



RESOLUTION No. 19-002
REGIONAL EMERGENCY DISPATCH AUTHORITY
STATE OF NEW MEXICO
COUNTY OF EDDY

WHEREAS, in accordance with the New Mexico Open Meetings Act (NMSA 1978 Sections 10-15-1 to 10-15-4), also known as the "Sunshine Law", is applicable to the public governance of the Regional Emergency Dispatch Authority (REDA) and its Board of Directors ("The Board), and;

WHEREAS, The Board is a governing body through which a quorum of the members in attendance, [§ 10-15-1(B)] either in person or through telephonic means [§ 10-15-1 (C)], is subject to the Sunshine Laws, and;

WHEREAS, The Board will formulating public policy, discuss public business and take action on such business [§ 10-15-1 (B)], and;

WHEREAS, The Board is required to provide the following according to the Sunshine Law, this Resolution is intended to establish notice to the public of all public meetings of The Board and outline the means through which The Board will satisfy the intent of the Sunshine Law, and;

WHEREAS, The Board as a public body may not override the Act through adoption of local policies or procedures [2015 Open Meetings Act Compliance Guide Introduction],

NOW THEREFORE LET IT BE RESOLVED that the REDA and The Board shall follow the 2015 Open Meetings Act Compliance Checklist through the following:

1. Conduct regular meetings on the third Thursday of every month at 11:00 AM in the City Council Chambers of the Artesia City Hall, 511 W Texas Avenue, Artesia, NM 88210.
2. The annual notices of the regular and budget meetings of The Board will placed in the following public news forums and venues in January of each of year:
 - a. Artesia Daily Press
 - b. Carlsbad Current Argus
3. The notices, which include the agenda for all regularly scheduled meetings of The Board will be posted to the following venues no later than seventy-two (72) hours prior to said meetings:
 - a. REDA's Official Website www.eddy911.com
 - b. City Hall, City of Artesia, 511 W Texas Ave, Artesia, NM
 - c. County of Eddy Administration Building, 101 W Greene St, Carlsbad, NM
4. The notices for any special meeting of The Board will be posted at the above venues at least twenty-four (24) hours in advance of such meeting.
5. The notices for emergency meetings of The Board can be held without advance notice if the following circumstances exist:
 - a. The Board did not expect the circumstances giving rise to the meeting, and;
 - b. If The Board does not act immediately, injury or damage to persons or property or substantial financial loss to the public body is likely.

6. The Board's meeting agenda will include, at a minimum the following items:
 - a. A list of specific items The Board intends to discuss or transact at the meeting, and;
 - b. Clear descriptions of agenda items The Board intends to discuss or act on during the meeting in order to give adequate public notice.
7. By previous resolution (14-020) The Board elected that the Executive Director of REDA develop the agenda certain items will be included. The items listed for this resolution list all those items with the exception of "Emergency Business" which would necessarily require an Emergency Meeting. The remainder of previously resolved items are being listed here but in an order more conducive to meeting flow:
 - (1) Financial Report / Budget
 - (2) Expenditures Review / Emergency Business / Approvals
 - (3) Resolutions / Contracts / Memorandums of Understanding or Agreement
 - (4) Director Comments / Announcements / Reports
 - (5) Ordinances / Legislation
 - (6) Consent Agenda Items
 - (7) Executive Session
 - (8) Public Comments / Announcements
 - (9) Board Comments / Announcements
 - (10) Scheduling Next Meeting
 - (11) Adjournment
8. Except for an emergency meeting, where little if any notice can be given to the public, The Board takes action only on those items specifically listed on the agenda and posted 72-hours before the meeting.
9. Telephonic participation is allowable through this Resolution. If any of The Board's members will be attending telephonically, it will be done so in accordance with the Sunshine Law through the following:
 - a. It must be "difficult or impossible" for that member to attend the meeting in person, and;
 - b. Each member participating telephonically can be identified when speaking, and;
 - c. All participants are able to hear each other at the same time, and;
 - d. Members of the public attending the meeting are able to hear any member of The Board who speaks during the meeting.
10. Executive Sessions are permissible for The Board [§10-15-1 (H)] and will be entered into, conducted for the following reasons:
 - a. Deliberations about the issuance, suspension, renewal or revocation of a license [§10-15-1 (H)(1)]
 - b. Discussion of the hiring, promotion, suspension, demotion, dismissal, assignment, or resignation of a public employee, or the investigation or consideration of complaints or charges against a public employee. [§10-15-1 (H)(2)]
 - c. Deliberations in connection with an administrative adjudicatory proceeding held by The Board. [§10-15-1 (H)(3)]

