

**FIRST REVISION OF THE OPEN MEETINGS ACT
RESOLUTIONS CONCERNING PUBLIC NOTICE OF
THE OFFICE OF FAMILY REPRESENTATION AND ADVOCACY
OVERSIGHT COMMISSION MEETINGS
(2023)**

BE IT RESOLVED by the Family Representation and Advocacy Oversight Commission (the “**Commission**”) that the following policies, procedures, and requirements be, and they hereby are, adopted with respect to meetings of the Commission pursuant to the New Mexico Open Meetings Act, Section 10-15-1 *et seq.*, NMSA 1978, as amended (the “**OMA**”):

1. Regular Meetings

- a. Regular meetings of the Commission will be held during the even months of the calendar year, beginning in August 2023, at 3:30 pm on the fourth Monday of each month unless publicly announced otherwise in the Notice of Regular Meetings, pursuant to this Resolution. The Commission’s schedule of regular meetings will be posted on the Office of Family Representation and Advocacy (OFRA) website, familyrepresentationnm.org, within ten (10) calendar days of the Commission’s determination of its regular meeting schedule.
- b. To the extent permitted post-pandemic, the Commission recognizes the use of video conferencing solutions for conducting meetings. Any meetings conducted virtually shall be held through an accessible video meeting platform. When conducting meetings by video conferencing solutions, the board shall do so in a manner consistent with the guidance issued by the New Mexico Attorney General’s Office.
- c. *Notice of Regular Meetings.* Notice to the public of the regular meetings of the Commission will specify the date, time and meeting link and will state that a copy of the agenda will be available on OFRA’s website. The Commission has determined that notice of a regular meeting shall be given 10 days prior to the scheduled regular meeting.

2. Special Meetings.

- a. Special meetings of the Commission may be called by the Chair of the Commission or by any five (5) voting members of the Commission. A special meeting is a meeting called by the Chair or Commission outside of the annual posted regularly scheduled meetings and do not otherwise constitute an emergency meeting.
- b. *Notice of Special Meetings.* Notice to the public of special meetings of the Commission will specify the date, time, and meeting link and will state that a copy of the agenda will be available on OFRA’s website, at least seventy-two (72) hours before the meeting.

3. **Emergency Meetings**

- a. Emergency meetings of the Commission may be called by the Chairperson of the Commission or by any five (5) voting members of the Commission only in the event of unforeseen circumstances that, if not addressed immediately by the Commission, will likely result in injury or damage to persons or property or substantial financial loss to the Office of Family Representation and Advocacy. The Commission will avoid emergency meetings whenever possible.
- b. *Notice of Emergency Meetings.* If possible, notice to the public of emergency meetings of the Commission will specify the date, time, meeting link, and subject matter thereof and will state that a copy of the agenda will be available on OFRA's website. This Commission will avoid emergency meetings whenever possible.
- c. *Report to the New Mexico Attorney General.* Within ten (10) days of acting on an emergency matter, the Commission shall report to the New Mexico Attorney General's Office the action taken and the circumstances creating the emergency.

4. **Compliance with the Americans with Disabilities Act.** In addition to the information specified above, all notices will include the following language:

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in a meeting of the Family Representation and Advocacy Oversight Commission, please contact the Director of the Office of Family Representation and Advocacy at least one week prior to the meeting. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Director, if an accessible format is needed.

5. **Notice of a Recessed/Reconvened Meeting.** Prior to recessing, the Chairperson will state when and how the meeting will be continued and then immediately following the recessed meeting, this information will be posted on OFRA's website. At the reconvened meeting, discussion will be limited only to those topics that appeared on the agenda for the original meeting.

6. **Closed Meetings (Executive Sessions)**

- a. *Exceptions to Open Meetings Act.* Meetings of the Commission may be closed, according to the procedures set out below, only if the matter to be considered falls within one of the enumerated exceptions defined in Section 10-15-1(H) of the OMA or if closure can be implied from or is required by other laws or constitutional principles that specifically or necessarily preserve the confidentiality of certain information.

