The following is the amended Agenda for a meeting of the Policy Committee of the Las Cruces Metropolitan Planning Organization (MPO) to be held January 9, 2013 at 5 PM., in the Dona Ana County Commission Chambers, 845 Motel Blvd., Las Cruces, New Mexico. Meeting packets are available on the Las Cruces MPO website at http://lcmpoweb.las-cruces.org.

The Las Cruces MPO does not discriminate on the basis of race, religion, sex, sexual orientation, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services. The Las Cruces MPO will make reasonable accommodation for a qualified individual who wishes to attend this public meeting. Please notify the Las Cruces MPO at least 48 hours before the meeting by calling 528-3043 (voice) or 528-3016 (TTY) if accommodation is necessary. This document can be made available in alternative formats by calling the same numbers list above. Este documento está disponible en español llamando al teléfono de la Organización de Planificación Metropolitana de Las Cruces: 528-3043 (Voz) o 528-3016 (TTY).

1. CALL TO ORDER
2. ELECTION OF OFFICERS
3. CONFLICT OF INTEREST INQUIRY. The Chair shall ask if any member of the Committee has any known conflict of interest with any item on the agenda.
4. PUBLIC COMMENT
5. ACTION ITEMS
   5.1. * Resolution 13-01: A Resolution Certifying Compliance with the Open Meetings Act for the 2013 Calendar Year by the Las Cruces Metropolitan Planning Organization.
6. WORK Session
7. COMMITTEE and STAFF COMMENTS
8. PUBLIC COMMENT
9. ADJOURNMENT

PUBLISH: December 30, 2012
AGENDA ITEM:
5.1 Resolution No. 13-01: A Resolution Certifying Compliance with the Open Meetings Act for the 2013 Calendar Year by the Las Cruces Metropolitan Planning Organization.

ACTION REQUESTED:
Review and adoption of Resolution 13-01 (Open Meetings Resolution)

SUPPORT INFORMATION:
1. Copy of Resolution 13-01

DISCUSSION:
Annually, the Las Cruces Metropolitan Planning Organization is required to adopt an Open Meetings Resolution pursuant to the State of New Mexico’s Open Meetings Act (NMSA 1978, Article 10, Chapter 15). This resolution affirms the Policy Committees intent to follow the Open Meetings Act. The Open Meetings Act specifies how meetings that formulate and adopt public policy are to be conducted. In addition, it also identifies the notice requirements of regular meetings, special meetings, and emergency meetings.

OPTIONS:
1. Vote “aye” to approve Resolution 13-01 approving the 2013 Las Cruces Metropolitan Planning Organization Open Meetings Resolution.

2. Vote “aye” to approve Resolution 13-01 with additional amendments or modifications.

3. Vote “nay” and do not approve Resolution 13-01 as presented. This action would result in the Open Meetings Resolution being denied by the Policy Committee and would result in the MPO’s committees being in violation of the State’s Open Meetings Act.
LAS CRUCES METROPOLITAN PLANNING ORGANIZATION

RESOLUTION NO. 13-01

A RESOLUTION CERTIFYING COMPLIANCE WITH THE OPEN MEETINGS ACT FOR THE 2013 CALENDAR YEAR BY THE LAS CRUCES METROPOLITAN PLANNING ORGANIZATION.

The Las Cruces Metropolitan Planning Organization (MPO) Policy Committee is informed that:

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 for the Open Meetings Act, all meets of a quorum of members of any board, council, commission or other policy-making body of a state or local public agency 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, meetings subject to the Open Meetings Act at which the discussion or adoption of a proposed resolution, rule, regulation, or formal action occurs and shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(C) of the Open Meetings Act requires the Metropolitan Planning Organization (MPO) to determine annually what constitutes reasonable notice of its public meetings; and

WHEREAS, the Policy Committee has determined that it is in the best interest of the MPO for the Resolution certifying compliance with the Open Meetings Act for the 2013 calendar year for all MPO Committees to be approved.

NOW, THEREFORE, be it resolved by the Policy Committee of the Las Cruces Metropolitan Planning Organization:

(I)

THAT all meetings of the Committees of the Las Cruces Metropolitan Planning Organization shall be held in accordance with the provisions contained in the MPO Bylaws and the Public Participation Plan, as amended.
(II)

THAT staff is directed to take appropriate and legal actions to implement this Resolution.

DONE and APPROVED this 9th day of January, 2013.

APPROVED:

_________________________________________
Chair

ATTEST:

_________________________________________
Recording Secretary

VOTE:

Chair: ______
Vice-Chair: ______
Councilor Pedroza: ______
Councilor Sorg: ______
Councilor Thomas: ______
Moved by: ________________
Commissioner Garrett: ______
Commissioner Perez: ______
Commissioner Duarte-Benavidez ______
Mayor Barraza: ______
Trustee Bernal: ______
Seconded by: ________________

APPROVED AS TO FORM:

Trustee Flores: ______

_________________________________________
City Attorney