



Agenda

**Governing Body - Study
Session of the Governing Body
March 18, 2026 at 5:00 PM
City Councilors' Conference
Room, City Hall
200 Lincoln Avenue**

Procedures for Governing Body Meeting

The video recording, *if created*, of this and all past meetings of the Governing Body will also remain available for viewing at any time on the [City's YouTube channel](#). Staff is available to help members of the public access pre-recorded Governing Body meetings online at any time during normal business hours. Please call 955-6521 for assistance.

1. Call to Order
2. Discussion Item
 - a. City Procedural Rules/Municipal Code/State Statutes
 - b. Discussion of City Committees
 1. Council Standing Committees
 2. Discussion of Committee Purposes, Meeting Frequency, Staff Resources Allocated, etc.
 3. Direction on Next Steps and or Additional Research
 - c. Legislative Process Discussion
 1. Possible Changes to Process for Resolutions and Ordinances
 - d. Prioritization of Legislative Matters/Policy Issues
 1. Map Governance Priorities to Specific Legislation
 2. How to Accommodate Fast-Track Funding Legislation
 3. Policy Prioritization
 - e. Select Topic(s) and Date for Next Governing Body Study Session
3. Adjourn

Study sessions are held in a workshop format, to allow for collaborative discussion among the Governing Body and staff, without public comment or action by the Governing Body.

Per the New Mexico Open Meetings Act, this Study Session is noticed for public

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awareness. The City will not live stream these Study Sessions. The public is invited to view the Study Session in person.

Persons with disabilities in need of additional accommodations should contact the City Clerk's office at 505-955-6521, five (5) working days prior to the meeting date.

City of Albuquerque City Council



Rules of Procedure

(Revised December 1, 2025)

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ARTICLE I - MEETINGS

Section 1. **Regular Meetings.** The regular meetings of the City Council of the City of Albuquerque, New Mexico ("City Council") shall be held at the times specified in Section 2-1-1 of the Revised Ordinances of Albuquerque, New Mexico 1994 and in resolutions adopted consistent with that ordinance section; meetings are normally held in the Vincent E. Griego Chambers, City of Albuquerque Government Center beginning at 5 p.m. and ending no later than 10:30 p.m.

Section 2. **Special Meetings.** Except as provided in Section 4, special meetings of the City Council may be called by the President or by three Councilors, provided that written notice of such meeting shall be given to each member of the City Council at least seventy-two (72) hours before the time set for the meeting.

Section 3. **Town Meetings.** Once each calendar year, a Councilor may call a special meeting to be held in his or her District in a "Town Meeting" format to listen to citizens' concerns. The District Councilor shall preside at such meetings.

Section 4. **Emergency Meetings.** Notwithstanding any provision contained herein, the President of the City Council may, in the event of an emergency, call with whatever notice is possible under the circumstances, a meeting of the City Council to consider any matter. "Emergency" for the purpose of this section refers to unforeseen circumstances that, if not addressed immediately by the City Council, will likely result in injury or damage to persons or property or substantial financial loss to the City. Within ten days of taking action on an emergency matter, the Council shall report to the Attorney General's Office the action taken and the circumstances creating the emergency, unless a state or national emergency has been declared.

Section 5. **Notice of Public Meetings.**

A. Notice to the public shall be given at least seventy-two (72) hours in advance of any regular or special meeting of a quorum of the members of the City Council. Such notice may be given by:

(1) Posting a copy of the agenda in the lobby outside of the Vincent E. Griego Chambers, in the Basement level of the City of Albuquerque Government Center, Albuquerque, New Mexico;

(2) Posting the agenda on the Council website; and

(3) Providing notice to any broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice.

B. The foregoing notice shall at a minimum contain the date, time and place of such meeting and shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting. The City Council, in its sole discretion, additionally may include in such notice a brief description as to an item or items to be considered at such meeting.

C. Except for emergency matters, the City Council shall take action only on items appearing on the agenda. For the purpose of this subsection, an "emergency matter" refers to unforeseen circumstances that, if not addressed immediately by the City Council, will likely result in injury or damage to persons or property or substantial financial loss to the City.

Section 6. **Compliance with State Statutes**. Substantial compliance with any one of the foregoing methods of giving of notice shall constitute compliance with Chapter 10, Article 15, NMSA, 1978, as amended.

Nothing herein shall prevent the use of additional means or methods of giving notice of regular or special meetings; nothing herein shall require new notice for any public meeting for which notice has been given pursuant to these rules and which is recessed or adjourned, except an oral announcement of the date, time, and place shall be made by the Presiding Officer before such meeting is recessed or adjourned and, immediately following the recessed meeting, notice of date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held and in at least one other location appropriate to provide public notice of the continuation of the meeting. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting. The President of the City Council, or anyone designated by the President is hereby authorized to give any such foregoing notice and the President of the City Council may establish additional means or methods of making known to the public the date, time, and place of any regular meeting of the City Council.

Section 7. **Quorum**. A majority of the members of the City Council shall constitute a quorum thereof.

Section 8. **Addressing Meetings**.

A. The Mayor or the Mayor's designated representative may be invited to address the City Council or may request to speak before the City Council.

B. Persons may be invited by the City Council to address it on a particular agenda item or for the purposes of a general address.

C. Persons desiring to speak before the City Council on a particular agenda item shall be asked to register with Council staff prior to consideration of the agenda item. Comments shall be limited to two agenda items per meeting. Comments must be germane to the particular agenda item. During general public comment, speakers are not restricted as to topic except that general public comment shall not be permitted on quasi-judicial matters, including but not limited to land use appeals. Time limitations on speakers may be established at the discretion of the President of the City Council and shall apply to all speakers equally. Persons desiring to submit written comments to the Clerk of the Council may do so at any time. Restrictions under this section do not apply to the Mayor, the Mayor's designated representative, or persons invited by the City Council.

D. Persons signed up to speak before the City Council during general public comment or on a particular topic will be called to the podium to speak by the President, Vice President or Councilor presiding over the meeting. Only the individual called to the podium to provide public comment may stand at the podium or in the area around or behind the podium during that public comment. The Council President, Vice President or presiding Councilor shall make exceptions for those in need of a translator or those who need assistance or reasonable accommodations to provide public comment. Multiple persons will not be permitted to stand behind the individual providing comment.

E. Public comment must be directed to the City Council through the President, Vice President or presiding Councilor, not at staff members or members of the audience.

F. Items displayed on the overhead projector during an individual's public comment must be removed from the projector at the end of that person's public comment.

G. Absolutely no signs, props, posters, or banners will be allowed in the Council Chambers other than those which can be displayed on the overhead during presentations (no sheets larger than 8½" x 11"). Such material shall not be held or waived in a manner that blocks the view of others or creates a distraction from the speaker or the business at hand.

H. The first 30 individuals will be allowed to speak under general public comment of the agenda. Individuals who have signed up to provide general public comment to the Council but who, due to this limitation, are not able to speak may either provide general public comment at the end of the meeting under 'Other Business' or inform Council staff that they would like to provide their comments at the next regular Council meeting. Individuals who

request to speak at the next regular Council meeting will be placed at the front of the public comment sign up list at that meeting.

I. Council staff shall notify the public that persons may register to speak on an item appearing on the Consent Agenda, and staff shall notify the President of the City Council when a speaker so registers. The President may allow public comment on consent items prior to the Council's vote on the Consent Agenda.

Section 9. **Records.** Unless otherwise provided, a member of Council Staff, as designated by the Director, shall serve as the Clerk of the Council. The Clerk of the Council shall keep the minutes and records of the City Council proceedings.

Section 10. **Attendance.** Councilors shall attend all meetings of the City Council unless excused by the President of the City Council. For meetings held in-person, attendance is satisfied by physical attendance at the meeting location, except that each Councilor may virtually attend up to five in-person meetings of the City Council per calendar year so long as advanced notice is provided to the President for each occurrence and every possible effort is made to attend in person. For meetings held fully virtually, attendance is satisfied by virtual attendance.

Section 11. **Mayor.** The Mayor, or the Mayor's representative, shall be present at the hearings on the Mayor's proposed budget to answer questions about the budget. The City Attorney, or the City Attorney's designated representative, shall be present at all meetings of the City Council.

Section 12. **Disturbing Meetings.** It shall be unlawful to disturb any meeting of the City Council or any of its Committees, or to behave in a disorderly manner at any such meeting. There will be no tolerance for disruptive public outbursts or disruptions that impede the orderly progress of the meeting. The Presiding Councilor will provide one warning to anyone who causes a disruption. Upon a second or continued disruption, the Presiding Councilor will ask that person to leave the meeting, and, if necessary, will ask that security escort that person out of the meeting, or in the case of a virtual participant that they be removed from the virtual interface. Such removal from the meeting will be effective for the remainder of that meeting. If continued disruptions occur, the Presiding Councilor may recess the meeting until order is restored, and, if necessary, may clear the meeting of persons participating in the disturbance.

Section 13. **Open Meetings.** All meetings of the City Council and its Committees shall be open to the public.

Section 14. **Room Capacity, Ingress and Egress.** Notwithstanding these rules, the Fire Marshal will strictly enforce room capacity, ingress and

egress rules to ensure the public's safety. The handicapped landing area to the right side of the dais must be kept clear at all times. Those desiring to record the meeting will be directed to the landing area on the left side of the dais.

ARTICLE II - ORGANIZATION OF THE CITY COUNCIL

Section 1. **Election of President.** At the first meeting of the City Council in the month of January of each year, the City Council shall elect one of its members to act as President of the City Council. The President shall serve at the pleasure of the City Council until the first meeting in the month of January of the following year or until his or her successor has been selected. In the event that there shall occur a vacancy in the office of President, except one provided for in Article V Section 5.(c) of the City Charter, an election shall be held at the next regularly scheduled meeting of the City Council to fill the vacancy. Election shall require a majority of all Councilors.

Section 2. **Election of Vice-President.** At the first meeting of the City Council in the month of January of each year, the City Council shall elect one of its members to act as Vice-President of the City Council. The Vice-President shall serve at the pleasure of the City Council until the first meeting in the month of January of the following year or until his or her successor has been selected. In the event that there shall occur a vacancy in the office of Vice-President, an election shall be held at the next regularly scheduled meeting of the City Council to fill the vacancy. Election shall require a majority of all Councilors.

Section 3. **Powers and Duties of the President and Vice-President.**

A. The President shall call the Councilors to order, and upon a quorum being present, shall proceed to business.

B. The President shall possess the powers and perform the duties herein described, to wit the President:

(1) Shall preserve order and decorum and have general direction of the Vincent E. Griego Chambers or any location where the City Council holds its meetings.

(2) Shall assign bills and have the responsibility for preparation of the agenda and dissemination of the agenda with the public notice for the meeting.

(3) Shall decide all questions of order, subject to a Councilor's right to appeal to the City Council as a whole.

(4) Shall speak to points of order in preference to other Councilors.

(5) May speak, as other Councilors, on general questions from his or her chair.

(6) Shall vote upon all questions in the same manner as other Councilors.

(7) Shall announce the result promptly on the completion of every vote.

(8) Shall appoint all Committees whether standing, joint, or special, subject to the approval of the City Council except where otherwise indicated. Special committees shall consist of five members. The President shall designate the Chairperson of each Committee subject to the approval of the City Council with the exception of Chair of the Committee-of-the-Whole. The Chair shall be selected by a majority of the City Council.

(9) Shall sign all bills passed by the City Council.

(10) Shall receive all formal messages and communications from the Mayor and others.

(11) Shall serve as Chairman of and designate a selection panel of three (3) additional Councilors to undertake search and preliminary screening of candidates for the position of the Director of Council Services.

(12) Shall hold over or refer to the appropriate Standing Committee or Committees any bill or executive communication. Upon the request of the bill's sponsor seconded by another Councilor or upon the vote of a majority of Councilors, a referral may be changed or deleted; if referral of a bill is requested at a meeting other than the one at which it is introduced, the President shall make the referral upon the vote of a majority of the Councilors. The President, at his/her option, may refer appeals, appointments or other matters to the appropriate Standing Committee.

(13) Shall have the authority to sign all decisions of the City Hearing Officer regarding the issuance or transfer of liquor licenses pursuant to Section 13-2-3 ROA 1994.

(14) Shall have the authority to sign all agreements for professional/technical services entered into by the Council to facilitate its legislative function pursuant to the Purchasing Ordinance.

(15) In the absence of a voluntary sponsor, the President shall be noted as the designated sponsor for any municipal annexation or zone map amendment request (other than appeals) that require final action by the City Council. For this purpose, designation as sponsor does not indicate support or opposition to the item sponsored.

C. In the absence of the President, upon his or her inability to act, or upon request of the President, the Vice-President shall preside and shall have all the powers and authority of the President. In addition, the Vice-President shall preside over meeting agenda items (2) through (5) as outlined in Article III, Section 4(A) of these Rules.

Section 4. **Committees of the Council.** Committees of the Council are comprised of members of the City Council only.

A. Standing Committees of the City Council shall consist of two substantive committees as follows:

(1) Finance and Government Operations Committee (5 members). Areas of jurisdiction include: all revenue measures, all bills calling for expenditures of public funds and amendments to the approved capital improvements program, including: operation, equipment and infrastructure aspects of transportation; parking; streets; water; sewage; drainage and storm control; extensions of utilities; street lighting; maintenance; professional design; aviation; economic development; industrial revenue bonds; Local Economic Development Act (LEDA) projects; public/private relationships; employment; housing; building codes; consumer protection; licensing; economic opportunity; youth and senior citizen programs; parks and recreation; the ABQ BioPark; staffing; community development; libraries; museums; the Albuquerque Convention Center; stadiums and sports facilities; human rights; employee relations; the merit system; sanitation; refuse; animal control; and implementation of capital improvements projects and quality of life projects. The regularly scheduled meeting date of the Finance and Government Operations Committee shall be the second Monday of each month. The fourth Monday of the month shall be reserved for additional meetings, if necessary.

(2) Land Use, Planning and Zoning Committee (5 members). Areas of jurisdiction include: land use planning; zoning; transportation planning; growth and annexation; environmental concerns including air, water and noise; location of all public facilities; open space land prioritization, designation and acquisition; the Integrated Development Ordinance; the Comprehensive Plan and all Rank 2 and Rank 3 plans; urban renewal; urban development; appointment of members to the Environmental Planning Commission; utilities franchises and regulations; cable television; energy measures including energy conservation, demand side management, life cycle costing of City facilities and alternative vehicle fueling. The regularly scheduled meeting date of the Land Use, Planning and Zoning Committee shall be the Wednesday following the second Monday of each month. The Wednesdays following the fourth Monday of the month shall be reserved for additional meetings, if necessary.

B. Committee of the Whole (9 members).

(1) The Council shall meet as the Committee of the Whole to review and adopt the annual operating budget and the biennial capital improvements plan; including the appropriations and rate and fee increases made at the time each of these bills are considered, in accordance with City Budget Ordinance §2-11 and Capital Improvements Ordinance §2-12.

(2) The Director of Council Services shall provide status reports to the members of the Committee of the Whole regarding Council Services staff, physical facilities and department operating budget on a quarterly basis.

C. Litigation Negotiation Committee (3 members).

D. All Committee assignments shall be subject to the approval of the City Council at the second regular meeting of the year.

E. Each Councilor shall, insofar as possible, change one Substantive Committee assignment every January when the Committees are constituted.

F. No Committee shall hold a hearing without a quorum of the Committee present. Any Councilor who is not a member of the Committee may be designated as an alternate for any Committee member who cannot be present at the meeting. The alternate shall be selected by the Councilor for whom the alternate is serving or by the Chairperson of the Committee.

G. The Chairperson of a Committee shall vote on all matters before the Committee as other members of the Committee.

H. Every report of a Committee, upon any matter referred to the Committee, shall be in writing and addressed to the President of the City Council:

(1) The report shall contain a summary report of the actions by and before the Committee in addition to the Committee recommendations, including the vote of each member. Every Committee report shall be entered upon the journal of the City Council.

(2) The report on a bill shall carry one or more of the following recommendations:

- (a) Do Pass
- (b) Do Pass, as amended
- (c) Without recommendation *
- (d) Without recommendation, as amended *
- (e) Do Not Pass
- (f) Be referred to another committee *

- (g) Be referred to a Committee-of-the-Whole *
- (h) Substituted
- (i) Substituted, as amended

* The failure of these motions in Committee requires subsequent motion(s) to establish the Committee's final recommendation to the City Council.

(3) The failure of any "Do Pass" motion on a bill in Committee shall result in the bill being reported to the City Council as "FAILED" and pursuant to ARTICLE III, Section 6(6) of these Rules, the Council's acceptance of such a report shall result in failure of the bill; provided, however, that any bill that has failed in this manner will be revived by a subsequent motion and second to revive that receives an affirmative vote of at least four Councilors, in which case the bill will be placed on the agenda of the next regular Council meeting for action.

(4) The report on any appeal shall carry one or more of the following recommendations:

- (a) Be heard
- (b) Not be heard
- (c) Be remanded (to the relevant board or commission)
- (d) Withdrawal be approved
- (e) Withdrawal not be approved

(5) The report on an appointment shall carry a recommendation that the appointment "be confirmed" or "not be confirmed".

(6) The report on other matters shall carry a recommendation that the matter "be approved," "not be approved," or "receipt be noted."

I. Reports of the minority of a Committee may be submitted in addition to those of the majority and included in the Committee report.

J. The Committees shall report on all matters referred to them without unnecessary delay. If a Committee refuses or neglects to report on any matter referred to it, the City Council, by majority vote of all Councilors, may take the matter from the Committee.

K. The rules and orders of the City Council shall apply to all Committees of the City Council, except as otherwise provided and except that Committees may establish their own time limitations for witnesses addressing the Committee and for debate by members of the Committee, and except that notice to the public, including an agenda, shall be given of any regular or special meeting of a quorum of the members of any Committee of the City Council.

Section 5. **Other Committees Requiring Participation of the Council.** Councilors participate in committees with members of the Administration or other entities listed herein:

(1) Committee on Guidelines for Negotiations (3 members). A Memorandum of Understanding shall be executed every two years between the Administration and the City Council to determine the operating procedures of the committee.

- (2) Albuquerque/Bernalillo County Government Commission (4 members)
- (3) Intergovernmental Legislative Relations Committee (3 members)
- (4) Mid Region Council of Governments (5 members)
- (5) Hispano Chamber of Commerce (2 members)
- (6) Visit Albuquerque (2 members, 1 alternate)
- (7) Accountability in Government Oversight Committee (1 member, 1 alternate)
- (8) New Mexico Municipal League (1 member, 1 alternate)
- (9) Albuquerque Bernalillo County Water Utility Authority (3 members)
- (10) Regional Transit District Board of Directors (4 members)
- (11) Albuquerque Bernalillo County Community Schools Partnership (2 members)
- (12) Alvarado Transportation Center Task Force (1 member)
- (13) Explora (2 members)
- (14) Economic Development Action Account (EDAct) (2 members)
- (15) Bernalillo County Criminal Justice Coordinating Council (1 member, 1 alternate)
- (16) Route 66 Visitor Center Commission (2 members)

- (17) Homeless Coordinating Council (2 members)
- (18) City Attorney Evaluation Committee (4 members)

ARTICLE III - PROCEDURES

Section 1. **General Rules**. Any matter not covered by these rules shall be governed by Robert's Rules of Order (latest edition), or, if not covered by Robert's Rules of Order, by a decision of the President, subject to the right of appeal.

Section 2. **Amendment of Rules**. These rules, or any part thereof, may be amended, repealed, altered or rescinded by a vote of a majority of all Councilors and only after one week's notice of an intended motion. Such notice is satisfied by introduction of the proposed amendment at a regular meeting of the City Council.

Section 3. **Suspension of Rules**. Except for charter, statutory or ordinance provisions, these rules, or any part thereof, may be temporarily suspended by a vote of two-thirds of the Councilors present. The following shall apply:

<u>Councilors Present</u>	<u>2/3 Vote</u>
9	6
8	6
7	5
6	4
5	4

When the suspension of a rule is requested, and no objection is offered, the President shall announce the rule suspended, and the City Council may proceed accordingly.

Section 4. **Order of Business**.

A. The City Council shall consider business in the following order:

- (1) Roll Call
- (2) Moment of Silence
Pledge of Allegiance in English and Spanish and any other language as determined by the Council
- (3) Proclamations & Presentations
- (4) Administration Question & Answer Period
- (5) Approval of Journal
- (6) Communications and Introductions
- (7) Reports of Committees
- (8) Consent Agenda
- (9) Announcements
- (10) Financial Instruments
- (11) Appeals
- (12) General Public Comments
- (13) Approvals

- (14) Final Actions
- (15) Other Business

B. The City Council shall not allow General Public Comments at Special Meetings.

C. No more than two proclamations (Item 3 above) may be considered at any meeting of the Council; no Councilor may present more than four proclamations at a Council meeting per calendar year, except that the President may approve additional proclamation presentations in excess of four per Councilor per calendar year so long as the proclamation request is presented to the President for consideration at least one week in advance of the meeting. However, nothing herein prohibits a Councilor from sponsoring and presenting additional proclamations outside of Council meetings. Councilors wishing to sponsor a proclamation shall request assignment to a meeting agenda subject to approval from the President. If so approved, Councilors shall file the topic or title of the proclamation with the Clerk of the Council no later than 10:00 a.m. on the Friday preceding the meeting at which the proclamation is to be presented. Presentations (Item 3 above) includes the Gross Receipts Tax Report, cannabis excise report, and all other revenue reports, and any other presentation allowed at the discretion of the President. The Gross Receipts Tax Report shall be presented at the next regular City Council meeting following the date the State transmits the Gross Receipt Tax Report to the City. The Gross Receipts Tax Report, cannabis excise report, and all other revenue reports shall be sent to all City Councilors immediately following receipt by the City and after the reconciliation process.

D. The President shall have the discretion to proceed out of order to any order of business or return to any prior order of business.

E. All business which would be for Approval, Final Action, and Other Business may be placed on the Consent Agenda by the President if he or she believes that no discussion or amendment is needed. At the beginning of the Consent Agenda, the President shall ask if Councilors wish to drop items from the Consent Agenda; upon the request of any Councilor, any item shall be removed from the Consent Agenda and shall be heard following the vote on the Consent Agenda. Items remaining on the Consent Agenda shall be affirmatively acted on by one or more motions, which motion is non-debatable; items on the Consent Agenda may not be amended or substituted.