- b. If any meeting is closed during an open meeting, the closed meeting shall not be held until public notice is given to the members and to the general public. The notice shall state the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity.
- c. *Closing an Open Meeting.*
 - (1) The intent to close an open meeting and the subject to be discussed will be included on the agenda, except for emergency matters.
 - (2) Actual closing of a meeting will be by a majority vote of a quorum of the Commission during the open meeting, with the vote of each member being recorded. The motion will state: (a) the authority for the closure (the statutory provision), and (b) the subject to be discussed with reasonable specificity. A reasonably specific description of the matter to be discussed must have been included on the agenda for the meeting in question, except for emergency matters.
 - (3) The minutes of the open meeting will: (a) record the vote of each individual member to close the meeting, and (b) state that the matters discussed in the closed meeting were limited only to those specified in the motion for closure.
- d. *Calling a Closed Meeting Outside an Open Meeting.*
 - (1) Notice that a meeting will be closed, in whole or in part, will be given as specified above for a regular, special, or emergency meeting, as appropriate, by so specifying either in the notice of the meeting or on the agenda. For purposes of an emergency meeting, if possible, notice that a meeting will be closed, in whole or in part, will be given. For all meetings, the notice will state the specific provision of the law authorizing the closed meeting and will state the subject to be discussed with reasonable specificity.
 - (2) The minutes of the next open meeting will contain information about the closed meeting, including the date, time, place, and subject matter of the closed meeting, the names of the Commission members present at the closed meeting, the names of the absent Commission members, and a statement that the matters discussed in the closed meeting were limited only to those specified in the notice of the closed meeting.
 - (3) If the closed meeting was separately scheduled, the minutes shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion of notice for closure.

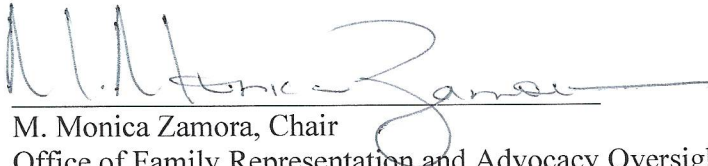
- e. *Action.* Any final action taken as a result of discussion in a closed meeting will be made by vote of the Commission at an open public meeting, with the exceptions allowed under Section 10-15-1(H).
7. **Agendas.** A copy of the agenda for each regular and special meeting of the Commission will be available at least seventy-two (72) hours prior to the meeting (and the notice of the meeting will so state) on OFRA's website. Except for emergency matters, the Commission will take action only on items appearing on the agenda. The intent to close a regular meeting and the subject matter(s) involved will be included in the agenda.
8. **Public Input at Meetings.** An opportunity for public input will be provided at each regular meeting. The Chairperson of the Commission, as the presiding officer, will determine at which point in the agenda public comment will be presented to the Commission. The Chairperson of the Commission will determine the length of time to be allowed for public input, the sequence in which individuals may address the Commission, and the length of time that will be allowed for each person to address the Commission.
9. **Minutes**
 - a. The Commission shall approve and will keep written minutes of all its meetings. The minutes will include, at a minimum: (1) the date, time, and place of the meeting; (2) the names of members of the Commission in attendance and those absent; (3) a statement of what proposals were considered and topics discussed; and (4) a record of any decisions made by the Commission and how each member voted.
 - b. Draft minutes will be prepared within ten (10) working days after the meeting and will be available for public inspection. The draft minutes will clearly indicate that they are not the official minutes and are subject to approval by the Commission.
 - c. Draft minutes will be approved, amended, or disapproved at the next regular meeting where a quorum is present. Minutes will not become official until approved by the Commission. Official minutes will be subject to public inspection.
 - d. No minutes will be kept during closed sessions, but information about the closed session will be recorded as specified in the closed meetings section of this resolution.
10. **Publication.** A digital copy of this approved resolution shall be printed and posted on OFRA's website and until such time as OFRA establishes its primary and any secondary offices. At that time, a copy of this approved resolution shall be printed and posted in publicly accessible places at OFRA's primary and secondary offices.

BE IT FURTHER RESOLVED that the Director of the Office of Family Representation and Advocacy be, and is hereby authorized and directed to take such steps as may be reasonably necessary to

effectuate the terms of these Resolutions in any manner that is consistent with the OMA and these Resolutions.


BE IT FURTHER RESOLVED that the Chairperson of the Commission shall ensure that a true, correct, and complete copy of these Resolutions is appended to the minutes of the meeting of the Commission at which they were adopted and shall ensure that the Director of the Office of Family Representation and Advocacy or his/her designee maintain a copy of these Resolutions for public inspection.

DULY ADOPTED THIS 28THTH DAY OF AUGUST, BY A VOTE OF THE MEMBERS OF THE OFFICE OF FAMILY REPRESENTATION AND ADVOCACY OVERSIGHT COMMISSION.



M. Monica Zamora, Chair
Office of Family Representation and Advocacy Oversight Commission

Attest:



John Davis, Vice-Chair
Office of Family Representation and Advocacy Oversight Commission