

## State Board of Finance

Governor Michelle Lujan Grisham, President  
Lt. Governor Howie Morales, Member

Cabinet Secretary Wayne Propst, Executive Officer  
Ashley Leach, Director

SBOF Policy 24-01

January 17, 2024

### 2024 Annual Open Meetings Act Resolution

WHEREAS, the State Board of Finance (“SBOF”) is a public policy-making body within the State of New Mexico and therefore subject to requirements of the New Mexico Open Meetings Act, NMSA 1978, Sections 10-15-1 to -4; and

WHEREAS, recognizing the legislative intent of the Open Meetings Act and policy of this state that all persons are entitled to the greatest possible information regarding the affairs and actions of our government, public participation must be accommodated, and public notice provided for any meeting among a quorum discussing business of our public body; and

WHEREAS, the Open Meetings Act, Section 10-15-1(D), specifically requires every public body in the state to annually review and decide what additional public notice is reasonable for its meetings, including the methods and timeframe of such notice; and

WHEREAS, all obligations of the Open Meetings Act are followed by our public body, even if not expressly restated in this Resolution; and

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Public Notices:** Our notices shall be provided to the public and will include the time, date, location of the meeting, and information on how to obtain a copy of the agenda. Public notices shall be provided, at minimum, through the following methods:
  - A. Published either in print or online in at least one (1) and up to three (3) newspapers of general circulation within the state.
  - B. Posted prominently on our website at: <https://www.nmdfa.state.nm.us/board-of-finance/monthly-meetings/>.
  - C. Notice(s) emailed or otherwise distributed to any broadcast station, licensed by the federal communications commission, newspaper of general circulation, or other individual or entity that has made a written request to receive notice of our meetings.
2. **Meeting Agendas:** Our agendas shall be available before every meeting and will include a list of specific items of business to be discussed or voted on. Agenda items shall be written with sufficient description so that the average person can reasonably understand the subject to be discussed and can anticipate when a

vote or formal action may occur. Agendas shall be finalized and posted as soon as is practical, but no less than seventy-two (72) hours prior to each meeting, and made available through the following methods:

A. Posted prominently on our website at: <https://www.nmdfa.state.nm.us/board-of-finance/monthly-meetings/>.

3. **Regular Meetings:** Regular meetings shall be held each month, except April and August, on the dates indicated on the attached Exhibit A or at the call of the President, as indicated on the meeting notice. Public notice shall be provided per Section 1 of this policy as soon as is practical, but no less than ten (10) calendar days prior to the regular meeting. Regular meetings may be rescheduled by meeting the notice requirements established in Section 1 of this policy.
4. **Special Meetings:** Our special meetings are those held outside of regular meetings due to unforeseen circumstances or other needs warranting an additional meeting. Special meetings should be limited to agenda items that cannot reasonably wait until the next regular meeting. Public notice shall be made pursuant to Section 1 of this policy and provided as soon as practical, but no less than seventy-two (72) hours prior to a special meeting.
5. **Emergency Matters:** Our public body may, under extraordinary circumstances, consider and act on limited emergency matters in a noticed meeting, separate meeting, or through any other collaborative process appropriate under the circumstances pursuant to Section 10-5-1(F). Reasonable efforts shall be made to provide public notice before, when possible, and after any emergency matter is considered, including an explanation at the next meeting of any action taken and the circumstances creating the emergency. Emergency meeting notice requirements are met if prominently posted on our website at <https://www.nmdfa.state.nm.us/board-of-finance/monthly-meetings/> and emailed to any broadcast station, newspaper, or other individual or entity that has made a written request to receive notice of our meetings.
6. **Inadvertent Quorums:** Our public body shall not discuss business among a quorum outside of a noticed meeting. Situations or events in which a number of our members sufficient to constitute a quorum are present, but which are not convened for the purpose of discussing public policy, such as a social event, do not implicate OMA. However, we will disclose the occurrence of any such situations or events, when practical, during a public meeting to mitigate concerns of noncompliance.
7. **Americans with Disabilities Act (ADA) Notice:** In addition to the information specified above, all our notices and agendas shall include the following language:

If you are an individual with a disability or other need requiring a reader, amplifier, interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact our staff to discuss your accessibility needs at least one week prior, or as soon as possible, by emailing the State Board of Finance administrator at:

[bof.administrator@state.nm.us](mailto:bof.administrator@state.nm.us) or calling 505-827-3985.

8. **Meeting Location:** All meetings shall be held at 9:00 a.m. in the Governor's Cabinet Room on the Fourth Floor of the Capitol of the State of New Mexico in Santa Fe, New Mexico, or as indicated on the meeting notice. Notice of a meeting delay or change to a fully virtual meeting setting due to inclement weather will be posted on the Board's website as soon as practicable under the circumstances.

9. **Remote Participation:** Our public body allows its voting members to participate remotely when it is difficult or otherwise impossible for the member to attend in person, pursuant and subject to conditions of Section 10-15-1(C) and discretion of the Chair.

ADOPTED this 17 day of January, 2024.

A handwritten signature in black ink, appearing to be 'AL', with a long horizontal line extending to the right.

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Ashley Leach, Director