

## THE LAS CRUCES EXTRA-TERRITORIAL ZONING AUTHORITY

### STATEMENT OF REASONABLE NOTICE FOR MEETINGS

**WHEREAS**, the Las Cruces Extra-territorial Zoning Authority (ETA) was formed through a Joint Powers Agreement between the City of Las Cruces and the County of Doña Ana, and met in a duly-noticed public meeting at 5:00 p.m., on January 21, 2009; and,

**WHEREAS**, pursuant to the Open Meeting Act, NMSA 1978, §§ 10-15-1 et seq., in particular § 10-15-1(B), all meetings of a quorum of the members of the ETA discussing public business or held for the purpose of taking any action within the authority delegated to the ETA are declared to be public meetings and shall be open to the public, consistent with the provisions of the Open Meetings Act; and

**WHEREAS**, the Open Meetings Act, in particular § 10-15-1(D), requires that the ETA determine, on at least an annual basis, what shall constitute reasonable notice to the public of meetings of the ETA;

**NOW, THEREFORE**, the Las Cruces Extra-territorial Zoning Authority, consistent with the By-Laws of the Authority, hereby adopts the following notice requirements for meetings of the Authority for 2009:

#### I.

Unless otherwise specified, regular public meeting of the Las Cruces Extra-territorial Zoning Authority shall be held on the third Wednesday of every month at 5:00 p.m. in the County Commission Chambers at the Dona Ana County Government Center, 845 North Motel Blvd, Las Cruces, New Mexico. **See the attached Exhibit A for the schedule of ETA Meetings for the 2009 calendar year.**

#### II.

The ETA holds public hearings as required by the ETZ Subdivision Ordinance and the ETZ Zoning Ordinance. Notice of those public hearings shall be sent by mail and published consistent with the applicable provisions of those Ordinances. In addition, the Extra-territorial Zoning Authority determines that reasonable notice of public meetings of the ETA shall include the issuance, distribution, and posting of an agenda for each regular meeting by 5:00 p.m. on the Friday preceding a regular Wednesday meeting. Agendas for the regular meetings shall be posted on bulletin boards at the City of Las Cruces City Hall, the Branigan Memorial Library, and the Doña Ana County Government Center. The Planning Staff shall also provide notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written request for notice of the Authority's meetings.

**III.**

Reasonable notice for a special meeting or work session shall require the issuance, distribution, and posting of an agenda at least 3 days prior to the time of the special meeting. In an emergency, when necessary for the public peace, health, safety and welfare, an emergency meeting may be called by the Chairperson or a majority of the members. Reasonable notice of an emergency meeting shall require the issuance, distribution, and posting of an agenda at least 24 hours prior to the time of the emergency meeting.

**IV.**

Substantial compliance with any one of the appropriate foregoing methods of giving notice shall constitute compliance with this Statement and the Open Meetings Act. Nothing herein shall prevent the use of additional means or methods of giving notice of regular or special meetings. Nothing herein shall require new notice of any public meeting for which notice has been given and which recessed or adjourned. However, in recessing a meeting, the presiding officer shall announce the date, time, and place at which the meeting or case shall resume.

**V.**

If any section, paragraph, clause, or provision of this statement shall be for any reason held to be invalid or unenforceable, the validity of unenforceability of such section, paragraph or clause or provision shall not affect any of the remaining provisions of this Statement or its application to other situations.

**THE EXTRA-TERRITORIAL ZONING AUTHORITY**

\_\_\_\_\_  
Gil Jones, Chairman

\_\_\_\_\_  
Karen G. Perez, Member

\_\_\_\_\_  
Miguel Silva, Member

\_\_\_\_\_  
Oscar Vasquez Butler, Member

\_\_\_\_\_  
Scott Krahling, Member

## Exhibit A

### 2009 MEETING CALENDAR FOR THE LAS CRUCES EXTRA-TERRITORIAL ZONING AUTHORITY

The Extra-territorial Zoning Authority will meet on the **third Wednesday of each month at 5:00 o'clock P.M.** in the County Commission Chambers at the Doña Ana County Government Center, 845 North Motel Blvd, Las Cruces, New Mexico 88007. The following is the schedule of meeting dates for the **2009** calendar year:

<b>2009 MEETING CALENDAR FOR THE EXTRA-TERRITORIAL ZONING AUTHORITY</b>	
<b>MEETING DATE</b>	<b>APPLICATION SUBMITTAL DEADLINE *</b>
January 21 2009 #	Friday, December 5, 2008
February 18, 2009	Friday, January 2, 2009
March 18, 2009	Friday, January 30, 2009
April 15, 2009	Friday, February 27, 2009
May 20, 2009	Friday, April 3, 2009
June 17, 2009	Friday, May 1, 2009
July 15, 2009	Friday, May 29, 2009
August 19, 2009	Thurs., July 2, 2009
September 16, 2009	Friday, July 31, 2009
October 21, 2009	Friday, Sept. 4, 2009
November 18, 2009	Friday, October 2, 2009
December 16, 2009	Friday, October 30, 2009
January 20, 2010	Friday, December 4, 2009

**#Note: The January 2009 Meeting date (Jan. 21<sup>st</sup>) was approved with the 2008 Calendar.**

**\*Meeting a submittal deadline does not guarantee your case will go to a specific Extra-Territorial Zoning Authority meeting. Consideration by the ETA will be scheduled once all relevant review comments and issues are resolved.**