# RESOLUTION # 2018 - 01

## OPEN MEETINGS ACT RESOLUTION
## of the
## South Central Regional Transportation Planning Organization
## FY 2018-19

**WHEREAS,** The members of the South Central Regional Transportation Planning Organization Board met in regular session in WIlliamsburg, NM on June 15, 2018 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 deregulated 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 South Central Regional Transportation Planning Organization Board to determine annually what constitutes reasonable notice of its public meetings;

**NOW, THEREFORE, BE IT RESOLVED** by the South Central Regional Transportation Planning Organization Board that:

1. All meetings shall be held at the time indicated in the meeting notice.

2. The agenda for board and committee meetings will be available at least seventy-two hours prior to the meeting from the South Central Council of Governments, whose office is located at 600 Highway 195, Suite B, Elephant Butte, New Mexico 89735. Notice of any other 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.

3. 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 and 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 hours before any special meeting.

4. Emergency meetings will be called under only unforeseen circumstances which demand immediate action to protect the health, safety, and property of citizens or to protect the public body from substantial financial loss. The South Central Regional Transportation Planning Organization Board will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman 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 and information on how the public may obtain a copy of the agenda.

5. For the purpose of regular meetings described in Paragraph 2 of this resolution, notice requirements are met if notice of the date, time, and location of meeting is posted at public buildings in each county in the south central region, as well as the South Central RTPO website, rtponm.org.

6. For the purpose of special meetings or emergency meetings described in Paragraphs 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, and place of the meeting in at least one local government location in the following counties: Doña Ana, Sierra, and Socorro. In Addition, the 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.

7. In addition to the information specified above, all notices shall include the following language:

*"If you are an individual with a disability and require assistance or auxiliary aid or would like additional information on the agenda for the meeting, please contact SCRTPO staff at (575) 744-4857".*

8. The South Central Regional Transportation Planning Organization Board 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 South Central Regional Transportation Planning Organization Board taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

   B. If the decision to hold a closed meeting is made when the Board is in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provisions of the law authorizing the closed meetings and the subjects to be discussed with reasonable specificity to be 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 a vote of the South Central Regional Transportation Planning Organization Board in an open public meeting.

**Passed by the South Central Regional Transportation Planning Organization Board in Williamsburg, New Mexico on this 15th day of June 2018.**

As Approved:

/s/ _____
Gordy Hicks, Chairman

Date: 6-15-18