BERNALILLO COUNTY
BOARD OF COUNTY COMMISSIONERS

RULES OF PROCEDURE
FOR REGULAR ADMINISTRATIVE,
SPECIAL AND EMERGENCY MEETINGS

March __, 2012

RULES OF PROCEDURE – TABLE OF CONTENTS

Rule No.	Title	Page
1.	Commission Meetings – Open to the Public	3
2.	Commission Meetings – Regular Administrative	3
3.	Commission Meetings – Special	3
4.	Commission Meetings – Emergency	4
5.	Informal Commission Meetings –Inspection Trips, Retreats	4
6.	Public Comments	4
7.	Addressing the Commission	4
8.	Disturbing Meetings	5
9.	Public Records; Inspection; Duplication; Electronic Communication	6
10.	Preparation of Agenda – Regular Administrative Meetings	6
11.	Agenda Material	6
12.	Meeting; Order of Business	7
13.	Quorum	7
14.	Required Attendance of Officials and Staff	8
15.	Clerk of the Commission	8
16.	Sergeant-at-Arms	8
17.	Rules of Order and Debate	9
18.	Motions	9
19.	Voting	10
20.	Accountability/Code of Ethics	10
21.	Personal Privilege and Parliamentary Inquiry	10
22.	Ordinances	10
23.	Public Hearings – Procedures	11
24.	Resolutions	11
25.	Enacted Motions	12
26.	Reconsideration of Action Previously Taken	12
27.	Corrected Actions	12
28.	Appeal	12
29.	Election of Chair and Vice-Chair	12
30.	Commission Chair	12
31.	Commission Appointments to Boards and Committees	13
32.	Other Matters Not Covered by These Rules	14
33.	Suspension of Rules	14
34.	Amendment of Rules	14

1. **Commission Meetings – Open to the Public.** All meetings of a quorum of the Bernalillo County Board of County Commissioners ("Commission") shall be open to the public except where specifically provided for in the State of New Mexico's Open Meetings Act, NMSA (1978), § 10-15-2. Meetings of the Commission shall be subject to all of the following:

(a) The Commission shall follow all statutory requirements in conducting meetings exempt from the requirements of the New Mexico Open Meetings Act, NMSA (1978), § 10-15-1, including but not limited to meetings pertaining to personnel matters, collective bargaining, licensing, business regulation, litigation or as otherwise allowed by law when held in compliance with required notification procedures.

(b) Public admittance into the Commission chambers or other meeting rooms shall be limited when necessary to comply with fire code capacity requirements. In such instances, the Commission may make other rooms available to those desiring to participate in the meeting.

(c) Regular, Special and Emergency meetings of the Commission will be conducted in a publicly owned or controlled building in the county, in compliance with the governing law.

(d) For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be allowed in County Commission meeting rooms. Other signs, placards, or banners shall be permitted provided they do not disrupt meetings or otherwise interfere with any person's ability to observe the meeting, as determined by the Commission. The Commission retains the right to remove disruptive attendees from Commission meetings.

(e) All persons with disabilities shall be provided assistance necessary to enable them to effectively participate in Commission meetings.

2. **Commission Meetings – Regular Administrative.** Regular Administrative meetings of the Commission shall begin at 5:00 P.M. on the second Tuesday of the month and at 5:30 PM on the fourth Tuesday of the month in the Albuquerque/Bernalillo County Government Center, One Civic Plaza NW, Vincent E. Griego Chambers, Level B, unless advance notice of a change in this schedule is provided to the public. Prior notice of such change shall be provided to the public and the media in accordance with the then current Open Meetings Resolution. This meeting schedule may be adjusted by the Commission to accommodate holidays, County closures, and other special circumstances as determined by the Commission.

3. **Commission Meetings – Special.** Special meetings shall be held as required by law or upon the request of any two (2) Commissioners in writing to the Chair.

(a) The public notice for a special meeting shall contain the time and location of the meeting, as well as the business to be conducted.

(b) Special meetings may be scheduled on any day and at any reasonable time, and are not limited to the meeting schedules set forth herein.

(c) An agenda outlining the business to be conducted will be available from the County Manager's office and on the County's official Web site prior to the meeting. No business other than items listed on the agenda shall be conducted. During special meetings, public comment shall only be

permitted on the items listed on the agenda, and no separate public comment period shall be included on the agenda.

4. **Commission Meetings – Emergency.** Any Commissioner or the County Manager may call, orally or in writing, an emergency meeting to address any unforeseen circumstances that, if not addressed immediately by the Commission, will likely result in injury or damage to persons or property or substantial financial loss to the County.

