

NM STATE PARKS ADVISORY BOARD

OPEN MEETING RESOLUTION

WHEREAS, the State Parks Advisory Board met in regular session on April 30, 2024; 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 State Parks Advisory Board to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the State Parks Advisory Board (PAB) that:

1. All meetings shall be held as indicated in the meeting notice.
2. The PAB Chair (Chair) may call meetings as necessary. When possible, the next regular meeting shall be announced at the end of the previous meeting. Notice of regular meetings shall be given at least 10 calendar days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained. The agenda shall be available at least 72 hours prior to the meeting from the PAB at 1220 S. St. Francis Dr., Santa Fe, New Mexico, 87505, posted on the State Park Division's website at <https://www.emnrd.nm.gov/spd/public-meetings/>, and by calling 505-476-3355.
3. Special meetings may be called by the Chair upon three calendar days' 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 24 hours before any special meeting.
4. The Chair shall call emergency meetings only under unforeseen circumstances that demand immediate action to protect the health, safety, or property of citizens or to protect the public body from substantial financial loss. The PAB shall avoid emergency meetings whenever possible. The Chair may call emergency meetings upon 24 hours' 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.

5. For the purpose of regular meetings described in Paragraph 2 of this resolution, notice requirements are met if notice of the date, time, and place of the meeting, and how to obtain a copy of the agenda is placed in one newspaper of general circulation in the state and posted at 1220 S. St. Francis Dr., Santa Fe, New Mexico and on the State Parks Division's website at <https://www.emnrd.nm.gov/spd/public-meetings/>. 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.

6. For the purpose 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, and place of the meeting, and agenda or how to obtain a copy of the agenda is provided by telephone, facsimile, or e-mail to newspapers of general circulation in the state and posted at 1220 S. St. Francis Dr., Santa Fe, New Mexico and on the State Park Division's website at <https://www.emnrd.nm.gov/spd/public-meetings/>. Telephone notice or e-mail notice 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.

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 hearing or meeting, please contact the Energy, Minerals and Natural Resources Department, State Parks Division at 505-476-3355 at least one 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 State Parks Division at 505-476-3355 if a summary or other type of accessible format is needed."

8. The PAB 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 PAB 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 PAB 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 PAB in an open public meeting.

Adopted by the State Parks Advisory Board on April 30, 2024.

 4/30/24
Chair