



Village of Cuba

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Cuba, NM 87013
(575) 289-3758

Mayor
Denny Herrera
Mayor Pro Tem
Gilbert Dominguez
Council Members
Rebecca L. Salazar
Kyle S. Sandoval
Monica A. Olivas

Administrative Offices

VILLAGE OF CUBA State of New Mexico Adoption of Open Meetings Act No. OMA-01-01-2025

WHEREAS the Village of Cuba Governing Body will meet in Regular Session on January 8, 2025, at 6:00 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 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, an act relating to open meeting; requiring conference committees to be public meetings; be it enacted by the Legislature of the State of New Mexico;

Section 1. Section 10-15-2 NMSE 1978 (being Laws 1974, Chapter 91, Section 2) is amended to read; "10-15-2. State Legislature Meetings"

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 the Village of Cuba to determine annually what constitutes reasonable notice of its public meetings;

WHEREAS, Section 10-4-2. [Causes for removal of local officers] (1909) the following shall be causes for removal of any officer belonging to the class mentioned in the preceding Section [10-4-1 NMSA 1978]:

A. *Conviction of any felony or of any misdemeanor involving moral turpitude;*

- B. *Failure, neglect or refusal to discharge the duties of the office, or failure, or neglect or refusal to discharge any duty devolving upon the officer by virtue of his/her office;*
- C. *Knowingly demanding or receiving illegal fees as such officer;*
- D. *Failure to account for money coming into his hands as such officer;*
- E. *Gross incompetency or gross negligence in discharging the duties of the office;*
- F. *Any other act or acts, which in the opinion of the court or jury amount to corruption in office or gross immorality rendering the incumbent unfit to fill the office.*

NOW, THEREFORE, BE IT RESOLVED by the Governing body of the Village of Cuba that:

(1.)

All meetings shall be held at the Municipal Court Chambers, at 16 B East Cordova Avenue, Cuba, New Mexico, Regular Meetings will commence at 6:00 p.m. The Regular Meeting on the last Wednesday in August will be held on the first Wednesday in September so that the Governing Body may attend the NMML Annual Conference. Regular and Special Meetings will include the Village of Cuba Housing Authority, unless otherwise specified with reasonable notice. The NMML Annual Conference may constitute a quorum of the Village of Cuba Governing Body where no other Village business will be discussed.

(2.)

Unless otherwise specified, Regular Meetings shall be held on the last Wednesday of the month. The agenda will be available to the Governing Body at least seventy-two hours [72] prior to the regular meeting from the Village Clerk-Treasurer whose office is located at 16 b East Cordova Avenue in Cuba, New Mexico. Notice of any other Regular Meetings will be given ten (10) days in advance of the meeting date. The notice shall be posted in 18 business locations and indicate how a copy of the agenda may be obtained. The notice may be posted in the Village of Cuba website.

(3.)

Special Meetings may be called by the Mayor of Cuba or a majority of the members upon three (3) days of notice. The notice shall include an agenda for the special meeting or information on how members of the public may obtain a copy of the agenda. The Special Meeting agenda shall be available to the public at least seventy-two hours [72] before any Special Meeting. The notice may be posted in the Village of Cuba website.

(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. The Village of Cuba will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor of Cuba 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. The notice may be posted in the Village of Cuba website.

(5.)

For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state and or posted in the 18 business locations. A copy of a written notice, may also be mailed to those broadcast stations licensed by and between the Federal Communications Commission, and or newspapers of general circulation that have submitted a written request for notice of public meetings.

(6.)

For the purposes of special meetings and emergency meetings described in paragraph 3 and 4 of this Open Meetings Act Resolution, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted in the offices of the Village Clerk. Telephonic notice may be given to those broadcast stations licensed by the Federal Communications Commission and or newspapers of general circulation that have made a written request for notice of public meeting.

(7.)

In addition to the information specified above, all notices may include the proposed 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 Village Clerk at 575-289-3758 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 Village Clerk at 575-289-3758 if a summary or other type of accessible format is needed.

(8.)

The Village of Cuba Governing Body may close a meeting to the public only if the subject matter of such discussion or action is accepted 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 Governing Body 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 a closed meeting is conducted when the Governing Body 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 Governing Body in an open public meeting.

(9.)

A member of the Village of Cuba Governing Body may participate in a meeting of the Village of Cuba by means of a 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 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 member of the public body who speaks during the meeting. This rule shall not apply unless a quorum of the Governing Body is physically present at the beginning of the meeting at which such Council Member are participating by conference telephone or other similar communications equipment. In the event a quorum ceases to be physically present during such meeting, the meeting may continue as long as a quorum exists as to those Commissioners physically present and those participating by conference telephone or other similar communications equipment.

The Open Meetings Act # OMA-01-01-2025 has been Adopted, Passed and Approved for 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 time, by the Governing Body this 8th day of January 2025, in the County of Sandoval, Cuba, New Mexico.

By: _____

Mayor Denny Herrera

By: _____

Mayor Pro Tem Gilbert Dominguez

By: _____

Council Member Rebecca L. Salazar

By: _____

Council Member Kyle S. Sandoval

By: _____

Council Member Monica A. Olivas

(Attest)

By: _____

Clerk-Treasurer Vandora P. Casados