Section 5. **Journal.** The City Council shall keep a journal of the proceedings. The journal shall be maintained by the Clerk of the Council and shall be open to inspection at all convenient times.

Section 6. **Bills.**

A. Proposed ordinances, resolutions, memorials, and charter amendment proposals shall be called bills.

(1) The enacting clause of proposed ordinances shall be: "BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE".

(2) The enacting clause of proposed resolutions shall be: "BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE".

(3) The enacting clause of proposed memorials shall be: "BE IT MEMORIALIZED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE".

(4) Bills may be introduced by any Councilor at any regular meeting of the City Council, provided that any bill to be submitted for a regular City Council meeting must be presented in both hard copy and electronic copy to the Clerk of the Council prior to 10:00 a.m. on the Tuesday preceding the next regular City Council meeting. Bills may not be introduced at Special Council meetings. The Clerk of the Council shall assign each bill a number. The Director of Council Services shall prepare a list of introductions to be delivered to the Councilors on the Friday preceding the next regular City Council meeting.

(5) For bills which are to be referred to Committee, the introductions shall state the Committee(s) to which the President proposes to refer each bill. Bills which are not referred to Committee shall be considered for final action no earlier than the next regular City Council meeting after the meeting at which they are introduced. Notwithstanding the above, a bill may be considered for immediate action at the meeting at which it is introduced provided that a majority of the City Council votes in the affirmative to introduce and place the bill on the agenda for final action; and provided the notice required in Section 1.5 has been given and an emergency as defined in Section 1.5.C is declared. If a bill is introduced with a request for immediate action but fails to receive the necessary affirmative votes to consider it, or is not moved for consideration during the meeting at which it was introduced, the bill shall receive a referral to the appropriate standing Committee and shall be placed on the agenda of the next meeting of that Committee. A bill which has been referred to a Committee may be withdrawn from the Committee by an affirmative vote of a majority of all Councilors and upon such withdrawal shall be placed on the agenda for final action at the next regular meeting of the City Council, unless the bill carries an additional Committee referral, or unless a majority of all Councilors vote affirmatively to refer it to another Committee. A bill with multiple Committee referrals may be forwarded sequentially from Committee to Committee without returning to the City Council, provided each Committee notifies the President of the Committee's recommendations and that the bill has been forwarded.

(6) Acceptance of a "do pass", "do pass, as amended", "without recommendation", "without recommendation, as amended", "substituted", or "substituted, as amended" Committee report, or rejection of a "do not pass" Committee report shall, unless the bill carries an additional Committee referral, result in the bill being placed on the agenda for final passage at the next regular meeting of the City Council unless it is unanimously recommended by the Committee to which the bill has been referred that the bill be placed on the agenda for final action at the meeting at which the Committee report is considered. Acceptance of a "do not pass" Committee report or rejection of a "do pass", "do pass, as amended", "without recommendation" or "without recommendation, as amended" Committee report shall result in failure of the bill; provided, however, that any bill that has failed in this manner will be revived by a subsequent motion and second to revive that receives an affirmative vote of at least four Councilors, in which case the bill will be placed on the agenda of the next regular Council meeting for action.

(7) No bill shall be so altered or amended on its passage so as to change its original purpose.

(8) Unless a more stringent voting standard is otherwise required by law, if a majority of a quorum of the Councilors present at the City Council meeting vote in favor of adopting a bill, it is adopted.

(9) Any bill which is not adopted by the City Council within one year from the date of its introduction shall be deemed to have "Died on Expiration," and no further action shall be taken by the Council or its committees on the bill. Bills which are deemed "Died on Expiration" may be reintroduced under a new bill number pursuant to the provisions of subsections (1) through (8) of this section.

(10) Any bill which is not adopted but pending at the end of the tenure of a City Councilor shall be deemed "Died on Expiration of Tenure".

(11) To comply with Chapter 2, Article 2, Section 3 of ROA 1994, Resolutions that include City-Wide Legislative Priorities for the Federal and State Governments shall be approved by a unanimous vote of the City Council. Legislative Priorities that are included in the Resolution may be removed from the legislation during a hearing on the bill on the floor of the Council by a verbal request of a Councilor, without an amendment or vote on the request.

(12) At the end of each calendar year, any legislation transmitted from the Administration to the Council President that was not introduced shall be transmitted back to the Administration via formal memorandum.

B. When a bill would adopt a plan, the following sequence shall apply to City Council hearings:

(1) Prior to the first Committee hearing, the public notice (ref. Sec. 14-13-2-5(D) ROA 1994) shall state how the plan may be obtained or examined and shall encourage written comments;

(2) At the Committee hearing, the public shall be invited to make comments and protests, preferably in writing;

(3) The Department which has sent the plan to the Mayor and City Council shall write a response on each protest. The Department's response shall be presented to the Committee at a meeting subsequent to the presentation of protests; the response shall contain a summary of the protest and a recommendation of any plan amendment which seems appropriate, based on the protest;

(4) The protester may briefly comment to the Committee on the response;

(5) Subsequent to this process the Committee shall move amendments to the plan if it finds such to be appropriate;

(6) The full City Council may also make plan amendments at the City Council meetings on the plan; and

(7) If the plan has not been heard by Committee, the City Council will follow the entire sequence above.

Section 7. **Amendments/Floor Substitutes**. Any bill may be amended or substituted, provided, however, that any bill that is on Final Action before the Council and that is substituted may not be acted upon at the meeting in which it is substituted. Floor substitutes for bills approving bonds or other financing instruments are exempted from this restriction, as are floor substitutes for the operating budget and the capital improvements program. Amendments and substitutes for the operating budget and capital improvements program shall have special procedures. Any committee substitutes for the operating budget or capital improvements program must be submitted to Council staff and distributed to Councilors twenty-four (24) hours prior to the next meeting of the Committee-of-the-Whole. Floor substitutes for the operating budget or capital improvements program will not be considered after the Committee of the Whole moves the bill to the full Council. Any committee or floor amendments shall be distributed to all Councilors by the sooner of the start time of the meeting, or 5:00 p.m. on the day of the Committee of the Whole or City Council Meeting where they will be considered.

Section 8. **Approvals**.

A. Approvals are defined as that class of City Council action in which the City Council as the Governing Body shall make the final determination upon the recommendation of the Mayor or upon the recommendation of, or appeals from, a duly authorized board or commission of City government. Those items requiring approval of the City Council shall include but not be limited to: appeals authorized under the Integrated Development Ordinance; improvement district matters including protest; appointments to boards and commissions; real property acquisitions and dispositions, and purchases. Approvals other than appeals are termed executive communications or City Council communications.

B. Appeals of Land Use Regulation Decisions.

(1) Appeal procedures and special majorities required shall be as specified in applicable ordinances. (See the Integrated Development Ordinance, Section 14-16-4-4-6-4(U) ROA 1994.

(2) Notice for any full hearing on an appeal shall be given at the City Council meeting at which the City Council votes to reject the recommendation of its Land Use Hearing Officer.

(3) Time allowed for appeal hearings shall be as follows:

(a) The sequence and normal maximum times allowed shall be as follows:

- 8 minutes for appellant;
- 10 minutes for party opponent(s) of the appeal;
- 3 minutes for city staff, unless that staff spoke as opponents;
- 2 minutes for appellant rebuttal; discussion among Councilors.

(b) If there are no party opponents of the appellant, the appealed board or commission is allowed up to 8 minutes in the appeal hearing.

(c) The City Council may combine separate appeals of the same action, in which case each appeal will receive an equal share of the appellant's time. The Presiding Councilor shall indicate in advance the division of opponent time if more than one private party is shown by the record to be in opposition.

(d) The Presiding Councilor shall follow the above maximum times unless, based on the complexity of the issues, the Presiding Councilor gives notice of differing times to all parties. In all cases, the maximum

time available to proponents and opponents shall be equal, in accordance with the pattern in (a) above.

(e) The parties shall decide on the speakers to use the time assigned to the appellant and the opponents of the appeal.

(4) Evidence:

(a) The City Council will make its decision and findings exclusively on the record of the decision appealed including any supplemental material that was accepted by its Land Use Hearing Officer.

(b) Parties to an appeal and their representatives shall be sworn: "Do you swear (or affirm) that you will tell the truth, the whole truth, and nothing but the truth?" Attorneys may testify on their attorney's oath.

(5) With regard to any appeal that has been filed with and is pending before the City Council:

(a) *Communication with Parties.* No Councilor shall communicate outside a hearing with a party or representative of the party about the appeal, and no party or representative of a party shall communicate outside a hearing with a Councilor about the appeal. Any facts or documents not in the record before the City Council when the appeal is filed are subject to the rules regarding new evidence that are set forth herein;

(b) *Communication with Persons other than Parties.* No Councilor shall knowingly communicate with a member of the public or an organization about the subject of the appeal, and persons or organizations not parties to the appeal shall not communicate with any Councilor about the subject of the appeal and attempt to influence the outcome of the appeal. Information and correspondence that is not in the record at the time the appeal is filed is not evidence and should not be considered in making a decision regarding the outcome of the appeal unless accepted as new evidence.

(c) Any correspondence regarding the subject of an appeal that is an *ex parte* communication and is inadvertently received by a Councilor shall be delivered to the Clerk of the Council and be available for review by the parties. Any correspondence received by Council Services regarding the subject of an appeal shall be held by the Clerk of the Council and not distributed to the Councilors until the City Council has finally decided the appeal and the time for filing an appeal of the City Council decision has run. All such correspondence shall be available for review by the parties upon request.

(d) Notwithstanding the above, staff of the Council Services and other City departments (other than employees of a City department

which is the appellant or appellee, or employees who have a personal or pecuniary interest in the outcome of the appeal) may, upon the request of a Councilor, communicate with that Councilor at any time and by any means. Copies of any written materials from City staff shall be distributed to all parties.

(6) A Councilor or City Council Hearing Officer shall withdraw from any proceedings in which he or she has a direct or indirect financial conflict of interest or otherwise cannot accord a fair and impartial hearing.

(7) Votes on appeals shall be as follows:

(a) At a meeting of the City Council, an action to grant or deny an appeal must be in accordance with Section 14-16-6-4(U)(3)(e) of the Integrated Development Ordinance. A motion to defer, continue, or remand is adopted by a majority of the Councilors present.

C. Executive Communications.

(1) Executive communications may be withdrawn by a memo from the Mayor prior to City Council action with the approval of the City Council. Executive communications may not be amended.

(2) Appointments.

a. Executive Communication appointments shall be sent to the City Council separately for individual consideration. An appointment, which is not referred to Committee, shall be considered at the next regular meeting of the City Council, except new appointments to the Environmental Planning Commission, and the Landmarks Commission shall be considered by the Land Use, Planning and Zoning Committee of the City Council.

b. The following City Council actions on Committee reports shall result in the appointment being placed on the agenda for approval at the next regular meeting of the City Council unless it is unanimously recommended by the Committee to whom the appointment has been referred that the appointment be placed on the agenda for approval at the meeting at which the Committee report is considered: acceptance of a recommendation that an appointment "be confirmed" or rejection of a recommendation that an appointment "not be confirmed".

(3) Reports, Contract Extensions/Supplements, and Grants

a. Executive Communications for Reports, Contract Extensions/Supplements, and Grants shall be considered at the next regular meeting of the City Council.

(4) Other Approvals. An approval which is not an appeal or an appointment and which is not referred to committee shall be considered no earlier than the next regular City Council meeting following introduction.

(5) Any approval which is not adopted by the City Council within one year from the date of its introduction to the City Council shall be deemed "Died on Expiration," and no further action shall be taken by the Council or its committees on the approval.

Section 9. **Motions.** No motion shall be entertained or debated until announced by the President, and every motion shall be seconded. When a question is before the City Council, only the following motions shall be entertained and such motions shall have precedence in the following order:

- (1) To adjourn *
- (2) To recess *
- (3) To reconsider
- (4) To table *
- (5) To move the previous question (call for the question) *
- (6) To postpone to a certain time (to defer up to 90 days)
- (7) To commit or recommit to a committee
- (8) To amend or substitute

*not debatable and cannot be amended

Motions to amend or substitute shall be made in writing. A motion to adjourn, to recess, to table, or to move the previous question shall be decided without debate, and cannot be amended. A motion to table means that there is no set time for taking the matter up again but its consideration must be resumed prior to adjournment of that meeting. A motion to move the previous question must be approved by three-fourths of those present and voting, and it may apply to only the immediately pending question, or it may be qualified to apply consecutively to all of any series of motions beginning with the immediately pending question. All other motions shall be debatable.

For a motion to move the previous question, the following shall apply:

<u>Councilors Present</u>	<u>3/4 Vote</u>
9	7
8	6
7	6
6	5
5	4

A motion to adjourn when no time shall be fixed, shall mean an adjournment to the next regular meeting of the City Council. A motion to postpone to a certain time (to defer) may be made for a period not to exceed three months. The President may, at his or her discretion, recognize a Councilor on a point of personal privilege or parliamentary inquiry.

Section 10. **Debate**. Any Councilor wishing to speak, debate, make a motion, submit a report or conduct other business shall address the President and shall not proceed further until recognized by the President. If two or more Councilors seek recognition at the same time, the President shall name the one who shall speak first. The Councilor who sponsors a bill or motion shall have the privilege of opening and closing debate upon the same. A Councilor may direct an inquiry and receive a response without yielding the floor. No Councilor shall be permitted to speak more than once on any motion until every Councilor desiring to be heard has been allowed to speak. Nor shall any Councilor, except the sponsor of a bill or motion, speak more than a total of ten minutes on any motion. No Councilor shall be interrupted when speaking, nor shall any motion be in order until he or she has concluded, and no question shall be asked of him or her, except those directed through the President with the consent of the Councilor.

Section 11. **Voting**.

A. Except for the election of City Council officers, City Council appointees, or the Director of Council Services, voting shall be in the form of "Yes" or "No". Any action on a question is lost by a tie vote. A record shall be entered in the journal of the voting by each Councilor on all action on any bill, resolution, memorial, Mayor's appointment or other act, and on any other question when called for by any two Councilors prior to the taking of the vote. The record shall also be entered in the journal of any Councilor on any other question coming before the City Council when so requested by the Councilor. Every Councilor who is within the Vincent E. Griego Chambers shall vote upon each question, except that any Councilor who has a private direct financial interest in any matter pending before the City Council shall disclose such private interest and shall be disqualified from participating in any debate, decision or vote relating thereto. Such disclosure shall be entered in the journal, and the record will show the Councilor making such a disclosure as having abstained from participating in any debate, decision or vote relating thereto. A Councilor shall be allowed to change his or her vote, but only before the result has been announced.

B. A Councilor may request to vote by telephone or other similar device when a medical or emergency situation exists, or when official city business or a significant personal event or commitment renders attendance in person unduly burdensome. A request for such voting privileges must be made to the President of the Council who shall determine whether a qualifying situation

exists. Such voting can only take place upon the approval of the President of the Council and provided that the Councilor who has been granted such voting privileges can be heard on a speaker to enable the Council and the audience to determine when the Councilor is speaking and casting a vote.

Section 12. **Confirmation.** An affirmative vote of a majority of Councilors present shall be required for confirmation of the Chief Administrative Officer. An affirmative vote of a majority of the Councilors present shall be required for confirmation of members of the public boards, commissions and committees.

Section 13. **Appointments.** Whenever the City Council is required to appoint members of any public body, the Councilors shall consider this matter under the order of business "Approvals" at any City Council meeting, and at that time, each Councilor may nominate one person. At the next regularly scheduled meeting of the City Council, the matter shall be placed on the agenda under the order of "Approvals". All nominees shall be invited to attend.

A ballot shall be prepared containing the names of each candidate. The balloting shall be by preferential balloting wherein each Councilor indicates the order of his or her preferences with the numeral "1" for his or her first preference, the numeral "2" for his or her second preference, and so on for every possible choice. After the ballots are marked, the total numerals shall be added for each candidate and the candidate whose total is the lowest shall be declared the winner.

If more than one similar position is to be filled on any particular body, the necessary number of candidates with the lowest number of votes shall be declared winners.

In the event of a tie, there shall be a runoff among those candidates having the lowest totals. The runoff shall be conducted by preferential balloting in the manner described herein.

Section 14. **Veto.** In the event of a veto by the Mayor of all or a part of any ordinance, resolution, or other act passed by the City Council, the veto message of the Mayor shall be entered in the journal together with the date of return of the same to the City Council by the Mayor. An ordinance, resolution, or other act may be approved, notwithstanding a veto by the Mayor, by two-thirds of the entire membership of the City Council, at the next regularly scheduled meeting of the City Council after return of same to the City Council by the Mayor.

Section 15. **Reconsideration.** Any Councilor recorded as having voted with the prevailing side on any question may move at the same meeting to reconsider the question. A motion to reconsider shall require the affirmative vote of a majority of all Councilors present.

Section 16. **Rescinded Action.** No vote or action of the City Council shall be rescinded at any special meeting unless there be present at such special meeting as many members of the City Council as were present at the meeting when such vote or action was taken.

Section 17. **Appeal of President's Decision.** An appeal may be made on any decision of the President, in which event the Councilor appealing shall state his or her reason therefore, to which the President may respond. Such appeals shall be acted upon immediately and no motion, other than a motion to adjourn, shall be entertained until the question has been decided. A vote of a majority of the Councilors present shall be required to sustain an appeal.

Section 18. **Personal Privilege.** Any Councilor may, as a matter of personal privilege, personally speak for not more than ten minutes upon matters which may affect the City Council, its rights, its dignity and the integrity of its proceedings, or the rights, reputation and conduct of individual Councilors in their official capacities only.

Section 19. **Decorum.** Councilors or other speakers shall confine their remarks to the question under discussion or debate, avoiding personalities. No Councilor shall engage in private discourse or commit any other act tending to distract the attention of the City Council from the business before it.

Section 20. Any Councilor leaving a City Council or Committee meeting early, with the exception of an unexpected illness or emergency, shall make the Presiding Councilor aware of such departure as early as is possible, so that allowances in scheduling business can be made. Any Councilor leaving a Committee meeting when the departure will cause a loss of quorum shall make every effort to secure an alternate Councilor to sit on the Committee.

Section 21. **Staff.**

A. Selection of the Director of Council Services. When a vacancy occurs in the position of Director of Council Services, the selection panel designated by and including the President of the City Council shall initiate recruitment, screening and interviewing of candidates and shall submit the name of one qualified candidate to the full City Council for final selection. The Director of Council Services shall be selected by an affirmative vote of two-thirds of all Councilors.

B. Director. The Director of Council Services shall, after consultation with the President and members of the City Council, hire, have charge of, and see that all employees and contractors of the City Council perform their respective duties; and shall have general control of the City Council Office.

C. Rules of Confidentiality. Neither the Director nor any other employee of the Council Services shall reveal to any person outside of the service the content or nature of any request or statement for service made by a Councilor, except with the consent of the Councilor making such request or statement. No member of the City Council staff shall urge or oppose any legislation, nor give to any member of the City Council advice concerning the economic, social or political effect of any bill or proposed bill except upon the request of such member. This, however, does not restrict or preclude City Council staff from providing staff reports of, analyses of, and amendments to, proposed legislation, appropriations and appeals.

D. Campaign Activity Prohibited. Council Services employees shall not engage in any political campaign activity during work hours or using office resources to support or oppose a candidate for public office. During the normal course of business, City Councilors shall not request Council Services employees to perform any activity, the purpose of which is to support or oppose a candidate for public office. Examples of prohibited activities include but are not limited to drafting campaign press releases, conducting opposition research or research on issues primarily related to a campaign, scheduling campaign appearances, drafting campaign-related correspondence and taking campaign-related phone calls except to refer callers to the campaign office. Nothing herein, however, shall be construed as prohibiting any City Council Services staff member from exercising his or her First Amendment right privately to express an opinion or cast a vote. Any member of the Council Services staff who believes that a request by a Councilor is in violation of this policy shall inform the Director of Council Services who shall have an obligation to investigate the complaint and if necessary present the findings to the Council or its appropriate committee.

E. Contractors. Contractors of the City Council performing services that are analogous to those of Council staff, or in place of those traditionally performed by Council staff, shall be aware of these rules, and shall conform with all relevant provisions that are otherwise applicable to staff. The Director shall direct any Contractors who are performing services for the benefit of the full Council to use best efforts to address the interests and questions of the various Councilors equally to the greatest extent practical.

Section 22. **Monthly Expense Report.** The Director of Council Services shall provide to the Council on a monthly basis an accounting of all Council Services revenues and expenditures.

Section 23. **Allocation of Councilor Expenses.** Each Councilor shall be allocated a maximum annual amount of \$20,000 for Council expenses related to discretionary constituent outreach, including but not limited to mailing/notification expenses, District meetings, and small event sponsorships to governmental or not-for-profit entities. The Director of Council Services will evaluate requests for use of the funds, in consultation with legal staff, based whether 1) the expense

advances an identifiable goal of the City, 2) the public benefit of the expense outweighs the incidental private benefit, and 3) the expense is in compliance with all applicable City regulations and policies. The annual amount shall be calculated on a fiscal year basis, from July 1 to June 30. The annual amount for newly elected Councilors shall be prorated for the period from January 1 to June 30. This rule shall become effective July 1, 2019.

Section 24. **Land Use Hearing Officer Rules of Procedure and Qualifications**

1. Notice for any appeal hearing by the Land Use Hearing Officer (“Hearing Officer”) shall be given consistent with Section 14-16-6-4(U)(3)(d)(1) of the Integrated Development Ordinance.

2. The sequence and the time allowed for appeal hearings shall be as follows:

- 25 minutes for appellant;
- 30 minutes for party opponent(s) of the appeal;
- 10 minutes for city staff, unless that staff spoke as opponents;
- 5 minutes for appellant rebuttal.

3. The Hearing Officer may combine separate appeals of the same action, in which case each appeal will receive an equal share of the appellants’ time. The Hearing Officer shall indicate in advance the division of opponent time if more than one private party is shown by the record to be in opposition.

4. The Hearing Officer shall follow the above maximum times unless, based on the complexity of the issues, the Hearing Officer gives notice of differing times to all parties. In all cases, the maximum time available to proponents and opponents shall be equal, in accordance with the pattern above.

5. The parties shall decide on the speakers to use the time assigned to the appellant and the opponents of the appeal.

6. Evidence:

(A) The Hearing Officer shall make his or her decision and findings on the record of the decision appealed supplemented by any evidence allowed to be presented and matters officially noticed.

