

**NEW MEXICO MARTIN LUTHER KING, JR. COMMISSION  
OPENING MEETINGS ACT RESOLUTION (2024)**

**WHEREAS**, the intention of this resolution is to establish reasonable notice for all public meetings of the Martin Luther King, Jr. Commission (the “Commission”), as required by the Open Meetings Act (Sections 10-15-1 through 10-15-4 NMSA1978);

**WHEREAS**, Section 10-15-1(B) of the Open Meetings Act 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 any board, commission, administrative adjudicatory body or other policy making body of any state agency or any agency or authority of any county, municipality, district or political subdivision, held for the purpose of formulating public policy, discussing public business or 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;

**WHEREAS**, Section 10-15-1(D) of the Open Meetings Act states that 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 the Commission to determine at least annually in a public meeting what constitutes reasonable notice of its public meetings.

**NOW, THEREFORE, BE IT RESOLVED BY THE MARTIN LUTHER KING, JR. COMMISSION** that the following shall apply to meetings of the Commission:

1. All meetings shall be held at the Commission’s administrative office currently located at 310 San Pedro Drive NE, Albuquerque, NM 87108, unless otherwise noticed to occur at a different location, at the time indicated on the meeting notice. In the event a delay is put into effect for all state offices located in Santa Fe due to severe weather conditions on the day of the meeting, the meeting will either be (1) delayed by the same amount of time as for the state offices located in Albuquerque, or (2) the meeting will be held as at the scheduled time but in a fully virtual setting, as authorized by law. Notice of a meeting delay or change to a fully virtual meeting setting due to inclement weather will be posted on the Commission’s website (<https://nmmlksc.org/>) as soon as practicable under the circumstances.

2. Regular meetings shall be held at least quarterly or at the call of the Chair, as indicated on the meeting notice. The agenda will be available at least seventy-two (72) hours prior to the meeting on the Commission’s website (<https://nmmlksc.org/>) or other website recognized in the state for activities related to Dr. Martin Luther King, Jr., and at the physical address of the Commission’s administrative office currently located at 310 San Pedro Drive NE, Albuquerque, NM 87108, and to any broadcast stations licensed by the Federal Communications Commission, newspapers of general circulation, and all others who have made a written request for notice of public meetings. Notice of any other regular meetings held at the call of the Chair will be given at least ten (10) days in advance of the meeting date. Notice shall indicate how a copy of the agenda

may be obtained. For the purposes of regular meetings, notice requirements are met if notice of the date, time, and place is published.

3. Special meetings may be called by the Chair or a majority of the members upon seventy-two (72) hours' notice. Notice shall include the agenda or information on how the agenda may be obtained. The agenda must be available to the public at least seventy-two (72) hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances, which demand immediate action to prevent injury or damage to persons or property or substantial loss to a public body. The Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair or a majority of the members upon twenty-four (24) hours' notice unless threat of personal injury or property damage require less notice. Notice shall include the agenda or information on how the public may obtain a copy of the agenda. Within ten (10) days of taking action on an emergency matter, the Commission shall report to the New Mexico Department of Justice the action taken and the circumstances creating the emergency, unless the requirement to report to the attorney general's office is waived by declaration of a state or national emergency.

5. Regular meetings may be rescheduled by meeting the notice requirements of regular meetings in the foregoing paragraph. The Commission shall also disseminate copies of the notice via email to those broadcast stations licensed by the Federal Communications Commission, newspapers of general circulation, and all others who have made a written request for notice of public meetings.

6. For the purposes of special meetings described in paragraph three (3) of this resolution, notice requirements shall be met if notice of the date, time, place and agenda or information on how an agenda may be obtained is posted on the Commission's website (<https://nmmlksc.org/>) and at the current physical address of the Commission's administrative office located at 310 San Pedro Drive NE, Albuquerque, NM 87108, and to any broadcast stations licensed by the Federal Communications Commission, newspapers of general circulation, and all others who have made a written request for notice of public meetings.

7. For the purposes of emergency meetings described in paragraph four (4) of this resolution, notice requirements are met if posted on the Commission's website (<https://nmmlksc.org/>) and at the current physical address of the Commission's administrative office located at 310 San Pedro Drive NE, Albuquerque, NM 87108, and to any broadcast stations licensed by the Federal Communications Commission, newspapers of general circulation, and all others who have made a written request for notice of public meetings.

8. In addition to the information specified above, all notices issued following the adoption of this Resolution shall include the following language:

Please contact the Martin Luther King, Jr. Commission administrator at (505) 222-6466, 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 a meeting, at least one week prior to the meeting or as soon as possible; or for public documents, including the agenda and minutes in summary or other type of accessible format.

9. If it is otherwise difficult or impossible for a member of the Commission to attend any meeting in person, the member(s) may participate in a meeting by means of a conference telephone or other similar communications equipment, 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 who speaks during the meeting.

10. The Commission 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) NMSA 1978 of the Open Meetings Act.

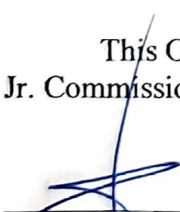
(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Commission taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in the motion for closure and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting;

(b) If the decision to hold a closed meeting is made when the Commission 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 in 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; and

(d) Except as provided in Section 10-15-1(H) NMSA 1978, any action taken as a result of discussions in a closed meeting shall be made by vote of the Commission in an open public meeting.

This Open Meeting Act Resolution was voted on and approved by the Martin Luther King, Jr. Commission at the Commission's special meeting on November 8, 2024.

  
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Little V. West, Esq., Chair  
Martin Luther King, Jr. Commission