



RESOLUTION No. 01-2020
BOPEN MEETINGS RESOLUTION OF THE
New Mexico Work and Save Board

WHEREAS, Section 10-15-1(B) NMSA 1978 of the Open Meetings Act, Chapter 10, Article 15 NMSA 1978 (“Open Meetings Act”), states that all meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency or any agency or authority of any county, municipality, district or political subdivision, held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking 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; **WHEREAS**, Section 10-15-1(D) NMSA 1978 of the Open Meetings Act requires that any meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) NMSA 1978 of the Open Meetings Act requires the Commission, as the affected body, to determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body; and **WHEREAS**, on March 11, 2020, Governor Michelle Lujan Grisham (“Governor”) issued Executive Order No. 2020-004 declaring a public health emergency due to the spread of COVID19 in New Mexico, after which time, the Governor and the Department of Health issued several additional executive orders limiting gatherings, closing state buildings, directing residents to stay at home, as well as other measures to reduce in-person contact and transmission of the coronavirus, and since then the New Mexico Office of the Attorney General has issued its “Open Government Division Advisory During COVID-19 State of Public Health Emergency” providing guidance to public entities regarding their ongoing obligations to comply with the Open Meetings Act during the state of public health emergency in New Mexico.

NOW, THEREFORE, BE IT RESOLVED by the New Mexico Work and Save Board that at each meeting the Board shall establish a date, time and location for the next regular meeting, provided however that, regular meetings shall begin at 10:00 a.m. unless stated otherwise in a meeting notice. Established meeting dates, times and locations shall be subject to change on the order of the Chair, or in the absence of the Chair, the Vice Chair.

1. Public notice of regular meetings of the Board or additional special Board meetings shall be given ten days in advance of the meeting date. The meeting notice shall

- include a proposed agenda containing a list of specific items of business to be discussed or transacted by the Board at the meeting, or information on how the public may obtain a copy of such an agenda.
2. Except in the case of an emergency, at least seventy-two (72) hours prior to the meeting, the agenda shall be available to the public online on the Board's webpage at the Office of the State Treasurer's website at www.nmsto.gov
 3. The Board may recess and reconvene a meeting to a day subsequent to that stated in the meeting notice if, prior to recessing, the Board specifies the date, time and place for continuation of the meeting and, immediately following the recessed meeting, posts notice of the date, time and place for the reconvened meeting on or near the door of the place where the original meeting was held, on the Board's web page at the Office of the State Treasurer's website at www.nmsto.gov and in at least one other location appropriate to provide public notice of the continuation of the meeting. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.
 4. Special meetings of the Board or Board Committees may be called by the Chair or a majority of the Board members upon three (3) days' prior notice. The meeting notice shall include an agenda containing a list of specific items of business to be discussed or transacted by the Board at the meeting, or information on how the public may obtain a copy of such an agenda. If not included in the meeting notice, at least seventy-two (72) hours prior to the meeting, the agenda shall be available to the public and posted on the Board's web page at the Office of the State Treasurer's website at www.nmsto.gov
 5. Emergency meetings of the Board shall only be called due to unforeseen circumstances that, if not addressed immediately by the Board, will likely result in injury or damage to persons or property or substantial financial loss to the Board or Work and Save participants. Emergency meetings of the Board may be called by the Chair or a majority of the Board members upon twenty-four (24) hours' prior notice, unless imminent threat of injury or damage to persons or property or substantial financial loss requires less notice. The meeting notice shall include an agenda containing a list of specific items of business to be discussed or transacted by the Commission at the meeting, or information on how the public may obtain a copy of such an agenda. Except for emergency matters, the Board shall take action only on items appearing on the agenda. Within ten (10) days of taking action on an emergency matter, the Board shall report to the New Mexico Office of the Attorney General the action taken and the circumstances creating the emergency.
 6. Except in the case of emergency meetings, written notice of Board meetings shall be sent to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written request for such notice to Julie Filatoff at Julie.filatoff@state.nm.us . Notice of the date, time, place of the meeting, and either a copy of the agenda or information on how a copy of the

agenda may be obtained is sent to all persons on the Board's electronic mailing list maintained by the Board.

7. The Board may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meetings requirement under Section 10-15-1 (H) of the Open Meetings Act. The general nature of any matters discussed in closed meetings shall be recorded with reasonable specificity in the minutes. 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 vote of the Board in an open public meeting.
8. Minutes of all meetings shall be prepared within ten (10) days of the end of the meeting, but shall not become official unless and until approved by a majority of a quorum of the Board at its next regularly scheduled meeting.

APPROVED AND ADOPTED THIS 28TH DAY OF OCTOBER, 2020.

NEW MEXICO WORK AND SAVE BOARD

BY:  _____

ATTEST: _____
Claudia Armijo, Interim Executive Director