



**CITY OF ANTHONY  
OPEN MEETINGS ACT  
RESOLUTION 2025-001  
AMENDMENT 1**

**A RESOLUTION ESTABLISHING THE CITY OF ANTHONY GOVERNING BODY'S MEETING AND NOTICE PROCEDURES FOR THE CALENDAR YEAR 2025 IN ACCORDANCE WITH THE STATE OF NEW MEXICO OPEN MEETINGS ACT, NMSA 1978, CHAPTER 10, ARTICLE 15.**

**WHEREAS, §10-15-1 (B)** NMSA 1978, provides that: "All meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policy making body of any state agency, any agency or authority of any county, municipality, district or any political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of any board, commission or other policy making body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the Open Meetings Act.", and;

**WHEREAS, §10-15-4**, NMSA 1978, provides that: "Any person violating any of the provisions of Section 10-15-1 or 10-15-2 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) for each offense.", and;

**WHEREAS, §10-15-1 (D)**, NMSA 1978, provides that: "Any meeting at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which the majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body. That notice shall include broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice.", and;

**WHEREAS, §3-1-2 (J)**, NMSA 1978, provides that: "Publish" or "publication" means printing in a newspaper that maintains an office in the municipality and is of general circulation within the municipality or, if such newspaper is a non-daily paper that will not be circulated to the public in time to meet publication requirements or if there is no newspaper that maintains an office in the municipality and is of general circulation within the municipality, then "publish" or "publication" means posting in six public places within the municipality on the first day of that publication is required in a newspaper that maintains an office in the municipality and is of general circulation within the municipality. One of the public places where posting shall be made is the office of the municipal clerk who shall maintain the posting during the length of time necessary to comply with the provision relating to the number of times publication is required in a newspaper of general circulation within the municipality. The municipal clerk, may in addition to posting, publish one or more times in a newspaper of general circulation in the municipality", and;

**WHEREAS**, the Governing Body of the City of Anthony is vested in its Board of Trustees consisting of the

Mayor, and four (4) Trustees. The Governing Body will be meeting on a regular basis to manage the affairs of the citizens of the City of Anthony;

**WHEREAS**, this resolution will replace any prior resolution to the extent that they conflict with this Resolution.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the City of Anthony (Here after referred to as the "Governing Body") that:

1. The regular meetings of the Governing Body of the City of Anthony shall be held on the first and third Wednesday of the month at 6:00 p.m. in the Board of Trustees Chambers located at 820 HWY 478, Anthony, New Mexico, with virtual provision. Special meetings can be held virtually at the discretion of the Governing Body. Although it is the intent of the Governing Body to fulfill these obligations, a regular meeting may convene in a location other than that described in this section provided due notice has been given to the public. Additionally, a regular meeting may be cancelled and postponed to an alternate date and time by a majority of the Governing Body provided due notice has been provided to the public. Each member of the Governing Body shall be notified of the alternate date. Furthermore, action by the Governing Body, and not the Mayor acting alone, is necessary to cancel a regularly scheduled meeting. (1971 Op. Atty. Gen. No. 71-46)
2. The Mayor or a majority of the members of the Governing Body may call special meetings by notice to each member of the Governing Body, personally served or left as his/her usual place of residence, or email or phone call (§3-12-3 (D), NMSA 1978).
3. The date and time of workshops of the Governing Body of the City of Anthony shall be posted/published at least seventy-two (72) hours in advance of the meeting date and time. Workshops are to be held for the purpose of discussing City projects, issues, and other matters of interest which do not require or allow any official action of the Governing Body. Workshops will generally be convened in the Board of Trustees Chambers located at 820 Highway 478, Anthony, New Mexico unless a different location is listed on the posted/published notice to the public.
4. Monthly budget workshops will be scheduled every 4<sup>th</sup> Monday of the month at 6:00pm. (For financial review updates.)
5. Except in the case of an emergency, the agenda and agenda packet items for a regular meeting, special meeting, or workshop shall generally be available to the public at the time the meetings notice is posted/published, but not less than three (3) business day prior to the meeting/workshop time. Made available means that the agenda and agenda packet items are available for viewing at the City Clerk's office or customer window, located in City Hall and the Public Library. An "emergency meeting" called with little or no notice must involve issues that could not have been anticipated and that, if not addressed immediately by the public body, will likely threaten the health, safety, or property of its citizens, or likely result in substantial financial loss to the public body. Except for emergency matters, the Governing Body shall take action only on those items appearing on the agenda.
6. Compliance with the published notice requirement of this Resolution consists of posting of the date, time, place, and subject matter, by having all pages of the agenda fully displayed, of any meeting in seven (7) public places in or near the City of Anthony. The posting places are as follows: City Hall (820 HWY 478), Anthony Post Office (1190 Anthony Dr.), and City of Anthony Library (750 Landers), City website (cityofanthonymn.com), City of Anthony Bus Stop located on Anthony Dr Walking path by Acosta Rd and Anthony Dr intersection, Anthony Water &

Sanitation District (1155 N 4<sup>th</sup> St.) and the Senior Citizens Center (865 N Anthony Drive). The agenda and agenda packet items also will be available for continued viewing 72 hours in advance of the meeting at [www.cityofanthony.nm.com](http://www.cityofanthony.nm.com) and our City Facebook page. Agenda packet items will be made available for viewing at City Hall and the Public Library.

