

SOUTHWEST AERONAUTICS, MATHEMATICS & SCIENCE
ACADEMY
OPEN MEETINGS RESOLUTION

RESOLUTION NO. 2020-2021 -05

WHEREAS, the Governing Council of Southwest Aeronautics, Mathematics & Science Academy (“SAMS”) met in special session at 4100 Aerospace Parkway NW, Albuquerque, New Mexico on January 20, 2021 at 4:30 pm 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 this SAMS Governing Council 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 delegated 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 SAMS Governing Council to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by SAMS Governing Council that:

1. All meetings shall be held at 4100 Aerospace Parkway NW, Albuquerque, New Mexico at 4:30 pm or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the third Wednesday. The agenda will be available at least seventy-two (72) hours prior to the meeting from the Director of Operations, Jill Brame jbrame@samsacademy.com whose office is located at 4100 Aerospace Parkway, NW, Albuquerque, New Mexico, at SAMS’s website, www.samsacademy.com. Notice of any other regular meetings will be given with at least 72-hour notice in advance of the meeting. The notice shall indicate how a copy of the agenda may be obtained, if the notice and agenda are not provided at the same time.

3. Special meetings may be called by the Chairman or a majority of the members upon reasonable number of days based on community served but not less than 72 hours' notice. The notice shall include an agenda for the meeting or 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 at www.samsacademy.com, 4100 Aerospace Parkway NW, Albuquerque, NM.
4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The SAMS Governing Council will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chairman or a majority of the members upon twenty-four (24) hour notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda. Within ten days of taking action on an emergency matter, the SAMS Governing Council shall report to the attorney general's office the action taken and the circumstances creating the emergency; provided that the requirement to report to the attorney general is waived upon the declaration of a state or national emergency
5. For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and agenda is located at www.samsacademy.com, 4100 Aerospace Parkway NW, Albuquerque, NM. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings, if any.
6. For the purposes of special meetings and emergency meetings described in paragraphs 3 and 4 of this resolution, notice requirements are met if notice of the date, time, place and how to obtain an agenda is posted at www.samsacademy.com, 4100 Aerospace Parkway NW, Albuquerque, NM. Telephone notice also shall also be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings, if any.
7. In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the meeting, please contact the Director of Operations, Jill Brame at jbrame@samsacademy.com at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Director of

Operations, Jill Brame at jbrame@samsacademy.com if a summary or other type of accessible format is needed.

8. SAMS Governing Council 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 of SAMS Governing Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
 - (b) If a closed meeting is conducted when SAMS Governing Council is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity is 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 the discussions in a closed meeting shall be made by vote of SAMS Governing Council in an open public meeting.
9. A Governing Council member may participate in a meeting of the SAMS Governing Council by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting. This rule shall not apply unless a quorum of the members is physically present at the beginning of the meeting at which such member or members are participating by conference telephone or other similar communications equipment. In the event a quorum ceases to be physically present during such meeting, the meeting may continue as long as a quorum exists as to those members physically present and those participating by conference telephone or other similar communications equipment.
10. Agendas for regular, special and emergency meetings will include public comment at the discretion of the Governing Council President according to the current Governing Council Policy concerning addressing the Governing Council.

Passed by the Governing Council of Southwest Aeronautics, Mathematics & Science Academy this day of January 20, 2021.

Rang Kennedy

President

Robert White

Member