- d. § 10-15-1 (H) (4) & (5) as well as the associated §10-7E-17 (G) are not applicable to REDA or The Board
 - e. Discussion of a sole source purchase that exceeds \$2,500 or of the contents of competitive sealed proposals during the contract negotiation process. [§10-15-1 (H)(6)]
 - f. Meeting with REDA or The Board attorney pertaining to threatened or pending litigation in which The Board is or may become a participant. [§10-15-1-(H)(7)]
 - g. Discussion of the purchase, acquisition or disposal of real property or water rights. [§10-15-1(H)(8)]
 - h. §10-15-1(H)(9) & (10) do not apply to REDA or The Board
 - i. For the purpose of this resolution, the term “Executive Session” and “Closed Meeting” are synonymous and interchangeable.
11. Executive Session Procedures for The Board are as follows:
- a. A motion stating the specific provision of law authorizing the closing of a meeting and a reasonably specific description of the subject to be discussed.
 - b. A roll call vote on the motion to close the meeting in the open session, where the vote of each member is to be recorded in the minutes.
 - c. Only the matters stated in the motion to close are discussed in the closed session.
 - d. Generally, action on an item discussed in a closed session must be taken in an open meeting [§10-15-1 (H)]
 - e. After a closed session is completed, a statement affirming that the matters discussed in the closed meeting were limited to those stated in the motion to close is recorded in the minutes.
12. For Executive Sessions Held Separately from an Open Meeting, the above criteria apply except the following:
- a. Instead of a motion to close, appropriate public notice is provided that includes the specific provision of the law authorizing the closed session and a reasonably specific description of the subject to be discussed. [§10-15-1 (I)(2)]
 - b. Following completion of the closed meeting, a statement is entered into the minutes of the next open meeting specifying that the matters discussed in the closed meeting were limited to those stated in the notice of the closed meeting. [§10-15-1 (J)]
13. Regular, Special and Emergency Open Meeting Minutes will include the following in accordance to §10-15-1 (G):
- a. The minutes will contain date, time and place of the meeting, and;
 - b. Names of all members of The Board attending the meeting as well as those who are absent, and;
 - c. A description of the substance of all proposals considered during the meeting, and;
 - d. A record of any decision made and votes taken that shows how each member voted (voting by secret ballot is not permitted), and;
14. Regular, Special and Emergency Open Meeting Minutes shall be completed as follows:
- a. A draft copy of the minutes is prepared within ten (10) working days of the public meeting, and;

- b. The minutes are approved, amended or disapproved at the next meeting where a quorum of The Board is present, and;
 - c. All minutes are made available for public inspection.
15. Severability Clause. If any section, paragraph, clause or provision of this Resolution shall be for any reason held to be invalid or unenforceable, the invalidity of unenforceability of such section paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution or its application to the situations.
 16. Repealer. All orders and resolutions, or parts thereof, in consistent herewith are hereby repealed to the extent only of such inconsistency. This repeater shall not be construed to revive any order or resolution, or part thereof, heretofore repealed.
 17. Stricter Requirements. Nothing contained herein shall relieve any stricter requirements for notice imposed by law for the consideration of particular matters, such as the requirement for prior publication of notice or hearings, zoning changes, consideration or ordinance and the like.
 18. Effective Date. This resolution shall become effective immediately upon passage and approval.

PASSED & ADOPTED this 23rd day of January, 2019, in an Open Meeting of the Regional Emergency Dispatch Authority Executive Board, Eddy County, NM.

Roy Miller _____ *1/23/19* _____
 Vice Chairman Date
 Regional Emergency Dispatch Authority Executive Board

Attest: *Pamela Kum* _____
 REDA Executive Director or Designee

1-23-19 _____
 Date