically absent participant.

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 services to attend or participate in the hearing or for additional information about the meeting, please call Chairman Ralph Vigil (505) 603-2879, ([molinodelaisla@gmail.com](mailto:molinodelaisla@gmail.com)). Agendas are available online at [www.nmacequiacommission.state.nm.us](http://www.nmacequiacommission.state.nm.us) at least 72 hours prior to the meeting.

7. The Commission may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.

(a) Under Section 10-15-1(I), if any meeting of the Commission 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 closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If the decision to hold a closed meeting is made when the Commission is not in an

open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.

(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 discussions in a closed meeting shall be made by vote of the Commission in an open public meeting.

ADOPTED BY THE NEW MEXICO ACEQUIA COMMISSION THIS 27th DAY OF JULY  
2023

A handwritten signature in cursive script that reads "Ralph Vigil". The signature is written in black ink and is positioned above a horizontal line.

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Ralph A. Vigil  
Chair of the Commission