

OPEN MEETINGS ACT RESOLUTION
of the
Southwestern Area Workforce Development Board

WHEREAS, the members of the Southwestern Area Workforce Development Board met at a joint meeting in Las Cruces, NM on June 22, 2023, 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 Southwestern Area Workforce Development Board to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Southwestern Area Workforce Development Board that effective July 1, 2023:

1. All meetings shall be held at the time indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held at least once each quarter. The agenda for meetings will be available at least seventy-two (72) hours prior to the meeting from the Administrative Entity, whose office is located at 600 Highway 195, Suite C, Elephant Butte, New Mexico 87935. 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 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 (72) 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. Emergency meetings may be called by the Chair 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 information on how

the public may obtain a copy of the agenda. Within 10 days of taking action on an emergency matter, the Chair will notify the Attorney General's Office.

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 placed in a newspaper of general circulation.
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 at all New Mexico Workforce Connection centers in the Southwestern area of New Mexico. The notice shall also be posted on the www.employnm.com website. 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 to receive such notices.
7. In addition to the information specified above, all notices shall include the following language: "The Southwestern Area Workforce Development Board is an Equal Opportunity Employer and will make every effort to provide reasonable accommodations for people with disabilities who wish to attend a public meeting. Please provide notification at least 72 hours before the meeting by calling (575) 744-4857. WIOA Title I-financially assisted programs and activities are an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. Funded by the U.S. Department of Labor".
8. The Southwestern Area Workforce Development 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 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 Southwestern Area Workforce Development Board is not 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 in an open public meeting.

Passed by the Southwestern Area Workforce Development Board on the 22nd day of June 2023.

Attested:

Alisi Estrada

Chair

6/22/23

Date