

La Luz Mutual Domestic Water Consumers Association & MSWA

OPEN MEETINGS ACT

BOARD OF DIRECTORS of the La Luz Mutual Domestic Water Consumers Association & MSWA (LLMDWCA & MSWA) Resolution 2024-04

WHEREAS, The Board of Directors met in regular session at La Luz, New Mexico on March 19, 2024 at 7:00 p.m. as required by law; 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 taking any action within the authority of or the declared authority of such body, are declared to be public meetings open to the public at all times; 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; and

Whereas, Section 10-15-1(D) of the Open Meetings Act requires that the Board of Directors to determine annually what constitutes reasonable notice of its public meetings:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS THAT:

- 1) • All regular board meetings shall be held at La Luz MDWCA building at 7:00 p.m. or as indicated in the meeting notice.
- 2) • Unless otherwise specified, regular board meetings shall be held each month on the Third Tuesday. The agenda will be available at least twenty-four hours prior to the meeting at the office, which is located in La Luz, New Mexico. Notice of any other meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
- 3) • Special board meetings may be called by the President or a majority of the board members upon three (3) days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least twenty-four (24) hours before any special meeting.
- 4) • Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety, and property of citizens or to protect the public body from substantial financial loss. Emergency meetings may be called by the President or a majority of the board 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.
- 5) • Special meetings of the general membership may be called upon ten (10) days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain

a copy of the agenda. The agenda shall be available to the public at least twenty-four (24) hours before any special meeting.

- 6) • For the purpose of meetings described in paragraph 2, 3, 4, and 5 of this resolution, notice requirements are met if notice of the date, time, and place is placed in newspapers of general circulation and posted in the following locations: La Luz MDWCA Website and text alert, La Luz MDWCA Office, La Luz Post Office, and La Luz Market.
- 7) • The Board of Directors may close a meeting to the public only if the subject matter of such discussion or action is expected from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.
 - If any meeting is closed during an open meeting such closure shall be approved by a majority vote of a quorum of the Board of Directors 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.
 - If a closed meeting is conducted when the Board of Directors 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.
 - 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.
 - 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 Board of Directors in an open public meeting.

Passed by the Board of Directors this 19th day of March, 2024.

President Cheri C Moore
Vice-President M. J. R. [Signature]
Secretary Gary A. [Signature]
Treasurer Carol Garcia
Works Supervisor Anthony Ogden