

New Mexico Municipal Boundary Commission Open Meetings Resolution No. 2026-01

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 through 10-15-4) 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 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 Municipal Boundary Commission to determine annually what constitutes reasonable notice of its public meetings;

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

1. Notice of regular 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. The agenda shall be available at least seventy-two (72) hours prior to the meeting from the Municipal Boundary Commission, whose office is located at the New Mexico Department of Finance and Administration (DFA), Local Government Division, Bataan Memorial Building, Room 202, Santa Fe, New Mexico, and shall be posted on the DFA website at https://www.nmdfa.state.nm.us/local-government/special_services_bureau/municipal-boundary-commission/ .

2. Special meetings may be called by the Chair or a majority of the 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 seventy-two (72) hours before any special meeting and shall be posted on the DFA website at https://www.nmdfa.state.nm.us/local-government/special_services_bureau/municipal-boundary-commission/ .

3. 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. 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.

4. For the purposes of regular meetings described in Paragraph 1 of this resolution, notice requirements are met if notice of the meeting date, time, location and agenda is placed in at least one newspaper of general circulation in the state and posted in the offices of the Local Government Division, New Mexico Department of Finance and Administration, Bataan Memorial Building, Room 202, Santa Fe, New Mexico. Copies of the written notice shall also be provided by mail, email or fax to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of Municipal Boundary Commission public meetings. Interested persons may make a written request of the Local Government Division to be notified by email of all Commission meetings, and the Division shall establish an email mailing list of interested persons for this purpose.

5. For the purposes of special meetings and emergency meetings described in Paragraphs 3 and 4 of this resolution, notice requirements are met if notice of the meeting date, time, location and agenda is provided by telephone, email or fax to at least one newspaper of general circulation in the state and posted in the offices of the Local Government Division, New Mexico Department of Finance and Administration, Bataan Memorial Building, Room 202, Santa Fe, New Mexico and posted on the DFA website at https://www.nmdfa.state.nm.us/local-government/special_services_bureau/municipal-boundary-commission/. Telephone, email or fax notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of Municipal Boundary Commission public meetings. Interested persons may make a written request of the Local Government Division to be notified by email of all Commission meetings, and the Division shall establish an email mailing list of interested persons for this purpose.

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 hearing or meeting please contact the Commission Administrator at (505) 827-4787 at least one 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 the Commission Administrator if a summary or other type of accessible format is needed.

7. A commissioner may participate in a meeting of the commission by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the commissioner to attend the meeting in person, provided that each commissioner participating by conference telephone can be 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 commissioner who speaks during the meeting.

8. The Municipal Boundary 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 Section 10-15-1(H) of the Open Meetings Act.

a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Municipal Boundary 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 roll call vote of each individual commissioner 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 Municipal Boundary Commission is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating with reasonable specificity the specific provision of law authorizing the closed meeting and the subjects to be discussed, is given to the commissioners 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 Municipal Boundary Commission in an open public meeting.

Passed by the Municipal Boundary Commission this 26th day of June, 2026.

Chair