(a) The public notice for an emergency meeting shall contain the time and location of the meeting, as well as the business to be conducted.

(b) Emergency meetings may be scheduled on any day and at any reasonable time, and are not limited to the meeting schedules set forth herein.

(c) An agenda outlining the business to be conducted will be available from the County Manager's office and on the County's official Web site prior to the meeting. No business other than items listed on the agenda shall be conducted.

5. **Informal Commission Meetings – Inspection Trips, Retreats.** The Chair, Commission, or County Manager may schedule informal meetings, inspections, trips, or retreats. When a quorum of the Commission will be present, notice of these meetings shall be given in the same manner as special meetings. Minutes of these meetings shall be made by an individual designated by the Chair.

6. **Public Comments.** At Regular Administrative meetings individuals may address the Commission on items not on the agenda during the Public Comment period. All persons providing public comment shall adhere to the requirements set forth in Section 7, Addressing the Commission. Individuals who wish to submit written public comment may do so by providing such comments to the Commission Administrator at the beginning of the meeting. The Commission shall not take formal action on public comment. When inquiries and comments are brought before the Commission, other than for items already on an agenda, the Chair may first determine whether the issue is legislative or administrative in nature and then:

(a) If legislative, and the comment or inquiry is about the letter or intent of legislative acts or suggestions for changes to such acts the Commission may refer the matter to the County Manager and/or the County Attorney for review and recommendation.

(b) If administrative, and the comment or inquiry is regarding the performance of administrative staff, administrative interpretation of legislative policy, or administrative policy within the authority of the County Manager, the Commission may then refer the complaint directly to the County Manager for her/his review.

(c) Employees of the County may address the Commission on matters of public concern. Employee comments that address an active grievance/arbitration, active litigation, active collective bargaining negotiations or an impasse in such negotiations, or a personnel dispute will not be entertained as a part of Public Comment. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

7. **Addressing the Commission.** Individuals desiring to address the Commission on a matter pending before it, or with respect to a matter that requires the attention of the Commission, may do so upon

recognition and introduction by the Chair. To ensure that everyone has a fair opportunity to participate, these procedures will be followed:

(a) Prior to the beginning of a meeting or public hearing, the Chair may require that all persons who wish to be heard sign in with the Commission Administrator, give their names, the agenda item and whether they wish to speak as a proponent, opponent, or otherwise. If a sign-in sheet is required, any person who does not sign in may be permitted to speak only with the permission of the Chair or at the request of a Commissioner.

(b) All persons addressing the Commission shall comply with the following:

- After being recognized, the person should step up to the podium and give her/his name and address (unless it is a County employee in which case the employee shall identify his/her department and job title);
- Unless additional time is granted by the Chair, comments must be limited to two (2) minutes;
- No person may speak more than once on the same subject unless granted permission by the Chair.
- Individuals with a shared position are encouraged to select a spokesperson for their group. The Chair will grant an appropriate amount of time for the spokesperson to address the Commission on behalf of the group.
- A speaker may not cede time to another speaker except with the approval of the Chair.
- No speakers will be accommodated after the Public Comment Session is closed.
- The Chair retains the right to stop any speaker who does not comply with these rules, uses profane or offensive language, and/or makes inappropriate comments.
- Individuals in need of interpreters or other special accommodations must request accommodations prior to the meeting. Reasonable accommodations will be provided free of charge.
- Written comments of individuals who cannot be physically present will not be read aloud at the meeting, but may be distributed to the Commissioners for their consideration.

(c) No person other than a member of the Commission, and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Chair.

(d) A person may not interfere with, or interrupt, the orderly procedure of the Commission, any Commissioner, or the person speaking who has been properly recognized by the Chair.

(e) If the Chair or the Commission declares an individual out-of-order, s/he will be requested to relinquish the speaker's rostrum. If the person does not do so, s/he is subject to removal.

(f) The Chair is authorized to modify or establish speaker time limits in addition to those set forth herein, and otherwise control presentations to avoid repetition.

8. <u>Disturbing Meetings</u>. No person shall disturb or behave in a disorderly manner at any meeting of the Commission. All individuals attending the meetings shall be seated during the course of the meeting, unless an ADA accommodation requires that a person stand at particular intervals. In these cases, the individuals shall stand in the back of the Chambers. Cell phones shall be turned off or silenced during the meetings. Any person in violation of these Rules will be asked to leave or will be escorted out of the Chambers by a lawful custodian of the building.

