

STATE OF NEW MEXICO  
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS  
ATTORNEY GENERAL

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April 15, 2019

**VIA ELECTRONIC MAIL ONLY**

Laura Salguero  
612 Newport Ct. SE  
Albuquerque, NM 87123  
Email: [salguerolm@gmail.com](mailto:salguerolm@gmail.com)

**Re: Open Meetings Act Complaint – Singing Arrow Neighborhood Association**

Dear Ms. Salguero:

The Office of the Attorney General, Open Government Division (“OGD”) has received your complaint alleging violations of the Open Meetings Act (“OMA”), NMSA 1978, Sections 10-15-1 to -4 (1974, as amended through 2013), by Singing Arrow Neighborhood Association (“the Association”). The OGD is charged with enforcement of the OMA and in that capacity has reviewed the facts and allegations in your complaint. *See* NMSA 1978, § 10-15-3(B).

The Open Meetings Act is intended to provide the public with access to “the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them.” Section 10-15-1(A). The OMA is therefore applicable to any public body, which is defined as “any state agency or any agency or authority of any county, municipality, district or political subdivision, held for the purpose of formulating public policy.” Section 10-15-1(B). It does not, however, apply to private entities such as businesses or corporations.

In the complaint you have submitted to us, you allege violations of the OMA by Singing Arrow Neighborhood Association. However, because the Association appears to be a private entity, we have concluded at this time that it is not a public body for the purposes of the OMA. As a result, we also conclude that your complaints have not identified a violation of the OMA, and we consider this matter closed.

Laura Salguero  
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The Office of the Attorney General appreciates you bringing possible violations to this office and will welcome any further complaints you may submit. If you have any concerns in the future, please do not hesitate to contact us. Additionally, the OMA Guide is available on the website of the Office of the Attorney General at [www.nmag.gov](http://www.nmag.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "John Kreienkamp". The signature is stylized and cursive.

John Kreienkamp  
Assistant Attorney General

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## Electronic Complaint Submission

### Submission Detail

**ECS Reference Number** NMOAG-ECS-20180921-e603

**Final Submit Date** 9/21/2018 7:01:04 PM

**Disclosure of your complaint:** This complaint is a public record, thus available under provisions of the NM Inspection of Public Records Act.

**Disclosure to other entities:** This complaint, its content, and other information may be disclosed to other law enforcement and regulatory agencies.

**I understand this complaint and any submitted documents are public record and may be shared with other law enforcement and regulatory agencies.**

**DECLARATION:** By submitting this form, I attest that the information in this complaint is true and accurate to the best of my knowledge. I further understand that by submitting this form I may be called to testify as a witness in this matter.

**I understand declaration statement.**

*The New Mexico Office of the Attorney General cannot give legal advice regarding this complaint and will not act as your personal attorney. If you have questions regarding your rights please contact a private attorney.*

*Submission of this complaint is not confirmation that an investigation will be initiated.*

## Complaint Detail

**Complaint Type** Open Meetings (OMA) Complaint

**Retained Attorney**

## Parties

### Complainant

[Laura Salguero SalgueroLM@Gmail.com](mailto:Laura.Salguero.SalgueroLM@Gmail.com)

Person

#### Address

[REDACTED]

#### Contact information

[REDACTED]

### Complaint against

[Singing Arrow Neighborhood Association - Ilena Estrella](#)

Organization

#### Address

Albuquerque, New Mexico 87123

#### Contact information

[abqsana@gmail.com](mailto:abqsana@gmail.com)

(505) 417-1570

<https://www.memberplanet.com/abqsana/>

Ilena is the President. Her email is [ilenaestrella@hotmail.com](mailto:ilenaestrella@hotmail.com) Judy Young is a board member. She can be contacted at [youngjudy@ymail.com](mailto:youngjudy@ymail.com) Martina Mesmer is also a board member and can be contacted at [martina776@comcast.net](mailto:martina776@comcast.net)

## Complaint Specifics

<b>Specific date(s) of OMA violation(s)</b>	Multiple violations since May of 2018
<b>Deficiencies in notice of the meeting</b>	Notice did not comply with the deadlines or procedures for meeting notices adopted by the public body, or with the reasonable notice requirement in the OMA, Notice did not include date, time, and/or location of the meeting, Notice was not published or posted in a place and manner accessible to the public
<b>Agenda</b>	Agenda was not available seventy-two (72) hours prior to the meeting, Agenda did not include a list of specific items the public body intended to discuss or transact at the meeting or the items listed and acted upon were not listed with reasonable specificity, Public body took action on items that were not listed on the agenda, In a reconvened meeting the public body discussed or took action on items not appearing on the agenda of the original meeting
<b>Minutes</b>	The minutes did not contain the date, time, and/or place of meeting, the name of all members of the public body attending the meeting and those absent, The minutes did not contain a description of the substance of all proposals considered during the meeting or a record of any decisions made and votes taken, A draft copy of the minutes was not available within ten (10) working days of the meeting, The minutes were not approved, amended, or disapproved at the next meeting where a quorum of the public body was present
<b>Closed Meetings</b>	The public body did not follow the required closing procedures to close a meeting (e.g., did not list the items they were going to discuss in the motion to close, or the motion to close did not contain the provision of law permitting the closing of the meeting), Final action was taken by the public body in the closed meeting
<b>Conducting/discussing business outside of an open meeting</b>	A quorum of the public body formulated policy discussed public business, or took action outside of an open meeting, A "rolling quorum" was used to discuss public business (i.e., a quorum may exist even when the members are not physically present at the same place, such as discussing public business in a series of telephone or email conversations)

## Transaction

## Documents

\*\*\* END OF COMPLAINT \*\*\*