(B) If the Hearing Officer determines that certain additional evidence proposed is necessary and appropriate for the proper disposition of the matter he or she may take that evidence.

(C) New evidence which could have been put in the record during the previous hearing(s) is not favored for introduction at a Hearing Officer hearing. New evidence which clarifies evidence already in the record may be allowed. New evidence which is offered to contradict evidence in the record may be allowed; if such evidence appears convincing and is on an important point, it can justify the recommendation of a remand. If new evidence is allowed, it shall be restricted to a type and subject deemed admissible by the Hearing Officer.

(D) When a hearing will be expedited and the interest of the parties will not be prejudiced substantially, the Hearing Officer may accept specific items of evidence in written form; the fact that the author of written evidence is not present for cross examination does not disallow its admission unless the Hearing Officer rules that such absence makes the particular evidence inappropriate.

(E) Witnesses and presenters shall be sworn: "Do you swear (or affirm) that you will tell the truth, the whole truth, and nothing but the truth?" Attorneys may testify on their attorney's oath.

(F) Cross-examination of witnesses is allowed concerning the evidence and opinions they have presented in testimony to the Hearing Officer in order to disclose facts truly and fully. Cross-examination questions may be asked only by parties to the appeal. Any such questions shall be asked immediately following the witnesses' testimony. Questions may be asked by an adverse party or the party's attorney or representative of record. Improper questions will be disallowed by the Hearing Officer and the Hearing Officer may impose reasonable time limits on cross-examination. The Hearing Officer may restate questions to the witness and may require that questions be addressed to the Hearing Officer. The Hearing Officer will rule irrelevant questions and unnecessarily long answers out of order.

7. With regard to any appeal that has been filed with and is pending before the City Council and referred to the Hearing Officer:

(A) Communication with Parties. No City Councilor shall communicate outside a hearing with a party or representative of a party about an appeal, and no party or representative of a party shall communicate outside a hearing with a Councilor about an appeal. Any facts or documents not in the record before the City Council when an appeal is filed are subject to the rules regarding new evidence that are set forth herein.

(B) Communication with Persons other than Parties. No Councilor shall knowingly communicate with a member of the public or an organization about the subject of the appeal, and persons or organizations not parties to the appeal shall not communicate with any Councilor about the subject of the appeal and/or attempt to influence the outcome of the appeal. Information

and correspondence that is not in the record at the time the appeal is filed is not evidence and should not be considered in making a decision regarding the outcome of the appeal unless accepted as new evidence.

(C) Communication Between Hearing Officer and Councilor. No Councilor shall knowingly communicate with the Hearing Officer about the subject of a pending appeal, and the Hearing Officer shall not communicate with any Councilor about the subject of a pending appeal other than by written findings and recommended decision as set forth herein.

(D) Communication with Parties by Hearing Officer. The Hearing Officer shall not communicate outside a hearing with a party or representative of a party about an appeal, and no party or representative of a party shall communicate outside a hearing with the Hearing Officer about an appeal. Any facts or documents not in the record before the Hearing Officer when an appeal is filed are subject to the rules regarding new evidence that are set forth herein.

(E) Communication with Persons other than Parties. The Hearing Officer shall not knowingly communicate with a member of the public or an organization about the subject of the appeal, and persons or organizations not parties to an appeal shall not communicate with the Hearing Officer about the subject of an appeal and/or attempt to influence the outcome of an appeal. Information and correspondence that is not in the record at the time an appeal is filed is not evidence and should not be considered in making a decision regarding the outcome of an appeal unless accepted as new evidence.

(F) Any correspondence regarding the subject of an appeal that is an ex parte communication and is inadvertently received by the Hearing Officer shall be kept separately from the record on the appeal. The Hearing Officer shall advise the parties to the appeal of the receipt of the ex parte written communication which shall be available for review by the parties.

(G) Notwithstanding the above, staff of the Council Services and other City departments (other than employees of a City department which is the appellant or appellee, or employees who have a personal or pecuniary interest in the outcome of the appeal) may, upon the request of the Hearing Officer, communicate with the Hearing Officer at any time and by any means.

8. The Hearing Officer shall recuse himself or herself from any proceedings in which he or she has a direct or indirect financial conflict of interest or otherwise cannot accord a fair and impartial hearing. In the event that the Hearing Officer has a conflict of interest regarding a particular appeal or a party to that appeal, the Hearing Officer shall immediately notify the Council of the conflict and the appeal shall be scheduled to be heard by the full Council, or may

be assigned to a different hearing officer of the City Council's selection if appropriate.

9. The Hearing Officer shall enter his or her findings and recommended decision ("decision") and forward the decision and findings to the parties and the Council within 15 days of the close of the hearing.

10. The Hearing Officer shall base his or her decision on a preponderance of the evidence. He or she may reweigh the evidence in the record.

11. The Hearing Officer may decide to recommend that the Council grant or deny an appeal in whole or in part, if the Hearing Officer determines that the matter should be remanded, such remand may be ordered consistent with Section 14-16-6-4(U)(3)(d)(6) of the Integrated Development Ordinance.

12. When the Council receives the Hearing Officer's findings and decision, the Council shall place the decision on the agenda of the next regular full Council meeting provided that there is a period of at least 10 days between the receipt of the decision and the Council meeting. Verbal testimony from the appellant, party opponent, or any other member of the public about the subject of the appeal is not permitted during the "accept or reject" hearing nor during General Public Comment. The parties may submit written comments to the Council through the Clerk of the Council regarding the Hearing Officer's decision and findings provided such comments are in writing and received by the Clerk of the Council and the other parties of record four (4) consecutive days prior to the Council "accept or reject" hearing. Parties submitting written comments in this manner must include a signed, written attestation that the comments being submitted were delivered to all parties of record within this time frame, which attestation shall list the individual(s) to whom delivery was made. Comments received by the Clerk of the Council that are not in conformance with the requirements of this Section will not be distributed to Councilors.

13. The Council shall vote whether to accept or reject the Hearing Officer's decision and findings. The Council will make its decision to accept or reject based solely on the record before it, and shall not hear from the parties or any other person, other than its staff, at its hearing on this question nor during General Public Comment. A motion to reject or accept the Hearing Officer's decision and findings must be approved by a majority of the membership of the Council.

14. The Council may accept the decision and amend the findings of the Hearing Officer if such an amendment is consistent with the decision of the Hearing Officer.

15. If the Hearing Officer's decision is rejected, or if the Council fails to either accept or reject the recommendation, the City Council may take any one of the actions identified in Section 14-16-6-4(U)(3)(e)(4) of the Integrated Development Ordinance.

16. If the Hearing Officer rules are in conflict with the Integrated Development Ordinance, the Integrated Development Ordinance shall prevail. If the Hearing Officer rules are silent regarding an area that is addressed by the Integrated Development Ordinance, the Integrated Development Ordinance shall apply.

Qualifications of the Land Use Hearing Officer

1. Prior experience with administrative hearing procedures, land use law and/or City planning and zoning procedures.
2. A record that demonstrates a high level of integrity.
3. Excellent analytical, communication and drafting skills.

Section 25. **City Council Performance Review of the City Attorney.** Pursuant to ROA 1994, § 2-7-2-4, the City Council shall conduct a performance evaluation of the City Attorney within 90 days following every 18-month period of consecutive service as City Attorney. The 18-month period shall begin after the Council's approval, the City Attorney's appointment or after the prior performance evaluation, whichever is more recent.

A. The Council President shall appoint a City Attorney Evaluation Committee consisting of four Councilors to conduct the evaluation. The Council President may appoint any members of Council Services staff to assist in the evaluation.

B. The Committee shall conduct a strengths-based evaluation of the City Attorney that includes an evaluation the legal acumen, leadership, and professionalism of the City Attorney and any other such attributes the Committee deems relevant to evaluating the City Attorney's performance. The Committee shall contract with a Human Resources consultant to manage the evaluation of the City Attorney. The evaluation shall be informed by an anonymous survey conducted of the City Legal Department staff. The Committee shall also conduct a private interview with the City Attorney to discuss the results of the survey and any other matters pertinent to members of the Committee.

C. The survey results and other evaluation materials shall be deemed letters or memoranda that matters of opinion in personnel files and exempt from the Inspection of Public Records Act. The surveys or other evaluation materials shall not be retained after the Council presents its findings in a public written report to the Mayor and Chief Administrative Officer.

Sec. 2-27. - Rules of order, procedure.

- (a) *Adopted.* The rules of procedure of the council in this section are adopted.
- (b) *Election of mayor pro tem.* The first business of a new council following the biennial election shall be the election of a mayor pro tem. In the event there is a runoff election for a councillor or mayoral candidate, after the first meeting following such runoff election the council shall select a mayor pro tem from among the other six councillors then elected and serving. The mayor shall preside during the election of a mayor pro tem. Nominations for mayor pro tem shall require no second, and all nominations shall be accepted before a vote is taken. Votes shall be by roll call, and an affirmative vote by four councillors shall be required for election. If no nominee is elected, the process shall be repeated until a mayor pro tem is elected.
- (c) *Regular meetings; special meetings; work sessions; agenda.* Meetings, work sessions and the agenda shall be subject to the following:
 - (1) *Types of meetings.* Types of council meetings shall be as follows:
 - a. *Official meetings.* All binding actions of the council shall be taken at official meetings, which shall be termed "regular meetings" or "special meetings."
 - b. *Work sessions.* For the purpose of studying problems or examining issues, the council shall conduct periodic work sessions. Instructions may be given to the city manager at work sessions, but no official action may be taken.
 - (2) *Meeting schedules.*
 - a. The council shall conduct regular meetings on the first and third Mondays of each month in the city council chambers of city hall at 1:00 p.m. If the day for a regular meeting falls on a legal holiday, such meeting shall be held on the next succeeding day not a holiday or as otherwise directed by council. By a vote of four or more councillors, the date, time, and/or location of a regular meeting may be changed in order to allow the councillors to attend a special function or event.
 - b. Special meetings may be held upon the call of the mayor or of four or more councillors and, whenever practical, upon no less than 72 hours' notice to each councillor and the public.
 - c. The council may meet in work sessions as directed by the council.
 - d. Regular and special meetings or work sessions may be canceled with the consent of four or more councillors.
 - (3) *Agenda.*
 - a. The agenda for regular meetings shall be set by the mayor or, in the absence of the mayor, by the mayor pro tem, in open meetings with the city manager and senior staff on the Monday immediately preceding regular council meetings, official holidays excepted.

Councillors other than the mayor or the mayor pro tem shall not discuss the proposed agenda during the agenda meeting.

- b. The agenda for work sessions shall be determined by council consent. The city manager shall maintain a list of work session topics for the guidance of the council. Copies of the agenda shall be made available to the public as early in advance of the work sessions as feasible, but in no instance shall the public be given less than 72 hours' notice of such meetings.
 - c. All meetings shall be subject to state statutes regarding open meetings.
- (d) *Voting; quorum.* The procedures for voting and a quorum shall be as follows:
- (1) Voting, except for procedural matters, shall be taken by roll call, and each councillor's vote shall be recorded in the minutes.
 - (2) The city clerk shall call the vote of the council as follows:
 - a. The clerk shall call the vote in council district order, except that the mayor pro tem shall be the last councillor to vote.
 - b. The clerk shall call the mayor's vote last.
 - c. If one or more of the councillors is absent, the clerk shall call the vote of the next councillor in district order, except that the mayor pro tem shall be the last councillor to vote.
 - (3) Four members shall constitute a quorum at any location. Any action by the council shall not be valid unless adopted by the affirmative vote of four or more members.
 - (4) If vacancies reduce the council to fewer than four members, the remaining councillors may, by majority vote, take action consistent with the Charter to fill the vacancies.
- (e) *General procedure of council.* General procedures of the council shall be as follows:
- (1) *Recognition.* The mayor or, in his absence, the mayor pro tem shall chair the meetings of the council. If neither the mayor, nor mayor pro tem is present, the council shall, by majority vote, select one of its members to chair the meeting. Councillors wishing to speak to matters before the council, to the city manager or members of his staff who are present, or to other persons present in council chambers shall first be recognized by the mayor.
 - (2) *Conflict of interest.* At the opening of each council meeting, the chairperson shall ask if any member of the city council, city manager, or any member of the city staff has any known conflict of interest with any item on the agenda.
 - (3) *Removal of item from agenda.* Any item may be removed from the agenda if a majority of the city council votes to do so.
 - (4)

Making and acting on motions. A councillor may make a motion by stating "I move for..." or "I move that..." or similar language. A second councillor must then second the motion before discussion can begin. In the absence of a second, the motion fails. At the end of discussion a councillor may "call for the question" or the presiding officer may ask if the council is ready for the question. If the call for the question passes or if all councillors are ready for the question, a vote by roll call is taken, and action on the matter is concluded.

- (5) *Main motions.* Main motions bring items of business before the council. They must be considered and voted upon in reverse order to their proposal. Main motions are debatable and amendable, and can be reconsidered after adoption.
- (6) *Leave to withdraw motion.* The proposer of a motion may request to remove it from consideration. A motion to withdraw is neither debatable nor amendable. If the initial motion is seconded, the leave to withdraw must also be seconded.
- (7) *Tabling.* Consideration of an item of business may be delayed temporarily by tabling.
 - a. A motion to table is neither debatable, nor amendable, it takes precedence over all other motions and it cannot be reconsidered.
 - b. Motion to remove from table. If an item of business has previously been tabled, it may be reconsidered following a motion to remove the item from the table. Such a motion is neither debatable nor amendable and cannot be reconsidered. If an item of business has been tabled to a time certain and is not removed from the table at the designated time, the item dies.
- (8) *Amendment.* A motion, resolution or ordinance may be amended, provided the proposed amendment does not constitute a substantive change. An amendment is amendable, is debatable only if the main motion is debatable and can be reconsidered.
- (9) *Calling the question.* Debate may be closed immediately by calling the question. A call for the question requires a two-thirds vote, is neither amendable, nor debatable and may be reconsidered.
- (10) *Reconsider.* If the council wishes to reconsider a vote previously taken, a councillor who voted on the prevailing side of the vote must make a motion to reconsider. Any councillor may second. A motion to reconsider is not amendable, cannot be reconsidered, and is debatable only if the original motion was debatable. A motion to reconsider may be acted upon only at the meeting at which the original vote was taken or at the next regular meeting of the council.
- (11) *Point of order.* A councillor may call attention to the violation of the rules or a mistake in procedure by "rising to a point of order." Such an assertion does not require a second, is neither debatable nor amendable and cannot be reconsidered. The mayor may permit a full explanation before he makes a ruling on the claim. The mayor may submit the question to the council for decision by a majority vote.

(12)

Recess. The council may vote to recess a meeting without closing the meeting. If no question is pending, a motion to recess must be seconded, and it is both debatable and amendable. If a question is pending, the motion to recess is not debatable. After a recess, business will immediately be resumed at exactly the point where it was interrupted.

- (13) *Adjournment.* Meetings shall be closed by a motion to adjourn, which must be seconded, is neither debatable, nor amendable, cannot be reconsidered, and may be accompanied by a voice vote.
- (14) *Legislation.*
- a. During the council section of the regular meeting, a councillor may ask for permission to have staff help draft legislation. If a majority of the council agrees, the manager will have staff help in drafting the bill or resolution. The drafted document will then go through the staff review process for comments and to the council for comments. Those comments will then go back to the councillor for review and modification, if desired. After this step, it will go to the mayor for appropriate review on the next regular meeting's agenda.
 - b. Any councillor may submit written legislation to the mayor for consideration at an upcoming regular meeting. The city council will be polled as to the appropriateness of the legislation, and the mayor will determine whether a staff review process is required before the item is to be placed on an upcoming regular meeting's agenda.
 - c. The mayor or staff may ask that any item be removed from the agenda if all of the steps for processing have not been met. A majority vote of the council is required for removal of an item from a published agenda.
- (f) *Public participation.* Comments from the public about matters before the council or other matters of concern shall be permitted at the discretion of council, except when petitioners who are appealing decisions of city boards or seeking approval of licenses have legal speaking rights. The council may limit or cut off public discussion in the interest of orderly or timely conduct of its business.
- (g) *Suspension of rules.* The rules of procedure may be suspended at an official meeting of the council by a two-thirds vote. At a work session the council may suspend the rules by majority vote in order to facilitate free discussion.
- (h) *Parliamentarian, additional rules.*
- (1) The city attorney shall serve as parliamentarian for the council.
 - (2) Robert's Rules of Order, Newly Revised, shall govern matters of procedure not covered by the rules in this section.

(Code 1988, § 2-18; Ord. No. 2144, § I, 11-1-04; Ord. No. 2218, § I, 8-1-05; Ord. No. 2493, § II, 12-15-08; Ord. No. 2595, § I, 11-15-10; Ord. No. 2685, §§ I, II, 7-1-13)



GOVERNING BODY RULES OF PROCEDURE

Effective December 26, 2023

Resolution No. 151 / Enactment No. 23-151

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Article I General Provisions

1.1 Governing Body

A. The City of Rio Rancho Governing Body consists of the Mayor (at-large) and six (6) City Councilors, each representing a distinct geographical City district.

B. The Mayor shall preside at meetings of the Governing Body and shall be entitled to cast a vote only in the event of a tie among the City Councilors or when fewer than six (6) City Councilors are present, pursuant to City Charter Section 3.01.

C. No less often than at the organization meeting following each municipal election, a Deputy Mayor shall be elected from among the City Councilors. In the absence of the Mayor, the Deputy Mayor shall preside and possess all the powers and authority of the Mayor. The Deputy Mayor shall be entitled to vote only once on matters coming before the Governing Body and shall be entitled to cast a vote as a City Councilor and not to break a tie, pursuant to City Charter Section 3.03.

Pursuant to Municipal Code Section 31.16, in the absence of the Deputy Mayor, the senior Governing Body member present shall preside as Deputy Mayor until the Governing Body may appoint an Acting Deputy Mayor. In those instances where the Governing Body members have equal seniority, the member representing the district with the lowest district number shall preside.

D. Four (4) members of the Governing Body shall constitute a quorum.

1. If there are two (2) or more vacancies on the Governing Body a quorum shall be a majority of the members of the Governing Body excluding those offices which are vacant, pursuant to City Charter Section 2.09.
2. The Mayor shall be counted as a member for purposes of determining a quorum, pursuant to Municipal Code Section 30.05.
3. No action shall be taken by the Governing Body unless a quorum is present, provided that a number less than a quorum may adjourn from time to time, and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Governing Body, pursuant to City Charter Section 2.09.

1.2 Meetings

A. Meetings of the Governing Body shall be held in accordance with City Charter Section 2.09, and the Open Meetings Act, 10-15-1 et. seq. NM, 1978. Meetings of the Governing Body include:

1. Regular meetings, as established in the Governing Body's annually adopted Open Meetings Act Resolution;
2. Special meetings, as called by the Mayor or three or more City Councilors, pursuant to City Charter Section 2.09;
3. Emergency meetings, as called by the Mayor or three or more City Councilors 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, pursuant to 10-15-1 et. seq. NMSA,1978;
4. Work Session meetings, as set in the Governing Body's annually adopted Open Meetings Act Resolution; and

5. Closed Session meetings, whether closure is made during an open meeting or called outside of an open meeting, pursuant to 10-15-1 et. seq. NMSA, 1978.

B. All binding actions of the Governing Body shall be taken at regular, special, or emergency meetings.

C. The Governing Body may recess and reconvene a meeting to a subsequent date provided that prior to recessing, the presiding officer specifies the date, time and place for continuation, and immediately posts notice of the date time and place for the reconvened meeting on or near the door of the Governing Body Chambers, in the lobby of City Hall, and on the City's website. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting, pursuant to 10-15-1 et. seq. NMSA, 1978.

D. Notice of all meetings shall be in accordance with the Governing Body's annually adopted Open Meetings Act Resolution, pursuant to Municipal Code Chapter 30 and 10-15-1 et. seq. NMSA, 1978. The City Clerk shall give notice of Governing Body meetings to its members and the public and cause appropriate public notices to be given, pursuant to City Charter Section 5.06.

E. Regular meetings may be canceled, postponed or rescheduled by vote of at least four (4) members of the Governing Body. The Mayor may cancel a regular meeting in the event of an emergency or for lack of a quorum by giving such notice as is practical under the circumstances, pursuant to Municipal Code Section 30.04.

1.3 Attendance

A. Members of the Governing Body are expected to attend all scheduled meetings in person.

B. In accordance with 10-15-1 et. seq. NMSA, 1978, members of the Governing Body may participate in meetings remotely by telephone conference or other similar communications equipment when it is otherwise difficult or impossible to attend the meeting in person. A Governing Body member may only participate remotely in a meeting utilizing telephone conference or other similar communications equipment no more than four (4) times per calendar year.

1.4 Duties of the Presiding Officer

The Mayor shall possess the powers and perform the following duties:

1. Preserve order and decorum and have general direction of the Governing Body Chambers and Overflow Room, or the room where the meeting is occurring, if elsewhere, pursuant to City Charter Section 3.01.
2. Announce the business before the Governing Body in the order in which it is to be acted upon.
3. Recognize the speakers entitled to the floor and guide and direct the proceedings of the Governing Body.
4. Call for public input on agenda items.
5. Decide all points of order, subject to appeal, unless the Mayor prefers to submit the question to the decision of the Governing Body.
6. Put to vote all questions which are regularly moved or otherwise arise in the course of the proceedings.

1.5 Adopted Rules

A. Application of Robert's Rules of Order. Any matter not covered by these rules shall be governed by decision of the presiding officer, applying Robert's Rules of Order, Newly Revised Edition.

B. Amendment of Rules. These rules or any part thereof may be amended, repealed, altered or rescinded by a vote of a majority of the Governing Body, after notice of intended proposal. Such notice shall be presented by resolution at a regular meeting of the Governing Body.

C. Violation of Rules. Violation of these rules does not invalidate action of the Governing Body.

Article II Procedures

2.1 Preparation of Legislation and Distribution of Agendas

A. The City Clerk, through the City Manager, shall prepare the agenda for all Governing Body meetings.

1. The City Manager may place matters on the consent calendar which are routine or ministerial in nature.
2. The City Clerk shall assure that scheduled public hearings have been duly advertised.
3. All material to be presented to the Governing Body at a regular meeting shall be submitted to the City Clerk in the prescribed format, not later than noon, nine (9) days prior to the meeting date. Prior to any ordinance submission to the City Clerk for agenda inclusion, City Attorney review shall occur, pursuant to Municipal Code Section 31.18.