7. 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, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing of meeting, please contact the Office of the City Clerk at (575) 882-2983 at least one (1) week prior to the meeting or no later than 48 hours prior to the meeting. The City will make every good faith effort to provide a translator when requested but cannot always guarantee one will be present. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Office of the City Clerk at (575) 882-2983 if a summary or other type of accessible format is needed.
8. Notwithstanding any other provision of this Resolution, the Governing Body may establish such additional notice requirements as may be deemed proper and advisable to comply with the provision of the Open Meetings Act.
9. The Mayor, as chairman of the board, shall set the agenda and order. Where a Board of Trustee member wishes to add or remove items on the agenda, the item(s) may be added or removed upon approval of a majority of the Governing Board.. Should the Mayor refuse to add or remove an item on the agenda, the simple majority vote by the Board of Trustees may override the Mayor to add or remove items from the agenda for the subsequent regular Board meeting.
10. The Governing Body may close a meeting as allowed by and in full accordance with the New Mexico Open Meetings Act §10-15-1(H) & (I), NMSA 1978. Only those subjects specified in the motion to close a meeting may be discussed by the Governing Body and, upon completion of any closed meeting, the Governing Body's minutes must indicate whether the subject discussed in the closed meeting were limited to only the subjects specified in the initial motion.
11. The citizens of the City of Anthony have a right to see and hear how their elected officials are voting and likewise, the elected officials have the obligation to see and hear their constituent's official conversation. The public will be allowed public participation at every Regular Board meeting. The allotted time shall be a total of three minutes during Public Participation. If the said member of the public is in need of additional time, an additional minute will be allotted at the discretion of the Governing Body. If the said individuals comment is directly connected to an agenda item, the said individual will be allowed to speak during the proposed agenda item if the set time has not been utilized. If the allotted time was utilized, additional time may be allotted by the Governing Body. Public comment shall not be infringed and is to be placed on the agenda. Shall this occur, the simple majority of the Governing Body can override the Chair/Chairman of the meeting with a simple majority of Governing Body Members. Therefore, the only mechanism suitable for "remote participation" on the part of any member of the Governing Body would be via electronic audio/video transmission devices at both the sending and receiving end. If a member of the Governing Board, whether it be the Mayor or a member of the Board of Trustees elect to participate in the meeting via remote participation, the members present shall approve or deny remote participation of the said member during roll call in determination of quorum at the beginning of the meeting.
12. The City Clerk shall be present at all Governing Board Meetings sponsored and/or held by

the City of Anthony through its Governing Board Members where a majority of the Governing Board is present physically.

13. The City Clerk shall only be present by remote participation only where a majority of Governing Board members are present virtually (i.e. notice of virtual meeting), or under special occasions the members present shall approve or deny remote participation of the City Clerk during roll call in determination of quorum at the beginning of the meeting.

14. It is the intent of this document to mandate a logical adherence to the **CITY OF ANTHONY** 2025 Board of Trustees Regular Meeting Schedule.


**BE IT FURTHER RESOLVED THAT:** the provisions of this resolution supersede all previously adopted or resolutions in conflict.

**ADOPTED, PASSED AND APPROVED ON THIS 16<sup>TH</sup> DAY OF APRIL OF 2025.**

  
Diana Murillo, Mayor

{SEAL}

Attest:

  
Karla Oropeza, City Clerk



**ROLL CALL VOTE:**

MPT Gabriel I. Holguin

☒ YES ☐ NO

Trustee Jose Garcia


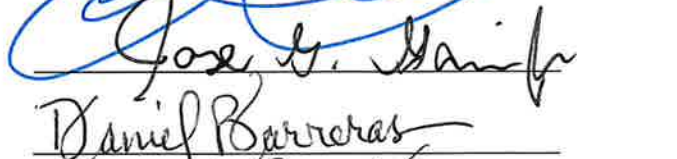

☒ YES ☐ NO

Trustee Daniel Barreras

YES ☐ NO ☐

Trustee Fernando Herrera

☒ YES ☐ NO

  
Jose G. Garcia  
  
Daniel Barreras  
  
Fernando Herrera