

**State of New Mexico
Music Commission
Open Meetings Act Resolution**

WHEREAS, the New Mexico Music Commission met in regular session by Zoom on January 12, 2021, at 1:00 p.m., 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 any board, council, commission, administrative adjudicatory body or other policymaking body of any 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, 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 Music Commission to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the New Mexico Music Commission that:

1. All meetings shall either be held as indicated in the meeting schedule or as called by the Chair.
2. Regular meetings shall be held on the following dates: January 12, 2021; April 13, 2021; July 13, 2021; October 12, 2021. The agenda will be available at least seventy-two hours prior to the meeting from Thomas Goodrich, Music Commission Administrator Tel: (505) 469-1829; Email: Thomas.Goodrich@state.nm.us whose office is located in Santa Fe, New Mexico. The agenda will also be posted on the Music Commission website at nmmusic.org, the New Mexico Arts website at nmarts.org, and the Department of Cultural Affairs website at nmculture.org.
3. Notice of regular meetings other than those described in Paragraph 2 will be given ten days in advance of the meeting date. The notice will include a copy of the agenda or information on how a copy of the agenda may be obtained. If not included in the notice, the agenda will be available at least seventy-two hours before the meeting and posted on the Music Commission's website at nmmusic.org as well as the New Mexico Arts and Department of Cultural Affairs websites.
4. Special meetings may be called by the Chair or a majority of the members upon

three days notice. The notice for a special meeting shall include an agenda for the meeting or information on how a copy of the agenda may be obtained a copy of the agenda. The agenda will be available at least seventy-two hours before the meeting and posted on the Music Commission's website at nmmusic.org as well as on the New Mexico Arts and Department of Cultural Affairs websites..

5. 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 Music Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair or a majority of the members with twenty-four hours prior 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 Board of Regents will notify the Attorney General's Office.

6. For the purposes of regular meetings described in Paragraph 3 of this resolution, notice requirements are met if notice of the date, time, place and agenda is placed in newspapers of general circulation in the state and posted on the following website: www.nmculture.org. 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.

7. For the purposes of special meetings and emergency meetings described in Paragraphs 4 and 5, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted on the website indicated. Telephone notice also shall 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.

8. In addition to the information specified above, all notices shall include the following language: Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter, please contact Thomas Goodrich (505) 469-1829, or Thomas.Goodrich@state.nm.us at least one (1) week prior to the meeting. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Thomas Goodrich at (505) 469-1829, or Thomas.Goodrich@state.nm.us, if a summary or other type of accessible format is needed.

9. The Music Commission may close a meeting to the public only if the subject matter of such discussion or action is excepted 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 the Music Commission 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 the Music 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 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 discussions in a closed meeting shall be made by vote of the Music Commission in an open public meeting.

Passed by the New Mexico Music Commission this 12th day of January, 2021.