B. A Governing Body member may request through the City Manager the drafting of an ordinance or resolution by City staff for placement on a meeting agenda, pursuant to these rules.

1. A Request for Legislation Drafting Form (see Appendix A) shall be submitted to the City Manager a minimum of forty-five (45) calendar days prior to the meeting where the legislation is sought to be introduced.
2. The City Manager will notify the requesting Governing Body member within ten (10) business days whether or not legislation drafting, operational impact assessment, fiscal analysis, applicable research, and legal review related to the requested legislation can be completed in the timeframe necessary to appear on the requested meeting agenda. If the requested meeting date cannot be accommodated, the City Manager will provide the reason(s) why and an alternative meeting agenda date will be selected.
3. The Governing Body member's name will be listed as "sponsor" on the legislation and notated into the official record. The Governing Body member will be responsible for presenting the legislation to the Governing Body at each meeting the legislation is scheduled.

C. When a proposed ordinance or resolution is produced and/or provided by a Governing Body member, and lacks City staff document drafting, operational impact assessment, fiscal analysis, and applicable research, the proposed ordinance or resolution shall be placed on a work session meeting agenda for discussion and review, prior to being placed on a meeting agenda where action is taken. Submission of the proposed ordinance or resolution for work session agenda placement shall occur per the timelines stated in these rules. The Governing Body member's name will be listed as "sponsor" on the legislation and notated into the official record. The Governing Body member will be responsible for presenting the legislation to the Governing Body at each meeting the legislation is scheduled.

D. An ordinance, resolution, or communications document is deemed introduced to the Governing Body when filed with the City Clerk and issued a legislation number.

E. The agenda for a regular meeting, along with related material, shall be electronically available by the City Clerk to each member of the Governing Body at least seven (7) days in advance of the meeting.

F. The agenda shall be posted by the City Clerk in accordance with the procedures stipulated in the Governing Body's annually adopted Open Meetings Act Resolution, pursuant to Municipal Code Chapter 30, and 10-15-1 et. seq. NMSA, 1978.

2.2 Minutes

A. Minutes shall include at a minimum the date, time and place of the meeting, the names of members in attendance and those absent, the substance of the proposals considered and a record of any decisions and votes taken that show how each member voted.

B. Verbatim transcription of entire Governing Body proceedings will be prepared only upon the unanimous consent of the Governing Body.

C. Approval of the minutes shall be placed on the consent calendar. Unless a reading of the minutes is requested by a member, the minutes of previous meetings may be corrected and approved without reading.

D. Previously approved minutes may be corrected whenever an error is noticed, and the parameters of these rules related to the reconsideration of an action are not applicable.

2.3 Order of Business

A. Governing Body meetings (regular, special, or emergency) shall be conducted in the following order; however, the presiding officer may, during a meeting, rearrange items on the agenda to conduct the business before the Governing Body more efficiently:

- Call to Order
- Pledge of Allegiance
- Proclamations and Awards of Merit
- Public Forum
- Comments by City Councilors
- Consent Calendar
- Board/Commission/Committee Reports
- Public Hearings
- Second Reading of Ordinances
- First Reading of Ordinances
- Discussion and Deliberation
- City Manager's Report
- Adjournment

B. The consent calendar shall be used for legislation that is recommended for approval, without amendment or substitution, that is routine or ministerial in nature. The consent calendar is approved by

a single motion. Discussion of legislation appearing on the consent calendar shall only occur if a member of the Governing Body requests the item to be withdrawn from the consent calendar without discussion or vote.

C. Public Forum

1. Any person wishing to address the Governing Body related to a non-agenda item shall register in person with the City Clerk no later than fifteen (15) minutes prior to the scheduled start time of a meeting.
2. Manner of address:
 - a. Each person shall seek the recognition of the presiding officer.
 - b. Only the person signed up to speak shall stand at the podium, unless assistance or accommodations are needed to provide the public input.
 - c. Each person shall give their name and address.
 - d. Comments shall be addressed to the Governing Body as a whole through the presiding officer and not to any members thereof.
 - e. No person shall enter into any discussion without the permission of the presiding officer.
 - f. Speakers will be recognized by the presiding officer in order of registration with the City Clerk.
 - g. Each person speaking under public forum shall have either one (1) or two (2) minutes in total for comments after being recognized by the presiding officer. The presiding officer shall determine the specific amount of time given to public forum speakers at a meeting.
 - h. No more than two (2) hours in total will be allotted for public forum comments at any meeting. A majority vote of the Governing Body members present may approve to extend the total amount of time allotted for public forum at a meeting.

D. Public Input on Agenda Items

1. Public input on items listed under Public Hearings shall be taken pursuant to the Public Hearing procedures stated in these rules.
2. Any person wishing to address the Governing Body related to an item listed under Second Reading of Ordinances, First Reading of Ordinances, or Discussion and Deliberation, shall register in person with the City Clerk no later than fifteen (15) minutes prior to the scheduled start time of a meeting. Manner of address:
 - a. Each person shall seek the recognition of the presiding officer.
 - b. Only the person signed up to speak shall stand at the podium, unless assistance or accommodations are needed to provide the public input.
 - c. Each person shall give their name and either City Council District or address.
 - d. Comments shall be addressed to the Governing Body as a whole through the presiding officer and not to any members thereof.
 - e. No person shall enter into any discussion without the permission of the presiding officer.
 - f. Speakers will be recognized by the presiding officer in order of registration with the City Clerk.
 - g. Each person speaking on a specific agenda item shall have either one (1) or two (2) minutes in total for comments after being recognized by the presiding officer. The

presiding officer shall determine the specific amount of time given to speakers at a meeting.

h. No more than two (2) hours in total will be allotted for comments pertaining to a specific agenda item at any meeting. A majority vote of the Governing Body members present may approve to extend the total amount of time allotted for public input related to a specific agenda item at a meeting.

i. Public input can be submitted in writing to the City Clerk, as clerk of the Governing Body, prior to the date of the meeting in which the item is scheduled to be heard; however, only public input received before 4 p.m. on the day of the meeting will be entered into the record prior to the meeting.

E. Work Sessions

1. Work sessions may be held for the purpose of examining issues, policy discussions, and receiving information, but no official action or vote may be taken.
2. Work sessions are limited to two (2) hours unless a majority of the Governing Body members attending the work session consent to a time extension.
3. Agenda items may be submitted to the City Clerk by a Governing Body member or the City Manager. An item must be submitted for agenda item inclusion at least seven (7) days in advance of the meeting. Agenda items will be placed on the agenda in the order in which they are received by the City Clerk.
4. A Governing Body member placing an item on an agenda will be listed as “sponsor” for the item and notated into the official record. The Governing Body member will be responsible for presenting the item to the Governing Body at the work session meeting.
5. Any Governing Body member may request through the City Manager the drafting of materials by City staff for use at a work session meeting related to an item they intend to submit for inclusion on a meeting agenda. A Request for Work Session Material Form (see Appendix B) shall be submitted to the City Manager a minimum of thirty (30) calendar days prior to the desired work session meeting date. The City Manager will notify the Governing Body member within five (5) business days whether or not document drafting can be completed in the timeframe necessary to appear on the requested meeting agenda. If the requested meeting date cannot be accommodated, the City Manager will provide the reason(s) why and an alternative meeting agenda date will be selected.
6. No more than three (3) items will be placed on any work session agenda.
7. Public input will not be taken at a work session meeting.
8. Meetings shall be conducted in accordance with the Governing Body’s annually adopted Open Meetings Act Resolution, pursuant to Municipal Code Chapter 30, and 10-15-1 et. seq. NMSA, 1978.
9. The order of business for a work session meeting shall be:
 - Call to Order
 - Pledge of Allegiance
 - Discussion
 - Adjournment

F. Public Decorum

1. The presiding officer may bar anyone acting improperly from continuing their address to the Governing Body.

2. While the Governing Body is in session, no person shall disturb or cause a breach of the peace, pursuant to Municipal Code Section 131.05 Disturbing the Peace, or delay or interrupt the proceedings of the Governing Body.
3. Electronic devices shall be kept in silent mode during the meeting.
4. No signage, banners, posters, or props shall be held or displayed in the Governing Body Chambers, Overflow Room or the room where the meeting is occurring, if elsewhere, in a manner that blocks the view of others or creates a distraction from the business of the Governing Body.
5. The Director of the Department of Public Safety (Police), or their designee, shall serve as sergeant-at-arms.
6. The Director of the Department of Fire and Rescue, or their designee, shall enforce the room capacity, ingress and egress of the room where the Governing Body meeting is occurring.

2.4 Ordinances and Resolutions

A. Ordinances. An ordinance ranks highest in authority of all actions of the Governing Body. If duly enacted, an ordinance has the force of law within the municipality and may be enforced in municipal court.

1. Pursuant to Municipal Code Section 30.08, an ordinance, other than an ordinance pertaining to a land use and zoning matter as authorized in 3-21-6 NMSA, 1978, shall have two readings prior to adoption.
 - a. An ordinance shall be adopted by no less than four (4) affirmative votes, pursuant to City Charter Section 2.11.
 - b. If approved on first reading, an ordinance shall be published one time, by title and general summary, as a legal advertisement in a newspaper of general circulation within the City, no later than seven (7) days prior to the meeting at which it is to be considered for adoption.
 - c. An ordinance is presented for consideration and adoption at second reading.
 - d. An ordinance is open to amendment on first reading or upon second reading, in accordance with these rules.
 - e. Substantive amendments, which is defined as three (3) or more non-clerical and/or scrivener's error changes, offered at second reading shall require adoption of the ordinance to be postponed to a subsequent meeting to allow sufficient time for public notice.
 - f. Zoning and land use ordinances as authorized in 3-21-6 NMSA 1978 shall be published one time, by title and subject, as a legal advertisement in a newspaper of general circulation within the City, no later than fifteen (15) days prior to the meeting at which it is to be considered for adoption. Only one reading is required for zoning and land use ordinances, at which final action shall be taken, pursuant to Municipal Code Chapter Section 30.08.
2. Adopted ordinances shall become effective at the expiration of ten (10) days after adoption, or at any later date specified therein, pursuant to City Charter Section 2.11. Enacted ordinances shall be published one time, by title and general summary, as a legal advertisement in a newspaper of general circulation within the City, unless otherwise provided by law, pursuant to Municipal Code Section 30.08.

B. Resolutions. A resolution is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character. Governing Body action shall be taken by resolution when required by law and in those instances where a formal expression of policy is desired.

1. A resolution may be adopted at the meeting at which it is introduced, pursuant to Municipal Code Section 30.08.
 - a. Resolutions shall be adopted by no less than four (4) affirmative votes, pursuant to City Charter Section 2.11.
 - b. Resolutions shall remain in effect until rescinded or replaced by a subsequent resolution on the same subject.
 - c. Resolutions are open to amendment provided such amendment does not constitute a substantive change, which is defined as three (3) or more non-clerical and/or scrivener's error changes. Amendments shall be in accordance with these rules.
 - d. Substantive amendments offered to resolutions require the resolution to be postponed to a subsequent meeting to allow sufficient time for public notice.
2. Adopted resolutions shall become effective upon adoption unless a later date is specified in the resolution, pursuant to Municipal Code Section 30.08.

C. Withdrawal of Ordinances and Resolutions. An ordinance or resolution which has been introduced, as defined in these rules, is in the possession of the Governing Body and may be withdrawn only with the consent of the Governing Body.

D. Substitutes for Ordinances and Resolutions. A Governing Body member may recommend that every clause in an ordinance or resolution is changed and that entirely new matter is substituted, so long as the new matter is relevant to the title and subject of the originally introduced legislation. At least twenty-four (24) hours prior to the meeting date at which the matter is scheduled to be discussed, substitute language for an ordinance or resolution shall be submitted to the City Clerk, who will assign a substitute number and make available to Governing Body members.

E. Emergency Ordinances. An emergency ordinance is an ordinance adopted by the Governing Body to meet a public emergency affecting life, health, property, or the public peace. Such ordinances may not levy taxes; grant, renew or extend a franchise; or regulate the rate charged by any public utility for its services, pursuant to City Charter Section 2.12.

1. An emergency ordinance shall be introduced in the same manner as all other ordinances generally, except that it shall be titled an emergency ordinance and shall contain a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance is subject to amendment and can be adopted at the meeting at which it was introduced.
2. An adopted emergency ordinance shall be published and printed as all other adopted ordinances and shall become effective upon adoption or at a later time as it may specify.

F. Authentication. Enacted ordinances and resolutions shall be authenticated by signature of the Mayor and City Clerk and affixation of the City Seal, pursuant to City Charter Section 2.14 and Municipal Code Section 30.08.

2.5 Approval of Communication Documents

A. Communication documents are the class of action in which the Governing Body shall make the final determination upon the recommendation of the Mayor or the City Manager. Those items requiring

approval by the Governing Body shall include those stipulated in ordinance, resolution, or adopted rules and procedures, but not be limited to:

1. Mayor's communications recommending appointments to boards and commissions; and
2. City Manager communications recommending approval of contracts, administrative, or departmental requests.

B. Communications documents which have been introduced may be withdrawn upon an affirmative vote of the Governing Body members present.

C. Communication documents require a majority vote of the Governing Body members present to be approved. Approved communication documents do not require enactment or authentication, nor must they be legally advertised, unless otherwise provided law.

2.6 Appeals

Appeals to the Governing Body are the class of action mandated by the City Charter, statutory or ordinances provisions.

2.7 Motions

A. Presentation of Motions

1. Main Motion. A main motion presents an ordinance, resolution, or other proposition for the passage, adoption, approval, or rejection. The question is stated in the positive form, "to pass," "to adopt," "to approve," "to confirm," or "to concur."
2. A main motion must be seconded before debate can take place and only one main motion may be on the floor at a time. A Governing Body member may give brief explanatory comments before stating the motion, but must refrain from debate until the motion has been seconded. In the absence of a second, the motion fails. Main motions are debatable, amendable, and can be reconsidered after adoption.
3. Motions become the official recorded statement of an action taken by the Governing Body. A motion should therefore be worded in a concise, unambiguous, and complete form appropriate to such a purpose.
4. A motion should not be offered if its only effect is to propose that the Governing Body refrain from doing something since the same result can be accomplished by no motion at all.

B. Withdrawal and Modification of Motions. Until a motion is seconded and stated, the mover may withdraw or modify the motion without consent. When a motion is seconded, and stated, it is in the possession of the Governing Body and can, therefore, be withdrawn or modified only by consent of the body.

2.8 Postponement of Action

A. Postponement (to a definite time). The motion to postpone defers action on a pending question to some definite, day, or meeting. When a question has been postponed to a certain time, it becomes an order of the day for that time. When the time to which a question has been postponed arrives and the question is taken up, it can be postponed again if the additional delay will not interfere with the proper handling of the postponed question, provided that there shall be no more than two (2) postponements for any item. The motion to postpone is debatable, amendable, and may be reconsidered.

B. To Table (Postpone Temporarily). Any measure before the Governing Body may be tabled temporarily at the same meeting. Items must be removed from the table and acted upon prior to adjournment. The motion to table is not debatable, not amendable, and cannot be reconsidered.

C. To Remove from the Table (Resume Consideration). The purpose is to bring before the Governing Body for action a question that has previously been laid on the table. The motion to remove from the table is not debatable, not amendable and cannot be reconsidered.

2.9 Reconsideration of Action

The purpose is to permit the Governing Body to reconsider a vote on previous action. The reconsideration of a negative vote on final action is as proper as reconsideration of a favorable vote.

A. Right of Reconsideration. The motion to reconsider may be made at the same meeting or a subsequent meeting. However, certain rules apply as appropriate under the circumstances.

1. The motion must be made by a member who voted on the prevailing side.
2. The motion to reconsider is inappropriate after the action taken has gone into effect or after it is too late for any reason, to reverse the action taken.
3. The determination of reconsideration is dependent on the passage or failure of the motion for reconsideration.
4. Should the motion for reconsideration pass, the item is immediately before the Governing Body to be acted upon or scheduled for hearing at a subsequent meeting.
5. Should the motion for reconsideration fail, the item remains as adopted.
6. Either the motion to reconsider or notice of intent to reconsider must be made not later than the next regular meeting. A member of the Governing Body may indicate notice of intent to propose reconsideration either orally or in writing to the City Clerk.

B. Effect of Reconsideration. The effect of making the motion to reconsider, or of giving notice of the motion, is to suspend all action on the subject of the motion until the reconsideration is acted upon.

C. Reconsideration at a Subsequent Meeting.

1. When notice is required for a question, the Governing Body shall comply with all rules requiring public notice.
2. If reconsideration will be taken up at a subsequent meeting, notice of intent will be placed on the agenda by the City Clerk. The determination of reconsideration is dependent on the passage or failure of the motion for reconsideration.

D. Debate of Motion. Debate on the motion to reconsider will be limited to the merits of the reconsideration and not the merits of the question to be reconsidered.

E. Vote. The passage of the motion to reconsider requires a majority vote, even if the measure to be reconsidered requires a two-thirds vote.

2.10 Appeal a Decision of the Presiding Officer

An appeal must be made promptly before any debate or other business has intervened. When an appeal is taken, the presiding officer should clearly state the decision being appealed and may state the reasons

for their decision. If there is no debate, or when debate is concluded, the presiding officer may put the question to the Governing Body. A majority vote of those present sustains a decision of the presiding officer.

2.11 Amendments

- A. Every amendment proposed must be relevant to the subject of the proposition.
- B. A proposed amendment takes precedence over the original motion out of which it arises and must be voted upon before the original motion.
- C. After an amendment is approved, the question as amended must be put to a vote.
- D. Rejection of an amendment leaves the pending question worded as it was before the amendment was offered.
- E. Form of Amendments
 - 1. Amendments should be offered in a concise, unambiguous, and in a complete form of a motion, to include the page and line number of the content to be amended.
 - 2. In form, amendments may be divided into the following types:
 - a. To add (that is to place at the end)
 - b. To insert
 - c. To strike out
 - d. To strike out and insert
- F. Decision on Amendments
 - 1. An amendment, once adopted, may not thereafter at the same meeting be changed or modified, except upon reconsideration of the vote by which it was adopted.
 - 2. When a proposed amendment has been defeated, the same amendment may not be proposed again without first reconsidering the vote by which the amendment lost.
 - 3. The presiding officer may require amendments to be submitted in writing.
- G. Withdrawing Amendments and Accepting Modification
 - 1. Amendments may be withdrawn before being seconded and stated by the presiding officer. After it is seconded and stated it is in the possession of the Governing Body and can be withdrawn only with the consent of the Governing Body.
 - 2. A member may modify an amendment before it is seconded and stated by the presiding officer. After it is seconded and stated, it is in the possession of the Governing Body and can be modified only with the consent of the body. The presiding officer may put the question of modification without waiting for a motion, if there is no objection.

Article III Governing Body Member Rules of Order

3.1 Rules of Debate

Debate is the essential feature of a legislative body. It is the means by which the opinions of members are exchanged, questions deliberated, and conclusions reached on the business before the Governing Body.

A. To permit debate:

1. There must be a debatable question before the Governing Body, and one member must have been recognized by the presiding officer as entitled to speak.
2. All debate must be addressed to the presiding officer, and not to the other members or public.
3. Debate must be confined to the question before the Governing Body.

B. Time Limits. The presiding officer may set time limits in debate. No Governing Body member shall be permitted to speak more than once on any motion until every member wishing to speak has been allowed to do so.

C. Call the Question (Previous Question). Debate may be closed immediately by calling the question. The motion for the call for the question may motivate unanimous consent to ending debate. Before such a motion has been seconded, the presiding officer may ask if there is any objection to closing debate. If there is no objection, the presiding officer shall immediately call the question. If one member objects, the presiding officer shall ask if there is a second to the motion. If there is a second to the call, they must immediately take a vote on whether to order the call for the question. The call for the question requires a majority vote before the vote on the question to which applied. The call for the questions is neither amendable nor debatable and can be reconsidered.

3.2 Rules of Voting

A. Each City Councilor, and the Mayor when applicable pursuant to City Charter Section 3.01, in attendance must vote for or against all measures before the Governing Body, unless there is a conflict of interest, for which abstention is recognized. Such conflict of interest disclosure shall be recorded in the minutes.

B. A Governing Body member shall not explain their vote during voting, which would be the same as debate at such a time.

C. Except for procedural matters, voting shall be by roll call and each member's vote shall be recorded in the minutes. Roll call votes shall be at random. Actions declared as procedural by the presiding officer may be decided by a show of hands.

D. No member of the Governing Body shall participate in the discussion, debate, deliberation or vote, or otherwise take part in the decision-making process on any agenda item before the Governing Body in which the member has a conflict of interest. Further, in order to avoid the appearance of impropriety, any member determined to have a conflict of interest, as determined by majority vote of the Governing Body members present, on any agenda item before the Governing Body shall leave the meeting room. If the matter is being considered at a public meeting, the Governing Body member may remain in the area of the room occupied by the general public.

3.3 Decorum

A. Members must seek recognition of the presiding officer before speaking and must address all remarks through the presiding officer.

B. Members of the Governing Body shall confine their remarks to the question under discussion or debate, avoiding personal references or attacks on fellow members, City staff members, or members of the public. No member of the Governing Body shall engage in private discourse or commit any other act tending to distract the attention of the Governing Body from the business before it.

C. A member who resorts to persistent irrelevance or persistent repetition may be directed to discontinue their speech by the presiding officer.

D. Point of Order. A Governing Body member may call attention to the violation of the rules or a mistake in procedure by rising to a point of order. The presiding officer may permit a full explanation before ruling on the claim and may submit the question to the Governing Body for decision by a majority vote of the members present. The presiding officer is not required to decide any point of order not directly presented in the proceedings of the body. Such an assertion does not require a second, is not debatable nor amendable, and cannot be reconsidered.

E. Question of Privilege. Questions of privilege do not relate to pending business, but have to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else. The presiding officer makes a ruling as to whether it is admitted as a question of privilege and whether it requires consideration before the pending business is resumed.

3.4 Public Hearing Procedures

A. Reasonable efforts shall be made to give notice of public hearings to all interested people. Notice of public hearings shall state the subject, the time and place of the public hearing, the manner in which interested people may express their views, and where interested people may obtain copies of the material that is the subject of the hearing.

B. A meeting of the Governing Body is called to order and business, if any, is considered until the public hearing comes on the agenda.

C. All aggrieved persons, and materially relevant witnesses sponsored by such interested persons, wishing to participate in the public hearing and address the Governing Body shall register in person or via specified communications technology/equipment with the City Clerk no later than fifteen (15) minutes prior the scheduled start time of a related hearing. For the purposes of a Public Hearing, an Aggrieved Person is a person who has a direct personal or pecuniary interest, or a property right, which is affected by the decision being considered by the Governing Body. The Aggrieved Person's interest must be an immediate and substantial consequence of the decision, and not merely nominal or remote. Any person who receives specific notice of an official action which is required pursuant to ordinances shall be considered an Aggrieved Person. Those who register must provide name and address, and whether they wish to speak as a proponent or opponent, and how they qualify as an Aggrieved Person as defined above. Any person who fails to register shall not be permitted to speak.

D. All Aggrieved Persons offering testimony as parties to the proceeding and their materially relevant witnesses will be sworn by the City Clerk and may be questioned by the Governing Body. The Governing Body conducts de novo hearings, as such, an Aggrieved Person does not have to appear before the Planning and Zoning Board to participate as a party in a land use proceeding. However, appeals of final

decisions of the Planning and Zoning Board may only be brought by an “Aggrieved Person” who appeared before the Planning and Zoning Board.

E. The order of speakers for a Public Hearing item is:

1. City staff presentation
2. Proponent/Applicants
3. Opponent/ Aggrieved Persons
4. Governing Body question of parties (also allowed throughout the proceeding)

The presiding officer may change the order of speakers so that testimony is heard in the most logical groupings.

F. The presiding officer will introduce the item, open the public hearing and call upon the City staff to submit its report into evidence, and request the proponent to describe the matter under consideration.

G. Aggrieved Persons shall have the opportunity to submit data, views, or arguments orally or in writing. All written material must be marked as exhibits, submitted to the City Clerk a minimum of ten (10) days prior to the hearing date, and placed into evidence as part of the administrative record.

H. The presiding officer may establish reasonable speaker time limits and otherwise control presentations to avoid repetition or the introduction of irrelevant evidence. Additional time may be granted if appropriate and necessary to secure a full and fair presentation of either factual or opinion testimony or of legal argument.

I. After the proponents and opponents have had an opportunity to be heard, the presiding officer will allow Governing Body members to ask questions of the parties and Aggrieved Persons.

J. After the Governing Body has heard all the evidence, the presiding officer closes the public hearing and entertains a motion. Following the motion and its second, discussion occurs among the body. Comments from the general public on legal or policy matters raised by the proceeding may be received after the close of the public hearing, but will not be considered as evidence or as part of the record by the Governing Body. The presiding officer calls the question and requests identification and adoption of proposed facts and conclusions of law that support the Governing Body’s decision to be issued in a written order.

K. The Governing Body shall promptly prepare a written decision that includes an order granting or denying relief and a statement of the factual and legal basis for the order; shall file the order with the City Clerk; and shall mail a copy of the written decision to all persons who appeared as Aggrieved Persons in the proceeding. Mailing will be done by certified mail to the address provided by the Aggrieved Person at the proceeding.

L. No member of the Governing Body shall initiate, permit or consider a communication directly or indirectly with a party or the party’s representative outside of the hearing and outside of the presence of all interested parties concerning the pending matter, pursuant to Municipal Code Section 39.23.

Article IV General Procedures

4.1 City Councilor Responsibilities

In addition to other duties, responsibilities, and rights pursuant to the City Charter and adopted ordinances and resolutions, a City Councilor shall:

1. In all public statements, make clear that they speak only for themselves unless authorized by the Mayor or a majority of the City Council to speak for the Governing Body as a whole.
2. Ensure that the Mayor is informed, as soon as practical of significant communications with outside entities, be they either directed to, or initiated by the City Councilor.
3. Refrain from negotiating contracts on behalf of the City. Only the City Manager, or their designee(s), can negotiate a contract on behalf of the City pursuant to City Charter Section 3.07.

4.2 Supplemental Legal Opinions

A. Pursuant to City Charter Section 5.05, the City Attorney shall serve as chief legal advisor to the Mayor, Governing Body, City Manager, and all City departments, offices and agencies. The Mayor or any City Councilor may request a supplemental legal opinion by making a written request and having the request, in the form of a communication document, placed on the agenda of the Governing Body per the timelines stated in these rules.

B. The request for supplemental legal opinion shall identify the opinion from which the supplemental opinion is sought and the basis for disagreement with the opinion.

C. The Governing Body may, in its discretion, approve or reject the request for supplemental legal opinion by a majority vote of its members present during a Governing Body meeting.

D. If the Governing Body approves the request for supplemental legal opinion, the lawyer or law firm selected will be by mutual consent of the member seeking the supplemental opinion and the remaining members of the Governing Body. The Governing Body will also approve payment of the costs of the supplemental legal opinion from City funds.

E. The Governing Body will approve no more than one supplemental legal opinion on any given subject. This provision does not prevent the Mayor or any City Councilor from retaining from their private funds an attorney to render additional opinions on any matter whatsoever.

F. Any request for supplemental legal opinion which fails to obtain a majority vote of the members present in the affirmative shall not be reintroduced to the Governing Body for a period of six (6) months.

4.3 Committees

From time-to-time, the Governing Body may deem it necessary to establish temporary, advisory committees to formulate recommendations. The creation of such committees shall be in accordance with City Charter Article 5 and Municipal Code Chapter 33 provisions pertaining to boards/commissions/committees.

Legislation Drafting Request Form

Date: _____ Elected Official Name: _____

1. Resolution or Ordinance: _____

2. Requested Meeting Date for Consideration: _____

3. Subject: _____

4. Intent: _____

5. Proposed Effective Date: _____

6. Background Information: _____

7. Funding Source (if applicable): _____

8. Other: _____

9. List of Documentation Provided/Attached: _____

City Manager (or designee) Response

Requested Meeting Date Confirmation: _____

Alternate Meeting Date: _____

Reason(s) for Alternate Meeting Date: _____

Work Session Material Request Form

Date: _____ Elected Official Name: _____

1. Requested Meeting Date: _____

2. Material Requested: _____

3. Intent: _____

4. Background Information: _____

5. Other: _____

6. List of Documentation Provided/Attached: _____

City Manager (or designee) Response

Requested Meeting Date Confirmation: _____

Alternate Meeting Date: _____

Reason(s) for Alternate Meeting Date: _____

RESOLUTION 26-01

ADOPTING RULES OF ORDER FOR THE 2026-2027 ROSWELL GOVERNING BODY

WHEREAS, the governing body shall “hold an organizational meeting no earlier than fifteen days but no later than twenty-one days after the newly elected officials begin their terms,” NMSA 1978, 3-11-5(A); *and*

WHEREAS, the governing body of the City of Roswell shall “determine and adopt rules of its own proceeding at an organizational meeting,” NMSA 1978, 3-12-3(A)(5); *and*

WHEREAS, this being the first meeting of a newly seated governing body, the purpose of the Rules of Order is to provide the procedures by which this governing body shall conduct future business.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

The following Rules of Order are adopted:

Governing Body - Rules of Order – 2026-2027 Governing Body

Sec. 1. - Authority.

Pursuant to the laws of the State of New Mexico, Roswell’s Governing Body may “determine and adopt the rules of its own proceedings at an organizational meeting,” NMSA 1978, § 3-12-3-(A)(5) and may adopt ordinances affecting or discharging the powers and duties conferred by law upon the municipality. § 3-17-1(A).

Sec. 2 - Parliamentary Procedure

Roswell Code § 2-31 provides that the latest edition of Robert's Rules of Order is the “official parliamentary rules and regulations of the governing body.” However, errors in the strict application of or the failure to the Rules of Order shall not invalidate any action taken by the governing body.

Sec. 3 – Governing Body Members

The governing body is composed of the members of the city council, §§3-1-2(F), 3-10-1(A)(2), the mayor, as presiding officer who may only vote in the case of ties, § 3-11-3(A), and the city manager, “who shall have a seat, but no vote” § 3-14-14(B).

Sec. 4 – Quorum.

A majority of the members of the governing body, excluding the Manager, is a quorum for the purpose of transacting business. All members of the governing body present at a meeting are counted toward a quorum. §§ 3-11-3(A), 3-12-2(B), RC 2-33.

Sec. 5 - City Council Agenda.

The city manager or designee is responsible for creating and processing the agenda and agenda materials for governing body meetings. The city manager will submit agenda materials as appropriate for review by the city attorney. The city clerk is responsible for preparing and posting the agenda and assembling and distributing the agenda packets.

The mayor or five council members may direct the city manager in writing to place an item on an agenda for a regular city council meeting, special meeting, or work session. Items must be submitted to the city manager no later than eight (8) days prior to the meeting during which the items are to be heard, except referrals made by governing body committee(s).

The governing body, during any scheduled regular or special meeting or work session, may direct the city manager to place an item on a future agenda.

Agenda items previously considered and whereby action was taken by the governing body may not be placed on a future agenda for reconsideration within six (6) months of such action unless requested in writing by five (5) members of the governing body, provided that at least one member shall have been of the majority of those present and voting on the item.

Sec. 6 - Types of Meetings

Regular Meetings: The regular meetings of the governing body shall be held at 6:00 p.m. on the second Thursday in each month, or as otherwise indicated on the meeting notice. RC 2-20.

Special Meetings: Special meetings may be called by the mayor or by quorum of the city council, § 3-12-3(C). The call for a special meeting shall be filed with the city clerk in written form, and the city clerk shall cause the posting of notice of the meeting as governed by applicable law. In case of emergency, an unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial financial loss to the public body, as defined by State law and confirmed by the city attorney when practical, which shall be expressed in the notice of the meeting, an emergency meeting may be called by the mayor or six members of the city council. In such an emergency circumstance, 24 hours' notice is preferable. § 10-15-1

Recessed Meetings. Any meeting of the governing body may be recessed to a time and place determined per the Open Meetings Act.

Sec. 7- Seating Assignments.

The assignment for seating of the governing body will be at the pleasure of the presiding officer.

Sec. 8 - Order of Business.

The regular meeting of the governing body will be generally conducted in the following order, unless otherwise specified. The presiding officer of the meeting may deviate from this order if they deem it to be in the best interest of the public. A closed session may be held at any time during a meeting pursuant to applicable State law.

Regular Meeting Agenda:

1. Opening Ceremonies:
 - a. Call to order - Presiding officer officially calls the meeting to order
 - b. Roll Call and Determination of Quorum - City Clerk
 - c. Pledge of Allegiance - Each agenda of a regularly scheduled city council meeting shall provide an item for the recital of the "Pledge of Allegiance".
 - d. Invocation - Each agenda of a regularly scheduled city council meeting shall provide an item allowing for an invocation for which participation by members of the governing body or members of the public shall be voluntary.

2. Approval of the Agenda/ Consent Items / Minutes:
 - a. Approval of Agenda
 - b. Approval of Minutes
 - c. Approval of Consent items¹

¹ Consent Items - Shall contain routine, non-controversial items that require action by the governing body but need little or no council deliberation. An item will be removed from the consent agenda at the request of any council member.

Consent Item Script:

Presiding Officer: "The consent agenda is before you. Are there any items any member wishes to remove from the consent agenda for discussion?" *Pause briefly for an item.*

If item is requested to be removed:

"Hearing that Item X is requested to be removed, it will be considered separately as item number Y".

- i. Councilors requesting an item be pulled from the consent agenda shall make all reasonable efforts inform the City Clerk at least twenty-four (24) hours prior to the meeting so that proper staff attendance may be facilitated.
- 3. Non-Action Items - proclamations, recognitions, general reports, and updates may be presented to the governing body.
- 4. Public Hearings - Business items requiring a public hearing.
 - a. Quasi-Judicial
 - b. All other public hearings
- 5. New Business/ Regular Items - New or amended ordinances, resolutions, or policies that the governing body or city staff wishes to have the governing body consider.
- 6. Department Reports - Any written reports, charts, data, or other information provided within the agenda packet to the governing body.
- 7. Public Participation on Non- Agenda Items - The time for the public to address the governing body on any subject. However, the governing body cannot discuss items presented under "Public Participation on Non-Agenda Items" nor take any action thereon other than consideration of the placement of said item on a future agenda as a discussion item or refer the item to staff for research and possible future action. There shall be a cumulative time limit of thirty (30) minutes allotted for the "Public Participation on Non-Agenda Items" portion of any regularly scheduled city council meeting. Time may be extended at the sole discretion of the presiding officer.
- 8. Councilor comments
- 9. Adjourn

Sec. 9 - General Procedures.

- 1. Meeting Presence: Members of the governing body unable to attend the meeting shall make all reasonable efforts to notify the city clerk twenty-four (24) hours in advance of the meeting. Those members wishing to participate in the meeting by telephone will be accommodated pursuant to the State of New Mexico Open Meeting Act. A member of the governing body may participate in a meeting of the governing body by means of a conference telephone or other similar communications equipment when it is otherwise

"Hearing no requests for removal, the remaining items on the consent agenda will be adopted without objection". *Pause briefly for any objections.* "Hearing no objection, the consent agenda is adopted."

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. Participation by means of a conference telephone or other similar communications equipment shall only be limited by the technical capabilities of available equipment, either the city's or members'. In such instances where the technical capabilities of the city result in its inability to accommodate multiple members wishing to participate via conference telephone or other similar communications, remote participation by members of the governing body shall be provided on a first-come, first-served basis in accordance with their request to the city clerk.

2. Chair of Meeting: The mayor shall preside over all meetings of the governing body as the chair and enforce these rules and procedures during a meeting. In the absence of the mayor, the pro-tern shall act as the presiding officer at the meeting. In the absence of the pro-tern, the council will choose a presiding officer for the meeting. The term chair and presiding officer shall have the same meaning when used in the context of conducting a city council or city council committee meeting.
3. Authority of the Chair: The presiding officer shall make decisions on questions of procedure subject to review respectively by the governing body as a whole. Following a decision of the presiding officer on a question of procedure, any two (2) members of the governing body may be entitled to appeal the decision to the governing body as a whole by making and seconding an appeal.
4. Deliberations: The presiding officer has the responsibility to control the discussion and the order of speakers. Members of the governing body will generally be called upon in the order of the request to speak. Generally, a member of the governing body may not be recognized to speak subsequently until each member of the governing body has had an opportunity to obtain the floor. A member of the governing body holding the floor may address a question to another member of the governing body, and that member may, should such members so choose, respond to the question while the floor is still held by the member of the governing body asking the question.
5. The member of the governing body who is the principal advocate for a matter to be voted upon shall be allowed a final opportunity to address the governing body immediately prior to the vote.
6. Limits to Deliberations: Members of the governing body will limit their comments to the subject matter or motion being currently considered.
7. Obtaining the Floor: Any member of the governing body wishing to speak shall first obtain the floor by making a request for the floor to the chair. The chair shall recognize any member of the governing body who seeks the floor when appropriately entitled to do so.

8. Motions: Motions may be made by any member of the governing body, excluding the Mayor and Manager. Any member of the governing body, excluding the Mayor and Manager, may second a motion.
9. Procedures for Motions: The following is the general procedure for making motions:
 - a. Any member of the governing body who wishes to make a motion shall first obtain the floor.
 - b. A member of the governing body who wishes to second a motion shall do so through informing the presiding officer.
 - c. Before a motion can be discussed, it shall be seconded.
 - d. The item is presented by staff or others followed by questions and discussion by the governing body.
 - e. The presiding officer shall open the matter for further discussion offering the first opportunity to the moving party and, thereafter, to any council member properly recognized by the chair.
10. Amendments to Motions: When a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to acting on the main motion. No motion of a subject different from that under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.
11. Continuance of Discussion or Hearings: Any item being discussed or any public hearing at a meeting may, by notice, or motion, be continued, postponed or tabled to any subsequent meeting unless prohibited by law.
12. Voting:
 - a. All applicable members of the governing body must vote either "yes" in the affirmative or "no" in the negative.
 - b. A member of the governing body may recuse himself/ herself from voting on an item prior to the governing body taking up such item. A member of a governing **body shall recuse the member's self from a vote only when a true or perceived conflict of interest exists regarding an item currently being deliberated by the governing body.** Upon the recusal at such a meeting, the governing body member shall state the conflict of interest on the record and then leave the meeting room until deliberation on that item has concluded. A recusal of a governing body member is counted as a vote neither for nor against a question before the governing body. § 3-12-2(D).

- c. Any member of the governing body may request, through the presiding officer, and the presiding officer shall grant, the opportunity to clarify the reasoning of that member's vote immediately following the vote of the governing body.
- d. No member of the governing body shall publicly question or ask any other member of the governing body the reasoning of their vote.
- e. Reconsideration: A motion to reconsider the vote on any action taken by the governing body may only occur during the meeting at which the action was taken and may only be made by one of the members of the governing body who voted with the prevailing side.

13. Public Hearings – Quasi-Judicial

- a. Parties will provide legible names and addresses in writing for the record.
- b. Staff presents report and applicable legal standard.
- c. Members of the governing body may ask staff questions.
- d. Petitioner presents their case in chief.
- e. Respondent presents their case in chief, if any.
- f. Public comment, if any.
- g. Petitioner presents rebuttal and closing argument.
- h. Respondent presents surrebuttal, if petitioner present new arguments or evidence in rebuttal, and closing argument.
- i. Members of the governing body may ask questions of the applicant after being recognized by the presiding officer.
- j. The governing body deliberates on the issue. In the case of an administrative adjudicatory hearing, the governing body may deliberate in closed session as authorized under NMSA 1978 §10-15-1 H (3), provided, however, that any final action is taken in an open meeting.
- k. Following deliberation, the governing body takes action as needed.

14. Public Hearings: The following is the general procedure for non-quasi-judicial conducting public hearings:

- a. Motion.
- b. Second.
- c. Staff presents report.
- d. The presiding officer opens the public hearing.
- e. Upon opening the public hearing, and before any motion is adopted related to the merits of the issue to be heard, the presiding officer shall inquire if there is anyone present who desires to speak on the matter which is to be heard or to present evidence regarding the matter. In the case of a public hearing, which is also an administrative adjudicatory proceeding or quasi-judicial hearing, speakers are limited to those who are parties or who are required to be notified by ordinance or statute.
- f. Members of the governing body may ask staff questions.
- g. The applicant may be given the opportunity to respond to questions from the members of the governing body, and for closing comment or rebuttal.
- h. The governing body deliberates on the issue. In the case of an administrative adjudicatory hearing, the governing body may deliberate in closed session as authorized under NMSA 1978 §10-15-1 H (3), provided, however, that any final action is taken in an open meeting.
- i. Following deliberation, the governing body takes action as needed.

15. Election of Mayor Pro Tem: Mayor Pro Tem shall be decided by roll call vote by the members of the governing body according to the following procedure:

- a. The mayor shall open the floor for nominations from the governing body. A member of the governing body may self-nominate. No seconds are required for a nomination.
- b. Voting shall proceed as follows:
 - i. Voting will be by roll call vote, with each councilor announcing the preferred candidate. Nominee receiving the majority of votes cast by those present is elected Mayor Pro Tem and voting ceases.

1. Example: If there is a total of 3 nominations - Nominee A, Nominee B, Nominee C. If Nominee A has 6 votes, Nominee B has 3 votes and Nominee C has 1 vote - then Nominee A wins.
- ii. If no nominee receives a majority of the votes cast, then the nominee with the lowest number of votes will be removed from consideration, and voting resumes anew with the smaller field of nominees. Voting continues until a nominee receives a majority of the votes cast.
 1. Example: If there is a total of 4 nominations - Nominee A, Nominee B, Nominee C, and Nominee D. If Nominee A has 3 votes, Nominee B has 3 votes, Nominee C has 3 votes, and Nominee D has 1 vote - then Nominee D will be dropped. Nominees A, B, and C will be voted on again. If Nominee A has 4 votes, Nominee B has 4 votes, and Nominee C has 2 votes, then Nominee C will be dropped. Nominees A and B will be voted on, and a winner will be determined.
- iii. If two nominees are tied for the fewest votes, a new roll call vote is taken. If, after the second vote, two nominees are tied for the fewest votes, a coin toss will decide which of the nominees receiving the fewest votes is eliminated.
 1. Example: If there is a total of 3 nominations - Nominee A, Nominee B, Nominee C. If Nominee A has 4 votes, Nominee B has 3 votes, and Nominee C has 3 votes - then if still tied after a second roll call vote, a coin toss will determine whether Nominee B or Nominee C is eliminated.

Sec. 10 - Decorum.

1. Members of the governing body:
 - a. A member of the governing body who wishes recognition shall address the presiding officer, but shall not proceed with remarks until recognized and named by the presiding officer. Remarks shall be confined to the question before the governing body.
 - b. Respectful behavior by all members of the governing body shall be practiced during meetings.
 - c. A member of the governing body may not represent any third party before the governing body or any city board or commission.
 - d. All personal communication devices should be placed in a silent mode during all city council meetings.

2. Citizens' participation: The following rules shall be in force for persons in attendance at all meetings of council:
- a. Persons wishing to address the council during "Public Participation on Agenda Items", "public hearings", or any other agenda items shall sign in with the city clerk prior to the beginning of the regularly scheduled city council meeting or immediately following their address to the governing body. Each speaker shall approach the lectern and give his/her name and address before speaking. Speakers shall address the Mayor and Council with civility that is conducive to appropriate public discussion. All public comments should be addressed through the presiding officer. Each speaker will be allowed up to three (3) minutes to speak. No person shall be allowed to address the governing body more than once on a particular agenda item unless called upon by the presiding officer to do so as may be requested by a member of the governing body.
 - b. The members of the governing body cannot discuss any non-agenda items presented under "public participation" nor take any action thereon other than consideration of the placement of said item on a future agenda as a discussion item or refer the item to city staff for research and possible future action.
 - c. Persons may not engage in discussions with the governing body during deliberations unless specifically asked a question by a member of the governing body. Persons who have been asked a question by a member of the governing body must be recognized by the presiding officer before being allowed to speak. The presiding officer may end any question-and-answer session between members of the governing body and a member of the public in order to facilitate the order of business.
 - d. Persons may present printed material pertaining to an agenda. Persons shall present 15 copies of printed material to the city clerk to distribute to the council during a meeting.
 - e. Persons may present a PowerPoint software presentation to the governing body utilizing the City's audio/visual equipment when speaking on an agenda item.
 - i. All PowerPoint presentations must comply with applicable time limits for oral presentations.
 - ii. All PowerPoint presentations must be submitted to the City Clerk already formatted in PowerPoint no later than five (5) days prior to the City Council meeting, to allow for virus checks and confirm compatibility with city equipment.

- iii. Any items (discs, flash drives, etc.,) believed to contain viruses or are unable to be scanned for viruses by city equipment will not be permitted to be used on city equipment.
 - iv. If compatibility or viruses are an issue, a member of the public may provide a printed hard copy of the PowerPoint presentation to the governing body and city clerk.
 - v. Persons presenting a PowerPoint presentation are allowed up to three minutes to speak, inclusive of the presentation.
- f. Persons attending council meetings shall remain seated or may stand in the back and come and go so long as it does not disrupt the meeting. Persons in attendance shall not carry signs, placards or other items which block the view of those behind them or are disruptive to the proceedings, or when meetings are held in the Roswell Museum and Art Center, are close enough to artwork to cause potential damage to such artwork. No person attending any council meeting shall delay the proceedings or refuse to obey the orders of the presiding officer.
- g. Disturbances, transgressions of the rules or disorderly conduct in the council chamber may cause the transgressor to be removed from the meeting. The presiding officer shall exercise control over persons who disrupt the meeting in the following ascending order of action:
 - i. Call the person to order, advising that person of the infraction.
 - ii. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
 - iii. Order the person to leave the meeting. If the offending person is a member of the governing body, the presiding officer shall call for a vote on the expulsion of that member from the meeting, and such a vote requires a majority for adoption.
 - iv. The presiding officer may direct that an individual be removed from the meeting if such individual continues to disrupt the meeting after being warned to cease such disruptive conduct.
- h. Persons are encouraged to attend council meetings. However, the number admitted shall be limited to the fire safety capacity of the council chamber or other meeting location, as determined by the fire chief or his designee. If the capacity is surpassed, the council may adjourn the meeting and move its proceedings to a location that will accommodate a larger number of participants.

Sec. 11 - Statements by public officials regarding litigation.

When the City of Roswell is involved in litigation or a legal dispute, council members shall refrain from commenting on settlements, appeals or other issues related to the subject until the matter is resolved. Only the mayor, city manager or city attorney shall be authorized to provide or participate as appropriate in any public responses or comments, as needed on matters involving litigation.

Sec 12- Standing Council Committees.

Standing Council Committees shall be as prescribed by city ordinance. To the extent appropriate, committees shall operate following the same general rules of order as contained herein, with note of the following:

1. Meeting dates and times: The committee chair shall solicit input from committee members and work to accommodate such members with regard to establishing a standard meeting schedule; however, the committee chair shall have final authority on establishing such a meeting schedule.
2. Council committee agendas: The committee chair, working with the staff liaison, shall establish the agendas for committee meetings; however, the Mayor, or a member of the governing body, regardless of which committees they serve on, or the city manager may place an item on an agenda for discussion or decision by the committee. Requests for the placement of agenda items shall be made in writing to the respective committee chair and staff liaison. Items shall be placed on the next available agenda if submitted a minimum of eight (8) days in advance of the meeting date.
3. Uncertainty on committee assignment of an agenda item: Only in cases where there exists uncertainty or disagreement with regard to which committee an agenda item is to be placed, the Mayor shall have full authority to make such final agenda assignment(s).
4. Referrals: Generally, in order for a proposed action to go before the full governing body, the action must be passed by the most applicable committee and referred to and passed by either the legal or finance committee, on any financial or legal consideration. However, if not sent to the governing body by two committees, through written notice to the city clerk, five councilors or the mayor may place an item before the governing body.
5. The committee chair or vice chair of the committee in the former's absence, is the presiding officer of that committee.
6. After an agenda item is announced by the committee chair, the members may discuss the item without the need for a motion on the item.

Sec. 13 - Public Requests for Proclamations

1. Requests for proclamations shall be made through the Office of the Mayor and the Mayor shall consider the issuance of each.
2. Should the Mayor determine not to issue a particular proclamation, five members of the governing body may request in writing to the Mayor the issuance of such a proclamation.
3. Should the Mayor decline to sign such a proclamation, the Mayor Pro Tem will be presented with such a proclamation.
 - a. Should the Mayor Pro Tem decline to sign such a proclamation, the proclamation shall not be issued.

Sec. 14 – Request for Research/Information

Council members may request information or research from staff on a given topic, outside of such topics currently being discussed or considered as part of a committee or Governing Body agenda item, through the city manager. The city manager or appointed officers will determine if extensive staff time and resources are required to accomplish the request. If so, at his/her discretion, the city manager may present the request to the full governing body.

Requests for information or research directly related to new policies, programs or processes shall follow the current procedure as previously adopted by Resolution No. 15-81 included below.

1. A City Council member may request that an item be added to the regular City Council agenda or to the appropriate Council Committee agenda, asking that a project/item be considered by the City Council for inclusion on the proposed Project Priority List.
 - a. The City Council member proposing the item would provide a brief overview of the project/item to the full governing body or to Committee members at a City Council Committee meeting.
 - b. If approved by four (4) members of City Council or Council Committee, staff would bring the project/item to the City Council at the next regular City Council meeting to review the project/item in more detail including scope, proposed Committee placement, estimated resource allocation and timeline, as applicable (and/or other items as may be directed by Council).
2. At the next regularly scheduled City Council meeting, following Council review of the information as provided per paragraph b above, staff would seek City Council action (simple majority of a quorum) on placement (prioritization) of the project/item with regard to the Project Priority list.
3. Staff may add to the Project Priority list substantive projects/items typically requiring Council action or direction (generally as a result of customary operations).

Sec. 15 - Notification of Significant Incidents

The city manager shall ensure that the governing body shall be notified of significant incidents at the earliest opportunity. The extent of the information provided shall be dependent upon the nature of the incident and at the discretion of the city manager.

Sec 16- Non-Exclusive Rules

The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the governing body, or of its presiding officer, to govern the conduct of the city council meetings as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the city.

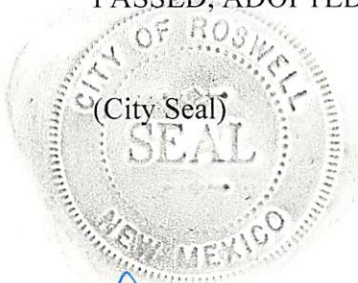
Sec. 17 – Non-Observance of Rules

Rules adopted by the governing body are solely to expedite and facilitate the transaction of the business of the governing body in an orderly fashion and, they shall be deemed to be procedural

Sec. 18- City Attorney as Procedural Advisor

The City Attorney shall assist the governing body as a resource and advisor for interpreting the governing body's adopted rules and procedures. The City Attorney shall also notice the governing body of procedural insufficiency at each instance.

PASSED, ADOPTED, SIGNED, and APPROVED the 16th day of January, 2026.



Amalia Martinez

Amalia Martinez, City Clerk

Timothy Z. Jennings

Timothy Z. Jennings, Mayor

MINIMUM STATUTORY REQUIREMENTS FOR ORDINANCES

Statute and Title	Requirement	Exception(s) if any
<p>NMSA 1978, sec. 3-17-2</p> <p>Ordinance Style</p>	<p>The enacting clause of a municipal ordinance shall be: “Be it ordained by the governing body of the City of Santa Fe...”</p>	
<p>NMSA 1978, sec. 3-17-3</p> <p>Notice By Publication</p>	<p>Notice by publication of the title and subject matter of any ordinance proposed for adoption by the governing body ... must take place at least two weeks prior to consideration of final action upon the ordinance in open session of the governing body.</p>	<p>except that this section shall not apply to ordinances dealing with an emergency declared by the ... the mayor...to be an immediate danger to the public health, safety and welfare of the municipality, or to ordinances the subject matter of which is amending a city zoning map, provided the amendment to such zoning map has been considered by, and recommended to, the commission by a planning commission with jurisdiction in the matter.</p>
<p>NMSA 1978, sec. 3-17-4</p> <p>Ordinances; roll call vote; adoption</p>	<p>If a majority of all the members of the governing body vote in favor of adopting the ordinance or resolution, it is adopted... B. Within three days after the adoption of an ordinance or resolution, the mayor shall validate the ordinance or resolution by endorsing “Approved” upon the ordinance or resolution and signing the ordinance or resolution.</p>	

MINIMUM STATUTORY REQUIREMENTS FOR ORDINANCES

<p>NMSA 1978, sec. 3-17-5.</p> <p>Proof of ordinance; authentication; publication; effective date; codification</p>	<p>A. An ordinance shall be recorded in a book kept for that purpose, shall be authenticated by the signature of the [Mayor] and the municipal clerk and shall bear the seal of the municipality. The ordinance shall be published one time either in its entirety or by title and a general summary of the subject matter contained in the ordinance, whichever the governing body elects to do.</p> <p>B. An ordinance shall not become effective until five days after it has been published, unless otherwise provided by law.</p>	
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FINANCE COMMITTEE
(Standing Committee)

CREATING AUTHORITY: Ordinance 2019-32, adopted on December 11, 2019.

MEMBERS: The Mayor, with the approval of the City Council, shall appoint the members of the Finance Committee at the first meeting of the Governing Body in even-numbered years and at such other times as the Governing Body deems appropriate. The Finance Committee shall consist of five members of the Governing Body.

MEETING TIMES: Shall meet on Monday, one week prior to the regular City Council Meeting at 5:00 p.m., or at such other additional times as may be required.

STAFF LIAISON: Erminia Tapia, Business Operations Manager
(505) 995-6531

PURPOSE: The Finance Committee shall provide continuing oversight of the operations of the city's finances and shall solicit public comment and study and make recommendations to the Governing Body concerning the city's annual operating and capital budgets, the issuance of debt instruments, and financial operating policies, rules and regulations. The committee may report to the governing body the cost of implementation for any order, ordinance, program, or other initiative pending before the body. The committee shall have the opportunity to review all matters concerning appropriations, city budget, loans, previously unbudgeted expenditures, and financial issues related to all city owned or leased facilities.

PUBLIC WORKS AND UTILITES COMMITTEE
(Standing Committee)

CREATING AUTHORITY: Ordinance 2019-32, adopted on December 11, 2019.

MEMBERS: The Mayor, with the approval of the City Council, shall appoint the members of the Public Works and Utilites Committee at the first meeting of the Governing Body in even-numbered years and at such other times as the Governing Body deems appropriate. The Public Works and Utilities Committee shall consist of five members of the Governing Body.

MEETING TIMES: Shall meet twice each month, on the 2nd and 4th Monday at 5:00 p.m., or at such other additional times as may be required.

STAFF LIAISON: Elsa Ornelas-Segura, Administrative Manager
(505-955-4620) & Daryn Lujan, Administrative Assistant

PURPOSE: The Public Works and Utilities Committee shall provide continuing oversight over land use, the operations of the city's water, wastewater, and solid waste collection and disposal utilities; solicit public comment; and study and make recommendations to the governing body concerning franchise agreements, the Public Works and Public Utilites annual operating budgets, capital improvements, the issuance of debt instruments, operational policies, and rules and regulations. The committee shall provide continuing oversight of development, maintenance, operations, and construction of roadways and related infrastructure, facilities, parking, stormwater, infrastructure, property assests, and multimodal transportation, including transit, air travel, and pedestrian and bicycle infrastructure. The committee oversees the capital planning and project delivery for all city departments.

QUALITY OF LIFE COMMITTEE
(Standing Committee)

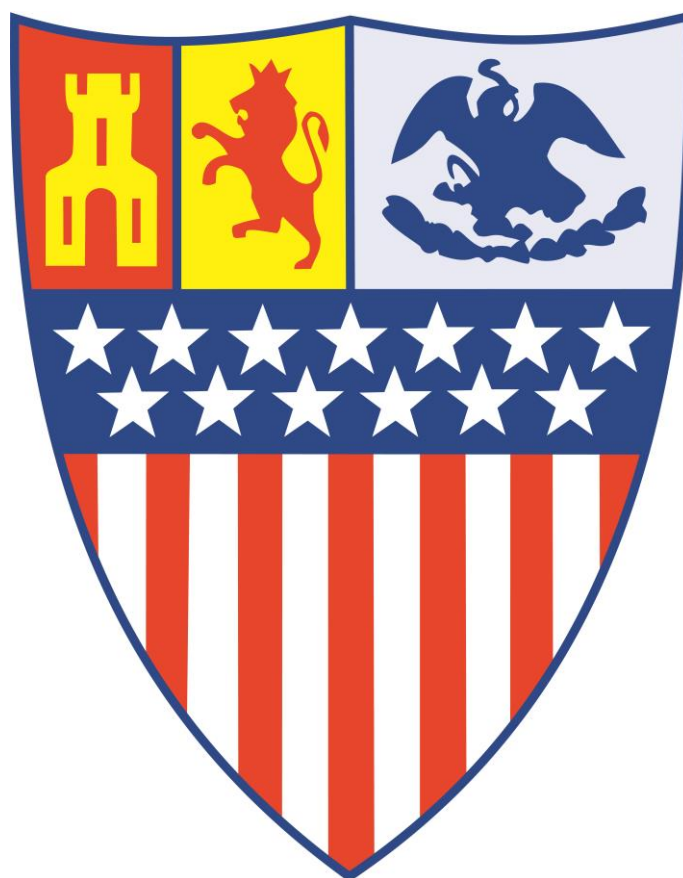
CREATING AUTHORITY: Ordinance 2019-32, adopted on December 11, 2019.

MEMBERS: The Mayor, with the approval of the City Council, shall appoint the members of the Quality of Life Committee at the first meeting of the Governing Body in even-numbered years and at such other times as the Governing Body deems appropriate. The Quality of Life Committee shall consist of five members of the Governing Body.

MEETING TIMES: Shall meet twice each month, on the 1st and 3rd Wednesday of the month at 5:00 p.m., or at such other additional times as may be required.

STAFF LIAISON: Loretta Olguin, Business Operations Manager
(505-955-6334) or Marcella Apodaca (505-955-6568)

PURPOSE: The Quality of Life Committee works to ensure that all residents of Santa Fe have access to the physical, environmental, social and economic resources they need to thrive. The committee shall solicit public comment and study and make recommendations to the Governing Body on policies related to the committee's jurisdiction. The committee works to improve wellbeing, health, and safety of all residence and visitors. It seeks to support equitable access to health and human services, employment, housing, education, and arts and culture, so that residents from every part of the city and of every income, age, religion, gender, ethnicity, ancestry, sexual orientation, physical or mental handicap, and veteran or immigration status enjoy a high quality of life in Santa Fe.



GOVERNING BODY PROCEDURAL RULES

ADOPTED JANUARY 12, 2022

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I. Purpose

These procedural rules (“Rules”) are intended for use by the Governing Body of the City of Santa Fe (“Governing Body”) to guide the actions of the Governing Body in the general conduct of business; and serve as a reference in settling some parliamentary disputes. These rules are intended to support the intent of the Governing Body. These rules are not intended to limit public participation or council debate, but to enable the effective functioning of the Governing Body.

II. Definitions

Bill means a proposed law presented to the Governing Body for approval and adoption.

City means the City of Santa Fe, New Mexico.

City Council means the Councilors as a group, exclusive of the mayor.

City Council Standing Committee means a standing committee comprised entirely of Governing Body members.

Governing Body means the Councilors and the Mayor, or the Councilors and a Mayor Pro-Tempore, meeting in a session that has been duly called in accordance with the state’s Open Meetings Act.

Legislation means a bill or resolution.

Mayor Pro-Tempore means the Councilor selected to act as Mayor in the absence of the Mayor.

Minutes means a document that records, at a minimum, the time the meeting is called to order and adjourned, those members in attendance, and the motions and votes taken by the members.

Open Meetings Act (“OMA”) means the New Mexico Open Meetings Act, NMSA 1978, Sections 10-15-1 to -4.

Ordinance means a law that has been approved and adopted by the Governing Body.

Packet Material means the minimum documents necessary for Governing Body to take action on the relevant item.

Parliamentarian means the Councilor selected by the Mayor to serve as the expert in the rules and procedures of the Governing Body.

Presiding Officer means the Mayor or, in the absence of the Mayor, the Mayor Pro-Tempore, or the person designated pursuant to these rules.

Resolution means a formal expression of the Governing Body’s opinion, will, or intent.

Standing Committee means an advisory committee, appointed by the mayor with the approval of the city council, the work of which is generally continuous and relevant to the fundamental concerns of the Governing Body.

III. The Governing Body

The members of the Governing Body, exclusive of the Mayor, shall be known and designated as City Councilors and comprise the City Council. The Mayor and the City Council together are the Governing Body of the City. (SFCC 1987, § 2-1.1)

A. The Mayor and Presiding Officer

1. The Mayor, or in the Mayor's absence, the Mayor Pro-tempore, is the Presiding Officer at all meetings of the Governing Body. In the absence of both the Mayor and Mayor Pro-tempore, the Mayor shall designate a Presiding Officer from City Councilors present at the meeting.

2. The Presiding Officer is responsible for conducting meetings in an orderly, democratic fashion. The Presiding Officer must ensure that the majority prevails, that minority rights are protected, and that courtesy, fairness, justice, and impartiality are guaranteed to all present.

3. The Mayor has a vote on all matters that come before the Governing Body. (Santa Fe Municipal Charter, § 5.01(B))

B. The City Council

1. Members of the City Council shall observe order, civility, and decorum at all times and neither delay nor interrupt the proceedings of a meeting or the Presiding Officer.

2. Members of the Council shall address all questions to and through the Presiding Officer and only after recognition by the Presiding Officer.

C. The Mayor Pro-Tempore

At the first meeting of the Governing Body in even-numbered years, the mayor shall appoint, subject to the approval of the City Council, a Councilor to serve as mayor pro-tempore until the next regular city election. The mayor pro-tempore shall perform the duties of the mayor in the absence or temporary incapacity of the mayor. (Santa Fe Municipal Charter, § 5.04)

D. The Parliamentarian

1. The Mayor shall select one councilor who shall be the parliamentarian for the Governing Body.

2. Upon appointment, the parliamentarian shall receive appropriate training in parliamentary procedure. The parliamentarian and the city attorney shall provide an overview of parliamentary procedure to the Governing Body on an annual basis. (SFCC 1987, § 2-1.11)

IV. The Legislative Process

Legislation proposed for consideration of the Governing Body shall follow the Legislative Process outlined in this section, in the order presented, unless the matter constitutes a matter of necessity or an emergency as described in these Rules.

A. Introduction

1. Members of the Governing Body shall introduce legislation at regular meetings of the Governing Body during “Introduction of Legislation”. If the legislation is one of uncommon circumstances or an emergency pursuant to Section V(C)(1)(d)(i) or (ii), the sponsor may introduce the legislation at a regular meeting of a City Council Standing Committee.

2. The primary sponsor may take up to 3 minutes to introduce or offer explanation of the legislation the primary sponsor is introducing. Any co-sponsors may take up to 1 minute to explain their support of the legislation. Any additional Governing Body members wishing to cosponsor the legislation may do so at this time. No questions, discussion, or debate of the legislation shall occur during the introduction of the legislation.

3. In order to be introduced, legislation must be fully drafted and included in the packet posted with the Governing Body’s agenda, unless the matter constitutes a matter of necessity or emergency in accordance with these rules. Fully drafted legislation includes all of the following elements:

- a. The legislation’s title/caption;
- b. A complete draft of the proposed wording or language; and
- c. The City Attorney’s signature as to form.

4. At the time of introduction, the sponsor(s), in coordination with legislative staff, shall refer legislation to the appropriate Standing Committees and/or City Council Standing Committees based on subject matter of the legislation. A member of the Governing Body may challenge the schedule proposed at introduction. Such challenge of the proposed schedule, and proposed alternative referrals, are subject to a vote by the entire Governing Body at the time of introduction.

5. Governing Body members may add themselves as co-sponsors of legislation up until 72 hours prior to the meeting when the relevant legislation is scheduled for adoption. Governing Body members may remove themselves as a co-sponsor at any time before a final vote to adopt legislation.

B. First Public Comment on Bills

1. During the Governing Body meeting following a bill's introduction, and prior to any City Council Committee or advisory committee review, the Governing Body shall schedule the bill for "first public comment."

2. Staff shall provide a presentation not to exceed five (5) minutes in length prior to the public comment.

3. During first public comment, the Governing Body shall not discuss or comment about the bill. Discussion among the Governing Body members regarding bills shall occur during the committee meetings during which the item is scheduled and during the bill's public hearing.

C. City Council Standing Committee Review

1. All legislation shall be considered by a City Council Standing Committee prior to a public hearing.

2. Legislation must be scheduled for, and approved by, at least one City Council Standing Committee prior to inclusion on the Governing Body agenda for discussion or a public hearing, as applicable.

3. Unless the legislation requires action by the Governing Body by a date that necessitates a different committee schedule, items shall be heard before committees in the following order:

a. Any relevant Standing or Special Committees.

b. The Quality of Life Committee and/or the Public Works and Utilities Committee.

c. The Finance Committee. The Finance Committee must review all legislation with a fiscal impact.

4. Legislation considered by City Council Standing Committees must take one of the following paths:

a. *Approve*. With a majority vote to approve, the legislation moves to the subsequently scheduled committee or Governing Body;

b. *Approve as Amended*. With a majority vote to approve, the legislation moves to the subsequently scheduled committee or Governing Body, to be considered with any amendments adopted by the prior City Council Standing Committee;

c. *Deny.* With a majority, but non-unanimous, vote of denial, the legislation moves to the subsequently scheduled committee or Governing Body.

If a motion to deny is unanimously adopted by all members of a committee, the legislation shall not move forward for further committee or Governing Body consideration.

d. *No recommendation.* The legislation moves to the subsequently scheduled committee or Governing Body without adopting a motion of approval or denial. Any legislation that is moved without recommendation shall be placed on the discussion agenda for the next scheduled committee.

e. *Refer to another committee.*

i. The legislation is referred to another committee that was not initially scheduled; and/or

ii. The legislation is referred to a committee that has already reviewed the legislation, subject to approval of the Chair of the referred committee.

f. *Postpone to a date certain.*

i. Council committees can vote to postpone a vote on an item with a majority vote of the committee. Postponing is permitted for a maximum of one (1) subsequent meeting of that committee, at which time a final vote of approval, denial, move forward without recommendation, or refer to another committee, is required.

ii. If a committee postpones an item until its next meeting, other committees and the Governing Body shall not consider the item until after the subsequently scheduled committee meeting.

5. *Lay on the Table.* A tabling motion is used to delay the discussion of an item until later in the same meeting.

D. Notice of Public Hearings on Bills

The Clerk shall publish notice of the public hearing at Governing Body after a bill receives approval by at least one committee.

E. Amendments

1. Amendments must be written and included in the Governing Body packet.

2. Councilors should endeavor to propose amendments as early as possible in the legislative process, for discussion during Council Committees.

3. Any new amendments proposed during the Governing Body meeting shall be presented in writing before discussion of said amendment.

V. Governing Body Meetings

A. Decorum

1. The members of the Governing Body shall set an example for the conduct of the public's business, showing respect for the Governing Body as an institution, and showing respect to its members, City staff, and to all members of the public. While the Governing Body is in session, the members shall observe civility and public decorum at all times. During committee and Governing Body Meetings, each member of the Governing Body has the following duties:

a. Provide fair and equal treatment for all persons and matters.

b. Learn and study the background and purposes of important items of business before voting.

c. Maintain the confidentiality of confidential information concerning the business of the City and/or information received during any closed session of the Governing Body.

d. Refrain from abusive conduct, personal charges, accusations, or verbal attacks upon the character, motives, ethics, or morals of other members of the Governing Body, staff or public, or other personal comments.

e. Listen courteously and attentively and avoid interrupting other speakers, including other Governing Body members, except as may be permitted by established Procedural Rules.

f. Faithfully attend all sessions of the Governing Body and City Council Committees to which the member is appointed unless unable to do so because of a compelling reason or circumstance.

g. Maintain the highest standard of public conduct by refusing to condone breaches of public trust or improper attempts to influence legislation and by being willing to call a point of order when any member who negligently, willfully, or intentionally violates the procedural rules of decorum contained in these Rules.

2. The Presiding Officer has a duty to maintain civility and decorum. The Presiding Officer may call any person to order if they are making personal, intemperate, or slanderous remarks, or by otherwise violating these rules of decorum, by reminding them that such comments are out of order. The Presiding Officer may prohibit any person who is acting improperly from continuing to speak.

3. The Chief of Police, or the Chief's designee, may serve as Sergeant-at-Arms at in-person meetings, as needed.

B. Meeting Types

1. Regular Meetings

a. Regular meetings are held at City Hall in the Council Chambers, except as provided for in Section 20-1.4 SFCC 1987, on the second and last Wednesday of each month or as otherwise determined by vote of the Governing Body.

b. Agenda items not considered prior to 11:30 p.m. shall be postponed to a subsequent meeting, provided that the date, time, and place of such meeting is specified at the time of postponement. A majority of the whole may choose to suspend this rule pursuant to Section VII., below.

c. Notice of regular meetings shall be electronically posted publicly no later than seventy-two (72) hours prior to the meeting.

d. A quorum of Governing Body members must be present to proceed with a regular meeting of the Governing Body.

2. Special Meetings

a. Special meetings of the Governing Body may be called pursuant to SFCC 1987, Section 2-1.12.

b. Notice of special meetings shall be electronically served by a written notice to each member of the Governing Body and electronically posted publicly no later than seventy-two (72) hours in advance of the meeting.

c. A quorum of Governing Body members must be present to proceed with a special meeting of the Governing Body.

3. Emergency Meetings:

a. Emergency meetings of the Governing Body may be called and noticed pursuant to NMSA 1978, Section 10-15-1(F).

b. A quorum of Governing Body members must be present to proceed with an emergency meeting of the Governing Body.

4. Study Session

a. Governing Body study sessions may be scheduled by the City Manager as needed for discussing issues of public concern. Where possible, a study session is scheduled at least two (2) weeks in advance.

b. Study sessions are held in a workshop format, without public comment or action by the Governing Body.

c. A quorum of the Governing Body is not necessary to proceed with a study session.

C. Meeting Agenda

1. Agenda Preparation

a. The City Manager or the City Manager's designee, through the City Clerk, shall prepare an agenda for all meetings of the Governing Body. The City Manager may consider reasonable requests from members of the Governing Body for agenda items.

b. The agenda shall include items that require Governing Body action, presentations, and informational items. On action items, the City Manager shall provide all facts necessary for proper study and decision-making by the Governing Body.

c. No action item shall be placed on the agenda unless it has been approved by at least one City Council Standing Committee unless otherwise approved by a majority vote of the entire Governing Body or in accordance with Section 5(C)(1)(d)(i) or (ii) of these Rules.

d. An action item may bypass the committee review process and be placed directly on the Governing Body meeting agenda:

i. When uncommon circumstances make it necessary for the Governing Body to consider and/or act on the item within a period of time that is insufficient to permit it to go through the committee review process, but sufficient to meet the notice requirements of the Open Meetings Act; or

ii. In case of emergency, when unforeseen circumstances that, if not addressed immediately by the Governing Body, notwithstanding the

inability to give sufficient notice pursuant to the Open Meetings Act, will likely result in injury or damage to persons or property or substantial financial loss to the city. (Open Meetings Act, NMSA 1978 §10-15-1.F.)

D. Consent Agenda

1. All items on the consent agenda may be adopted with one motion. In the minutes, each item passed by adoption of the consent calendar shall be entered as a separate action of the Governing Body.

2. Any member of the Governing Body may request that any item be removed from the consent agenda for discussion or debate and any such request shall be granted automatically. Governing Body members should not remove items from the consent agenda to make inquiries that do not directly relate to the particular matter.

3. The following items, if they have met the substantive or procedural requirements otherwise required by these rules, shall be included in the Consent Agenda:

a. Minutes from previous Governing Body meetings.

b. Unless otherwise excluded in Paragraph 4 below, items approved by all City Council Committees to which they are referred.

c. Routine and/or procedural matters with no fiscal impact such as liquor hearings, findings of fact and conclusions of law, and annual Open Meetings Act resolution.

4. Items that are not appropriate for the consent agenda include:

a. Any matter requiring a public hearing, including bills.

b. Annual budget approval.

c. Quasi-judicial hearings.

d. Personnel issues not related to specific employees, such as the creation of new employment positions or personnel rules.

e. Procedural rules of the Governing Body.

f. Board, committee, and agency appointments.

g. Items that have not received committee approval by one or more City Council Standing Committees to which it has been referred.

5. Each Governing Body member shall diligently review the consent calendar items and the associated packet materials prior to the Governing Body meeting.

6. Members of the Governing Body are encouraged to seek technical or clarifying information directly from City staff during City Council Standing Committee meetings or through direct communication with staff outside of a Committee meeting. This provides for the best use of, and respect for, the time of the public, staff, and the Governing Body while it is in session.

7. Governing Body members are encouraged to communicate their intent to remove an item from the consent agenda to the City Clerk no later than four (4) hours prior to the commencement of a regular Governing Body meeting. If a Governing Body member does not notify the Clerk of their intent to remove an item from the consent agenda at least four (4) hours prior to the Governing Body meeting, the member may still remove the item from the consent agenda for debate or discussion with the Governing Body, but the staff representative may not be available.

E. Posting of Agenda and Supporting Materials

1. Copies of the complete agenda and packet material shall be available to the Governing Body and the public for study and review the Friday immediately prior to the Governing Body meeting. The City Clerk's Office shall ensure that the Governing Body is notified when additional packet material is added.

2. A majority of the whole number of the Governing Body may vote to consider emergency matters not on the agenda consistent with Section C (1)(D)(2)(ii) of this Article IV and in compliance with New Mexico Open Meetings Act requirements.

F. Order of Business

1. **Call to Order.** The Presiding Officer shall call the meeting to order promptly at the appointed hour.

2. **Pledge of Allegiance.** The City Clerk shall assign members of the City Council to lead this agenda item on a rotating basis.

3. **Salute to the New Mexico Flag.** The City Clerk shall assign members of the City Council to lead this agenda item on a rotating basis.

4. **Invocation and Remembrances.** The City Clerk shall assign members of the City Council to lead the invocation on a rotating basis. After the invocation, the Presiding Officer may make, and shall call upon City Councilors to provide, remembrances.

5. **Roll Call.** The City Clerk shall call the roll of the Governing Body and record the names of those present and absent for inclusion in the minutes of the meeting. A quorum must be present in order to conduct business.

6. **Approval of Agenda.** The City Manager, the Mayor, or a Council member may request amendments to the agenda including deletions, alterations in the order of items, and requests for postponement of items on the agenda. Emergency additions may be made pursuant to Section 5(C)(1)(d)(i).

7. **Approval of Consent Agenda.** Before moving approval of the Consent Agenda, Council members shall alert the Presiding Officer of any items they wish to remove from the consent agenda for discussion. The Governing Body may adopt the items remaining on the consent agenda by adopting a single motion to do so, without discussion.

8. **Presentations.** As scheduled by the City Manager, by staff or outside guests on selected topics. No action may be taken by the Governing Body. The City Clerk, in consultation with the City Manager, shall consider if a presentation is better suited for a City Council Standing Committee.

9. **Action Items: Consent Agenda.** The Governing Body shall consider each item removed from the consent agenda during “Approval of Consent Agenda.” A motion and second regarding the disposition of each item is required before deliberations on the item begin.

10. **Action Items: Discussion Agenda.** The Governing Body shall discuss and vote on any item(s) that were not included on the consent agenda pursuant to Section 5(D)(4) above, other than matters that require a public hearing. A motion and second regarding the disposition of each item is required before deliberations on the item begin.

11. **Matters from the City Manager.** Any business or comments from the City Manager.

12. **Matters from the City Attorney.** Any business or comments from the City Attorney, including moving into Executive Session.

13. **Matters from the City Clerk.** Any business or comments from the City Manager including any upcoming public hearings.

14. **Communications from the Governing Body.** Any business or comments from Governing Body members. Governing Body members shall not engage in debate with other members or ask questions of staff. Members may request information from the City Manager, City Attorney, and/or the City Clerk, but discussion of the request during a meeting is not permitted without appropriately noticing it.

15. **Introduction of Legislation.** Governing Body members shall introduce legislation during this section. Additional Governing Body members may add themselves as cosponsors to legislation.

16. **Petitions from the Floor.** Petitions from the Floor shall generally be heard at 7:00p.m., or as soon thereafter as can be reasonably achieved.

17. **Public Comment on Bills.** After the main sponsor of the bill provides a one (1) minute overview of the bill, the public provides comment. There is no debate, discussion, or action taken by the Governing Body.

18. **Final Action on Legislation.** The Governing Body holds a public hearing, debates, and votes on legislation requiring a public hearing, except for land use cases that include legislation which shall be heard under “Public Hearings.”

19. **Public Hearings.** Items such as land use cases, appeals, and anything else that is required to have a public hearing by City Code, state statute, or federal law.

20. **Appointments.** The Governing Body votes on Mayoral appointments.

21. **Adjourn.**

G. Further Rules for Certain Orders of Business

1. Petitions from the Floor

a. Each speaker may speak for up to two (2) minutes unless the Presiding Officer determines that other limitations are reasonably necessary to conclude Petitions from the Floor within a reasonable timeframe, in the context of the remaining business before the Governing Body.

b. Members of the public cannot cede their allocated time to another member of the public, but they may make arrangements with the City Clerk to speak in a specific order in order.

c. The Presiding Officer shall disallow comments or questions from the public that are not directed to the Governing Body. Governing Body members shall not respond to comments or questions from the public during Petitions from the Floor.

2. Executive Session

a. Pursuant to NMSA 1978, § 10-15-1, part (H), an executive session may be called for any matters permitted under law. Any member of the Governing Body may move at any time to discuss the item on the table in immediate executive session if it is their opinion that the matter is appropriate for executive session.

b. The motion to go into an executive session shall be voted on by roll call.

c. The executive session may be held at the discretion of the Governing Body, at any time during the Council meeting before adjournment of the evening session. No votes shall be taken in executive session.

d. Upon completion of discussions in an executive session, the Governing Body shall move, second and approve the reconvening of the public meeting and, if accurate, the motion shall state for the record that the discussions in executive session were limited to the matters listed upon the agenda.

e. No disclosure of Executive Session matters may be made unless and until the Governing Body has approved by vote the disclosure of the information. The confidentiality of matters discussed during an executive session is held by the Governing Body, not individual members of the Governing Body. Any member of the Governing Body who violates this provision shall be subject to censure and other penalties in accordance with law. If a member of the Governing Body wishes to disclose information shared during an executive session, that member shall immediately move that the contents of the discussion in executive session be disclosed. Disclosure requires a vote of a majority of the whole.

f. The clerk shall make available to the public, upon request, a list of executive session attendees.

g. If any final action is to be taken regarding matters discussed in executive session, direction to take such action shall be made in the form of a motion instructing the City Manager or City Attorney to take action consistent with the discussion held during the executive session. The motion shall be approved by a majority of the whole number of members of the Governing Body and shall be recorded by a roll call vote. For the purposes of this rule in the context of matter subject to the attorney-client privilege, "final action" means only an action that will directly conclude pending litigation, by settlement or otherwise. Within an executive session, the City Attorney may seek consensus or direction from the Governing Body on any matter permitted under the Open Meetings Act, and such consensus or direction shall not constitute final action.

h. Any vote taken on an item discussed in executive session shall be reasonably specific as to the particulars of what is being voted upon.

i. Any action constituting final action shall be executed by the appropriate signatories after the Governing Body votes upon the motion and the document or documents reflecting the final action taken shall become public record immediately thereafter, unless revealing the final action would violate a court order from a court of competent jurisdiction or the law.

3. **Public Hearings**

a. The following provisions are the Rules and Procedure for Public Hearings on Legislation and Certain Appeals¹ (Section 18 and 19 of the Order of Business).

i. The City Clerk shall read the title of the item set for public hearing.

ii. An appropriate staff member may be called upon to present background information.

iii. The Presiding Officer shall ask if there is anyone in the audience who wishes to speak for or against the issue. The City Clerk may organize public speakers pursuant to reasonable and inclusive policies.

iv. The Presiding Officer may set time limits and conditions for speakers before the public hearing begins and shall not change those conditions during the public hearing.

v. Members of the Governing Body may address questions to public speakers.

vi. Members of the public may pose hypothetical questions or use questions to make a point, but the Presiding Officer shall not request or entertain answers from staff or from members of the Governing Body.

vii. If a motion is made to reschedule an item that has been advertised as a public hearing before all members of the public who are present at that meeting have been allowed to speak, the continuation of that item shall continue as a public hearing. If a motion is made to reschedule an item that has been advertised as a public hearing after the public hearing is closed, the motion shall indicate whether further public comment will be accepted at the continuation of that item. If no further public comment will be accepted, that decision shall be noted on any future agenda.

b. **Special Rules for Quasi-Judicial Proceedings:** Any member of the Governing Body who has received communications outside a quasi-judicial proceeding concerning the merits or substance of the matter being heard in that proceeding shall disclose the substance of the communications on the record at the commencement of the proceeding, and the member shall recuse themselves if they cannot be fair and impartial in hearing the matter.

c. All comments by Governing Body members shall be made through the Presiding Officer.

¹ Land use appeals are governed by Resolution No. 2011-24 or its substitute

4. Public Participation in Public Hearings

a. Instructions for participating in public hearings shall be posted on each Governing Body agenda.

b. Oral comment: Each person wishing to address the Governing Body shall be recognized by the Presiding Officer and must state their name and council district and/or street of residence for the record before speaking to the issue. Members of the public cannot cede their allocated time to another member of the public, but arrangements can be made with the City Clerk to speak in a specific order in order to coordinate a message to the Governing Body.

c. All remarks shall be addressed through the Presiding Officer to the Governing Body as a whole and not to any individual members.

d. In proceedings requiring sworn or affirmed testimony, such as appeals, the City Clerk shall swear in or affirm all witnesses, including members of the public.

e. Any violation of these rules could result in removal from the public hearing, at the discretion of the Presiding Officer

VI. Rules of Debate

A. Governing Body Rules for Speaking

1. Members of the Governing Body shall attempt to balance the right of the public to know positions of the elected officials and their rationale for decisions with the need for balanced discussion and timely adjournment of the Governing Body meeting. In order to realize this balance, members shall endeavor to engage in the following behaviors:

a. Articulate questions, opinions, comments, and reasons for votes succinctly;

b. Exercise self-discipline by avoiding repeating the statements of others, being verbose in expressing opinions, or straying off the topic;

c. Allow the Presiding Officer to manage the meeting and to recognize them before speaking;

d. Support the Presiding Officer in enforcing these rules;

- e. Permit other members an opportunity to speak once on an issue before speaking a second time on the same issue;
- f. Avoid personal attacks;
- g. Use “I” statements and avoid stating, or attempting to state, the sentiments or motives of others, including, but not limited to, any staff member, any other Governing Body member, or the Governing Body as a whole; and
- h. Consider Council goals, staff time, and resource availability when making requests for a delay or additional information.

2. Assigning the Floor by the Presiding Officer: A Council member who wishes to speak or debate shall address the Presiding Officer. After being recognized by name and assigned the floor by the Presiding Officer, the Council member may present their issue and confine their comments to that issue.

3. Order of speakers: The Presiding Officer generally recognizes council members in the order in which they request the floor, except that the member who made the motion is entitled to be recognized first. Only one person may have the floor at a time.

4. Interruption of a speaker: While a person is speaking, no one shall interrupt the speaker except:

- i. For a *Point of Order* whereby another Governing Body member thinks these Rules are being violated.

- ii. For a *Request* or *Inquiry* to obtain information that requires an immediate response.

- iii. To *Raise a Question of Privilege* that permits a request or main motion relating to the rights and privileges of the Governing Body or any of its members to be brought up for possible immediate consideration because of its urgency. After an interruption, the previously recognized speaker may continue. For a detailed explanation of this section, see *Robert's Rules of Order*, §42 (Rules Governing Assignment of the Floor).

5. A member may speak more than once to the same motion only when all councilors desiring to speak have been heard, except to answer questions.

6. The Presiding Officer may, in their sole discretion, temporarily suspend the rules of speaking in order to permit a direct dialogue between council members with respect to an issue or motion.

B. Recusal From the Meeting

A Governing Body member shall recuse themselves from any matter when there is an actual conflict and may recuse if there is the risk of a perceived inability to be objective before the matter is heard. Any Governing Body member with a conflict shall disclose the existence of a conflict prior to the Governing Body's consideration of the item. Any member who has recused themselves shall leave the room where the meeting is being held until the vote is taken and recorded by the City Clerk.

C. The Main Motion and Debate

1. The City Clerk shall read the title of the item set for discussion.

a. *Main motion on Agenda Items.* A main motion must be on the floor before debate can take place and only one main motion may be on the floor at a time. If a motion is long or complicated, a Governing Body member may request that it be in writing. A Council member may give brief explanatory comments before stating the motion, but must argue and debate the motion only after it has been seconded.

- i. Approve. The motion approves legislation as it has most recently been amended in committee.
- ii. Deny.

b. *Subsidiary Motions on Agenda Items.* The following are common subsidiary motions that may be made after a main motion is on the table:

- i. Amend
- ii. Postpone to a date certain
- iii. Postpone indefinitely
- iv. Refer to a City Council Committee
- v. Lay on the Table

c. *Second for a motion:* All motions require a second to indicate that more than one Council member is interested in discussing the issue, except that the motion to Lay on the Table is non-debatable. The seconder does not, however, have to favor the motion and may speak and vote against it. If there is no second, the motion dies.

d. *Debate:* The Presiding Officer shall restate the motion on the floor and call for general discussion.

- i. When debate is closed by common consent or by a vote, the Presiding Officer shall restate the question and request a roll call or voice vote. A Council member may move to close debate only when all members

of the Governing Body have had an opportunity to speak to the pending motion.

ii. After confirmation of the vote by the City Clerk, the City Clerk shall declare the result of the vote.

e. Governing Body members should keep the following in mind when debating items:

i. *Advance Notice.* Governing Body members should give advance notice to the Presiding Officer and the City Clerk whenever substantial discussion is anticipated to an agenda item, so that an appropriate staff response can be prepared.

ii. *Presiding Officer May Intervene.* The Presiding Officer may intervene in council debate in order to solicit a motion when debate seems to be proceeding longer than warranted or when more information or staff work appears warranted to facilitate a council decision.

iii. *No Intentional Surprises.* Governing Body members will make every effort not to surprise each other and staff by bringing up new information at a meeting; they shall give notice to the Presiding Officer and City Clerk of their intention to bring up new information as soon as practical before the meeting.

D. Voting

1. A member of the Governing Body must vote "yes," "no," or "abstain," except in the case of a conflict of interest as defined in SFCC 1987, Section 1-7, in which case the member shall recuse themselves.

2. The roll is called in alphabetical order with the following special provision. On the first roll call vote of the session, the City Clerk shall begin with the first name on the list; on the second vote, the Clerk shall begin with the second name and end with the first; and so on, continuing to rotate in that order, provided that the Presiding Officer shall in all instances vote last.

3. *Explanation of Vote:* Any member of the Governing Body may make a brief statement after the conclusion of the vote to explain their vote, not to exceed one minute. The member must state they wish to explain their vote at the time of their vote.

4. *Delayed Vote:* A Council Member may pass their turn to vote, in which case the Council Member's name will be called again in rotation and then they must vote "yes," "no," or "abstain."

5. *Quorum Required:* Unless a higher number is required by state or city law, an action of the Governing Body requires a simple majority vote.

6. *Tie Vote:* In cases of a tie vote, the motion fails.

7. *Proxy Vote:* There shall be no proxy or absentee voting. Further, it is improper for any Governing Body member to state, or attempt to state, the sentiments of any absent Governing Body member.

8. *Abstention:*

a. If one or more Governing Body members abstain, then the abstentions shall be counted as "no" votes if the action being voted on is passage of an ordinance or resolution. If counting the abstention as a "no" vote results in a tie, then the motion fails.

b. If one or more Governing Body members abstain, and the action being voted on is other than the passage of an ordinance or resolution, then abstentions shall be counted as acquiescence with the majority. If there is no majority because the vote is tied before the abstentions are taken into account, then the abstentions shall not be counted at all and the motion fails.

c. A recusal or disqualification for conflict of interest purposes shall not be counted as a "yes" or "no" vote.

VII. Suspension and Amendment of These Rules

These rules may be temporarily suspended for a single meeting or matter at any time by a two-thirds (2/3) majority vote of the whole number of members of the Governing Body. Amendments to these rules shall be made by resolution.

VIII. Robert's Rules of Order

Except as otherwise provided herein, all matters of procedure are governed by the most recent edition of *Robert's Rules of Order*.

IX. History

Adopted by Resolution No. 2004-55 on July 28, 2004; and
Amended by Resolution No. 2006-43 on April 12, 2006; and
Amended by Resolution No. 2006-95 on August 9, 2006.

Re-adopted by Resolution No. 2008-103
Amended by Resolution No. 2009-21 (Salute to New Mexico Flag)
Amended by Resolution No. 2012-27 (Agenda Items)
Re-adopted by Resolution No. 2016-64 on August 10, 2016
New Version Adopted by Resolution No. 2022-4 on January 12, 2022

Policy Requests

Supporting development of more housing across the continuum of needs, with a focus on affordable and attainable housing					
	Short Title	Requesting Councilor	Date Requested	Long-Form Research or Short-Form Research	Related to Current, Future, or Adopted Legislation
Pending Policy Requests					
1	Home Vacancy Fees	Cassutt	4/15/2024	Long-Form Research	Prospectively
2	Revisiting Short Term Rentals	Cassutt	1/23/2026	Short-Form Research	Prospectively
3	Updated Affordable Housing Request	Cassutt	2/16/2026	Short-Form Research	Prospectively
4	Dedicated Employee Housing	Feghali	2/17/2026	Short-Form Research	Prospectively
Completed Policy Requests					
1	Nuisance Property Regulations	Cassutt	3/13/2024	Long-Form Research	Prospectively
2	Short Term Rental Regulations	Cassutt	7/16/2024	Long-Form Research	Prospectively
3	Land Banking for Affordable Housing	Cassutt	9/30/2024	Long-Form Research	Prospectively
4	Landlord and Rental Registries	Castro	10/10/2024	Short-Form Research	Prospectively
5	Low interest Affordable Home Loans	Cassutt	12/19/2024	Short-Form Research	Prospectively
6	Albuquerque Mobile Home Protections	Cassutt	12/19/2024	Short-Form Research	No
7	Anti Displacement	M. Garcia	12/20/2024	Short-Form Research	Prospectively

Invest in improving City systems and infrastructure to ensure efficient and effective use of City resources

	Short Title	Requesting Councilor	Date Requested	Long-Form Research or Short-Form Research	Related to Current, Future, or Adopted Legislation
Pending Policy Requests					
1	Code Enforcement Best Practices (Constituent Services)	Castro	1/15/2025	Short-Form Research	No
2	Advisory Boards and Other Stakeholder Bodies	Castro	4/9/2025	Short-Form Research	Prospectively
Completed Policy Requests					
1	Resident Advisory Committees	Cassutt	8/1/2024	Long-Term Research	Prospectively
2	Streamline Alcohol Approval	Cassutt	2/7/2024	Short-Form Research	Yes

Work to reduce crime and increase public safety

	Short Title	Requesting Councilor	Date Requested	Long-Form Research or Short-Form Research	Related to Current, Future, or Adopted Legislation
Pending Policy Requests					
1	Public Safety & Criminal Justice System in Santa Fe & New Mexico	Cassutt	9/30/2024	Long-Form Research	Prospectively
2	Juvenile Crime	Faulkner	3/25/2025	Short-Form Research	Prospectively
3	Police Oversight Committees	Castro	3/27/2025	Short-Form Research	Prospectively
4	Public Safety Proposals	Chavez	1/12/2026	Short-Form Research	Prospectively
Completed Policy Requests					
1	Aggressive Driving	Faulkner	1/13/2025	Short-Form Research	Yes
2	Safe Zones/ Hot Spot Policing	Faulkner	3/25/2025	Short-Form Research	Prospectively

Supporting development of more housing across the continuum of needs, with a focus on affordable and attainable housing

	Short Title	Requesting Councilor	Date Requested	Long-Form Research or Short-Form Research	Related to Current, Future, or Adopted Legislation
Pending Policy Requests					
1	City Councilor Eligibility for BARS	Faulkner	5/15/2025	Short-Form Research	No
2	Protection of Privacy for Residents	Castro	7/11/2025	Short-Form Research	No
Completed Policy Requests					
1	City of Santa Fe Ethics in Local Government	Castro	7/31/2024	Short-Form Research	Prospectively
2	Community Mediation Regarding Controversial Monuments	Cassutt	9/20/2024	Short-Form Research	Yes
3	Human Resources Reporting Standards to Governing Body	Castro	10/10/2024	Short-Form Research	No
4	Waiving of Tipping Fees	Cassutt	4/1/2025	Short-Form Research	No
5	Stolen Shopping Carts	Faulkner	4/7/2025	Short-Form Research	No
6	Banning Fireworks	Castro	9/29/2025	Short-Form Research	Prospectively
7	Living Wage Research	Cassutt	9/29/2025	Short-Form Research	Prospectively

Legislative Requests

Supporting development of more housing across the continuum of needs, with a focus on affordable and attainable housing							
	Short Title	Type	Sponsor	Institutional v. Governing Body Request	Department	Date of Request	Issue Being Addressed
1	Clarifying Requirements for SFHP Rental Units	Bill	no sponsor	Governing Body Request		4/25/2023	technical bill- clarification of the equation in code
2	Modifying the Existing Base Fee Amount for the Santa Fe Homes Program	Bill	M. Garcia	Governing Body Request	Affordable Housing	12/4/2023	addresses the need to increase the base fee amount incurred by developers when paying a fee instead of developing affordable housing units.
3	Amending Fair Housing Ordinance to Include Retaliation	Bill	Cassutt Castro	Governing Body Request		5/12/2023	
4	City Enforcement of Its Fair Housing Act	Resolution	no sponsor (Webber)	Governing Body Request		7/28/2023	Enforce the City's existing Fair Housing Act and calling for improvements to administration
5	Pallet Shelters at Municipal Court for Veterans	Resolution	Faulkner Chavez	Governing Body Request	Community Health and Safety	6/2/2025	Addresses pallet shelter placement. Resolution calling for the placement of a pallet shelter for veterans at the municipal courthouse property.
6	Study on Housing Development on Northwest Quadrant	Resolution	Castro Faulkner M. Garcia	Governing Body Request	Public Works Land Use	8/27/2025	Showing the will of the governing body to using city land to address the housing crisis
7	Support of Rent Control	Resolution	Castro	Governing Body Request		10/20/2025	a resolution that will show the support of the governing body for an end to the ban on rent control at the state level

Invest in improving City systems and infrastructure to ensure efficient and effective use of City resources

	Short Title	Type	Sponsor	Institutional v. Governing Body Request	Department	Date of Request	Issue Being Addressed
1	Rescinding Resolutions of Various Advisory Committees	Resolution	no sponsor	Governing Body Request	City Clerk	no record	
2	Repealing Ordinances for City Committees	Bill	no sponsor	Governing Body Request	City Clerk	no record	
3	Records Management and Retention Policy	Bill	M. Garcia	Institutional	City Clerk	10/25/2022	Adopting a new records information management and retention policy
4	Adoption of Advisory Committee Procedural Rules	Resolution	Cassutt	Governing Body Request	City Attorney's Office City Clerk	1/11/2023	Adopt procedural rules for advisory committees that complement the procedural rules adopted for Governing Body and Standing Committees
5	Revision of ENN System	Bill	Cassutt	Governing Body Request	Land Use	6/7/2023	Creating a better process to address some of the issues
6	Updating the Land Use Appeal Process	Bill	M. Garcia	Governing Body Request	Land Use	6/19/2023	
7	Ordinance Creating Office of Inspector General	Bill	M. Garcia Lee Garcia	Governing Body Request		8/28/2023	Creation an independent inspector general office
8	Internal Audit Process Improvements	Bill	no sponsor (Romero-Wirth)		Finance	9/11/2024	Clarifying the internal audit process
9	Amending Rules and Procedures for City Committees	Bill	Castro	Governing Body Request	City Clerk	4/23/2025	Creating a more standardized structure for city committees
11	City-County Cost Sharing	Resolution	Cassutt Feghali	Governing Body Request	Finance City Manager	1/16/2026	County sharing cost of City services that also serve county residents
12	Updates Related to Grants, Budget, and Contracts	Bill	M. Garcia	Institutional	Finance	1/28/2026	Updating ordinances related to grants and budget thresholds
13	Historic Review Board Under Purview of the Planning Commission	Bill	Faulkner Chavez L. Garcia	Governing Body Request	Land Use	2/13/2026	Putting the Historic Review Board back under the purview of the Planning Commission
14	Update Governing Body Procedural Rules	Resolution	Castro Cassutt Feghali	Governing Body Request	City Clerk	2/25/2026	

Work to reduce crime and increase public safety							
	Short Title	Type	Sponsor	Institutional v. Governing Body Request	Department	Date of Request	Issue Being Addressed
1	Defining Aggressive Driving	Bill	Faulkner Chavez	Governing Body Request	Public Safety	7/8/2024	Defining, criminalizing, and penalizing aggressive driving and increasing penalties for violations related to aggressive driving
2	Non-Emergency Website to Report Non-Emergent Crimes	Resolution	Faulkner L. Garcia	Governing Body Request	Public Safety	8/26/2024	Improve access for the public for non-emergency crimes as well as help gather dated for non-emergent crimes
3	Creation of a Code Enforcement Office	Resolution	Faulkner L. Garcia Chavez	Governing Body Request	SFPD, SFFD, Community Health and Safety	9/30/2024	
4	Address the Discrepancies in the Speed Camera Ordinance	Bill	Faulkner	Governing Body Request	Police	1/13/2025	Fixes discrepancies which are prohibiting the drafting and posting of the RFP needed to identify
5	Identifying Epicenters of Crime and Creating Safe Zones for Effective Policing	Bill	L. Garcia Chavez	Governing Body Request	Police, Fire, CHS Departments	3/26/2025	
6	Increasing availability of Narcan at certain city facilities and buses	Resolution	Bustamante Faulkner Castro	Governing Body Request	Fire Transit Recreation Library	2/19/2026	The possibility of overdoses on city property

Miscellaneous Request							
	Short Title	Type	Sponsor	Institutional v. Governing Body Request	Department	Date of Request	Issue Being Addressed
1	Authorizing Staff to Review Plaza and Park Events	Resolution	Cassutt	Institutional	Public Works	5/23/2022	SFCC 1987, Section 23-5, states that the GB shall by resolution, authorize either a committee or city staff to receive, review and approve or deny requests for any function of a commercial or noncommercial use on the Plaza or Plaza Park.
2	Adopting Fees for Plaza Events	Resolution	Cassutt	Institutional	Public Works	5/22/2022	Section 23-5.2(k) States that "Fees for the major commercial events shall be established by the governing body by adoption of a resolution. Fees shall not be waived." This resolution will be adopting/updating fees.
3	Procedures, Requirements, and Restrictions for Use of the Plaza	Resolution & Bill	Cassutt	Institutional	Public Works	7/13/2022	23-5.2(H) Requires that applicants for use of the Plaza or Plaza Park shall follow and be subject to the procedures, requirements and restrictions adopted by the governing body.
4	Vehicle Vendor Changes	Bill	Cassutt	Governing Body Request	Public Works	10/26/2022	
7	Creating the Municipal Tree Board	Resolution	no sponsor (Webber)	Governing Body Request	Public Works	12/14/2022	
8	Resolution Supporting Santa Fe Fire shed Resiliency Strategy	Resolution	no sponsor (Webber)	Governing Body Request		4/5/2023	
11	Hearing Officers for Land Use Appeals	Resolution	no sponsor (Webber)	Governing Body Request	Land Use	2/8/2024	In conjunction with a bill on the same topic, this legislation will amend the Land Use Appeal process adopted by Resolution 2011- 24 to provide for appointed hearing officers to hold evidentiary hearings when land use board decisions are appealed. The Planning Commission and Governing Body would still have final authority, but they would review a record and Hearing Officer report and approve the recommendations rather than holding a de novo hearing.
12	Hearing Officers for Land Use Appeals	Bill	no sponsor (Webber)	Governing Body Request	Land Use	2/8/2024	This legislation would update the code to remove the "de novo" appeal process and replace it with a hearing officer and record review for at least appeals to the Governing Body, if not appeals to all land use boards as well.
13	Amending Campaign Finance Code	Bill	Castro	Institutional & Governing Body Request	City Clerk	4/8/2024	This legislation will update the funding amounts that candidates for city council and mayor receive when they meet the necessary qualifications for public financed campaigns.
14	Create a Human Rights Commission	Bill	no sponsor (Lindell)	Governing Body Request	Economic Development City Manager	4/29/2024	Promotes Equality and Fairness: A Human Rights Commission would ensure Santa Fe residents have a dedicated resource to address discrimination based on race, religion, gender, sexual orientation, and other protected characteristics. This fosters a more just and inclusive community for all. Strengthens Community Relations: The commission can serve as a bridge between diverse populations, facilitating communication and understanding. This reduces tensions and promotes a sense of belonging for everyone in Santa Fe. Protects Santa Fe's Reputation: A Human Rights Commission sends a strong message that Santa Fe values human dignity and welcomes everyone. This can attract new residents, businesses, and investment, bolstering the city's economic and social vibrancy.
15	Short Term Rental Ordinance	Bill	Cassutt Feghali	Governing Body Request	Land Use Tourism Economic Development	7/16/2024	

16	Rental Housing Registry	Bill	Castro	Governing Body Request	Land Use	7/27/2024	Creating a registry and minimum standards for any rental in Santa Fe. This will take a permitting and registry process.
17	Human Services Committee	Resolution	Castro	Institutional	Community Services	8/6/2024	Supporting the creation of an internal office to address homelessness and housing
18	Designate the Plaza on the Municipal Register	Resolution	M. Garcia	Governing Body Request	Land Use Tourism Economic Development	9/24/2024	The City currently does not have a historic municipal status designation for the Plaza on the municipal registry
19	Waiving Associated Fees for El Grito Annual Celebration	Bill	Castro	Institutional		10/9/2024	This bill is in support of "El Grito", an annual celebration of Mexican Independence Day on September 16, every year; and waiving all associated fees with the organizations or vendors involved
20	Renaming Marker for Japanese Internment	Resolution	Castro	Governing Body Request	Public Works	10/10/2024	
22	Amending Chapter 2 to Ensure Consistency Between City Charter and Chapter 2	Bill	Castro	Institutional	City Attorney's Office Clerks Office	10/18/2024	
23	Regulating Manufactured Housing	Bill	no sponsor (Romero-Wirth)	Governing Body Request	Land Use	11/20/2024	Aesthetics of manufactured homes in the neighborhoods where they are placed. Local governments under state law are allowed to regulate under this section. NMSA 1978, § 3-21A-3, "Manufactured housing; permissible regulations
24	Regulating the Placement of Building Permits	Bill	no sponsor (Romero-Wirth)	Governing Body Request	Land Use	11/20/2024	Currently there don't seem to be consequences for improper placement of building permits. I would like to explore what other cities do in this area and how we might make improvements.
25	Building Codes and Santa Fe Green Code Updates	Bill	Cassutt Chavez	Governing Body Request	Land Use	2/24/2025	Updates Building Codes to align with New Mexico adopted codes and updates the Santa Fe Green Building Code to remain stricter than State Code requirements.
26	Giving Voting Power to Public Safety Committee	Bill	Chavez Faulkner	Governing Body Request	All Public Safety Departments	3/26/2025	Allowing a committee made up of community members voting power on policy/legislation around public safety
27	Alcohol Parity for Spirits and Beer/Wine	Bill	no sponsor (Lindell)	Governing Body Request	Clerk's Office	4/2/2025	This legislation would regulate spirits the same as beer and wine in Section 23-6.2, which governs the sale or consumption of alcoholic beverages on City Property.
28	Requiring that an ADU be the Same Architectural Style as the Principal Dwelling Unit	Bill	no sponsor (Romero-Wirth)	Governing Body Request	Land Use	4/9/2025	

30	Amending Pest Management Ordinance	Bill	no sponsor (Lindell)	Institutional	Public Works	5/21/2025	New policy and procedures for selection and use of pesticides and herbicides
32	Updating Uniform Traffic Ordinance to Incorporate "Idaho Stop Law"	Bill	M. Garcia	Governing Body Request	Public Works	6/13/2025	In the 2025 New Mexico legislative session, Sente Bill 73 (SB73), Required Bicycle Stops for Safety was passed. This new law is an effort to improve the safety of the growing population of New Mexican bicycle riders.
33	Public Official Address Confidentiality	Resolution	no sponsor (Romero-Wirth)	Governing Body Request	City Attorney's Office	6/17/2025	Model after Senate Bill 180 from 2023. Now state law
34	New Section 18-20 Massage Facility License	Bill	no sponsor (Romero-Wirth Webber)	Institutional	Land Use	6/18/2026	The purpose and intent of this legislation is to regulate and protect legitimate massage therapy businesses and to safeguard and promote public health, safety and welfare of the citizens of Santa Fe. Illicit massage therapy businesses have proliferated throughout the city over the last several years and threaten the reputation and success of legitimate massage therapy businesses. Illicit massage facility operators mask their unlawful sexual activities, human trafficking and money laundering by falsely posing as massage therapy businesses. Legislation is needed to target these illicit operators, close them down and prevent them from obtaining a business license.
35	Ensuring Civic Assembly Process is Considered for Community Issues	Resolution	Castro	Governing Body Request		7/3/2025	
36	Adopting Santa Fe Street Design Guide	Bill	M. Garcia	Governing Body Request	Public Works	8/4/2025	To adopt the City of Santa Fe Street Design Guide to modernize the City's street design standards to align with local values and nationally recognized best practices in multimodal transportation planning and context-sensitive design. This ordinance formally adopts the City of Santa Fe Street Design Guide as the City's official reference for the design of public and private streets, and amends Chapter 14 accordingly to ensure consistency, safety, and livability in street development and reconstruction.
37	Impact Fee Capital Improvements Plan 2026-2032	Resolution	no sponsor (Webber)	Institutional	Public Works	9/15/2025	Legislation addresses a five-year update of the Impact Fee Capital Improvements Plan, in accordance with NMSA 1978, Sections 5-8-1 through 43
38	Travel Approval Delegation	Resolution	no sponsor (Webber)	Institutional	Finance	11/4/2025	Current state law requires certain travel-related approvals - such as travel advances, international travel, and lodging exceeding standard limits - to be authorized by the Governing Body. This creates administrative delays, added costs, and unnecessary agenda items for routine travel requests. The proposed resolution addresses this inefficiency by delegating approval authority to the City Manager or designee, allowing travel to be processed promptly while maintaining compliance with the State Travel and Per Diem Act and applicable regulations.
40	Approving of Ground Lease	Bill	M. Garcia Faulkner	Institutional	MRA	2/4/2026	Ground Lease and Development Agreement (GLDA) for the Midtown Arts and Design Alliance, as a result of an RFP and ENA calling for the improvement of the city-owned Visual Arts Center to improve and operate an arts alliance on the Midtown Campus
41	Installation of Banners at Midtown	Resolution	Cassutt Chavez	Institutional	MRA	2/11/2026	A Governing Body resolution is required to permit banners including appropriate dates, locations, quantity, installation, maintenance, and cost allocation. The MRA has 10,000 allocated to install and maintain banners across the Midtown Campus in an effort to welcome our new tenants/ members of the public with the opening of Tender Fire Kitchen, The Screen, and the New Mexico Innovation Hub in Benildus Hall
42	DSB-FY26-HHPD-01 McClure Dam Authorizing Representatives and Agents	Resolution	Chavez	Institutional	Public Utilities	2/16/2026	This Resolution designates authorized representatives and agents for a grant agreement with the State of New Mexico Office of the State Engineer (OSE) regarding Grant Agreement DSB-FY26-HHPD-01 ("Grant Agreement"). The Grant Agreement makes available one million three hundred fifty-four thousand four hundred seventy-nine dollars and zero cents (\$1,354,479.00) for a project to plan and design the rehabilitation of McClure Dam in Santa Fe County.
43	Annexation of Area 1B	Resolution	Castro Feghali	Governing Body Request	Land Use	2/16/2026	
44	Updates to SFCC 6-4	Bill	Castro Bustamante Feghali	Institutional	Affordable Housing	2/27/2026	



CITY OF SANTA FE

2026 GOVERNING BODY & COUNCIL COMMITTEE CALENDAR

- GOVERNING BODY
- FINANCE COMMITTEE
- PUBLIC WORKS & UTILITIES COMMITTEE
- QUALITY OF LIFE COMMITTEE

JANUARY

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Michael J. Garcia, Mayor

FY27 Operational Budget Preparation Calendar

- January 8:** Public Budgeting Input Session
- January 23:** Governing Body Study Session/Develop Strategic Planning Goals and Budget Priorities
- January/Feb:** Budget templates distributed, departments prepare budget submissions
- February 9:** Initial budgets submitted by departments to Budget Office
- February 11:** Governing Body Goals and FY27 Budget Priorities Adopted
- Feb. 19-Mar 4:** Budget Office, City Manager's Office and Mayor review requested budget submissions with Departments
- Mar 4-17:** Budget staff review submissions, compile information on expansion requests/personnel changes
- March 17-24:** Budget balancing meetings with Mayor and City Manager's Office, Budget staff to review assumptions, expansion requests, etc.
- Mar 24-31:** Budget staff apply adjustments to departmental budgets and finalize introduced budget spreadsheets
- April 1-10:** Meetings with department staff to review adjustments and final introduced budget
- April 15:** All content due from departments for Budget Book (goals, objectives, KPIs, accomplishments from prior year, etc.)
- April/May:** Production of Introduced Budget Book; **deliver Budget Book to Governing Body members May 6**
- May 13:** Introduction of Budget at Governing Body Meeting (*hoping for a light agenda on this evening so that a presentation covering highlights can be provided with time for initial questions; directors present to answer questions as needed)
- May 14:** Budget Study Session (invite directors to answer questions as needed)

City Council

Alma G. Castro, District 1
Patricia Feghali, District 1

Elizabeth "Liz" Barrett, District 2
Paul C. Bustamante, District 2

Lee Garcia, Mayor Pro Tem, District 3
Pilar F.H. Faulkner, District 3

Jamie Cassutt, District 4
Amanda Chavez, District 4

- May 15:** Budget Study Session (invite directors to answer questions as needed)
- May 15-22:** Hold for additional study sessions as needed; May 22 deadline for changes
- May 26:** Finance Committee Recommendation of Budget
- May 27:** **Governing Body Approval of Budget**
- By May 31:** Adopted budget submitted to Department of Finance and Administration
- June:** Budget Office produces final Adopted Budget book
- June:** Budget Office loads adopted budget into Munis financial system
- July 1:** Beginning of new fiscal year