9. **Public Records; Inspection; Duplication; Electronic Communication.** Pursuant to the New Mexico Inspection of Public Records Act, all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, email messages, or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business by the County, its elected officials and employees are public records. A public record (including information stored in computers) is open to public inspection and duplication, unless exempted by law.

(a) If the purpose of a document prepared in connection with the official business of the County is to perpetuate, communicate or formalize knowledge, then it is a public record regardless of whether it is in final form, or the ultimate product of an agency.

(b) Requests for copies of public information should be made through the County Clerk's office. The cost of replication shall be set in accordance with the County's Administrative Instructions.

(c) All electronic communication between Commissioners, or between Commissioners and staff, which pertain to County business should be completed using County devices and/or email addresses issued by the County for such individuals. Communications not related to County business should be completed using personal devices and/or non-County email addresses.

10. **Preparation of Agenda – Regular Administrative Meetings.**

(a) The County Manager shall prepare the agenda. The Chair, any Commissioner, Elected Official, the County Manager, or the County Attorney may place an item on the agenda provided that a complete agenda item and all necessary documents are submitted to the Commission Administrator prior to 4:30 PM eight (8) business days prior to a Regular Administrative Meeting.

(b) No item shall be added to the agenda for a Regular Administrative Meeting after the deadline except upon the approval of a majority of the Commissioners and in accordance with the requirements set forth in Section 12(a)(3). Permission shall not be granted in cases where the notice requirements of the County's Open Meetings Resolution will not be met.

(c) The Chair and County Manager shall meet to discuss the agenda before each meeting. Items set for final action on a Regular Administrative Meeting agenda may be placed on the Consent Agenda by the County Manager, after consultation with the Chair, if the County Manager and the Chair determine that no discussion or amendment is necessary to take final action on the item. Following the meeting with the Chair, the County Manager shall finalize the agenda and submit it for publication and distribution in accordance with Section 11 herein.

11. **Agenda Material.** A copy of the agenda and supporting materials shall be prepared for each Commissioner and made available to them no less than one (1) week prior to the Regular Administrative meeting. The agenda and supporting materials shall also be made available to the public and the media in accordance with the Commission's Open Meetings Resolution and shall be available for review in the County Manager's Office and on the County's official Web site.

12. **Meeting; Order of Business.**

(a) For Regular Administrative meetings, the Commission may consider business in the following order, provided, however that the Chair has authority to change the order of items on the agenda to more expeditiously conduct the business before the Commission:

(1) *Call to Order.*

(2) *Moment of Silence and Pledge of Allegiance.*

(3) *Announcement of Amendments to the Agenda.* An amendment to the agenda is an addition to the regular or consent agenda and consists of items which are submitted for agenda consideration after the established 8-day deadline. Amendments to the agenda will be prepared only when warranted. Amendments to the agenda and supporting material shall be made available to the Commission and the public no later than noon on the day before the Regular Administrative Meeting. Amendments to the agenda may only be made upon the approval of a majority of the Commissioners as set forth in Section 10(b) herein.

(4) *Proclamations.* [This section reserved]

(5) *Certificates and Awards.* Certificates and Awards may only be included for consideration during the first Regular Administrative meeting of the month.

(6) *Approval of Minutes.*

(7) *Public Comments and Communications.*

(8) *Approval of the Consent Agenda.* Prior to a vote on the motion to adopt the Agenda, the Chair shall inquire whether any Commissioner desires to have any items withdrawn from the Consent Agenda. If any matter is withdrawn by a member of the Commission, the Chair shall place the item at an appropriate place on the agenda at either the current or a future meeting. The Consent Agenda shall be affirmatively acted upon by one non-debatable motion and items on the Consent Agenda may not be amended or substituted.

(9) *First Reading, Publication or Adoption of Ordinances.*

(10) *Adoption of Resolutions.*

(11) *Approvals.*

(12) *Appointments to Advisory Boards and Committees.*

(13) *Discussion.*

(14) *Announcement of Meetings.*

(15) *Signing of Official Documents.*

(16) *Adjournment of Meeting.*

(b) The Chair, subject to a Commissioner's right to appeal, may defer items (4),(5),(12),and (13) by postponing them to a date certain at the Chair's discretion if the Chair determines such a deferral is necessary in the interest of time and order.

13. <u>Quorum.</u> A quorum for the transaction of business by the Commission consists of a majority of all commissioners, which, for a five (5) member commission, is equal to three (3) Commissioners. Once a quorum has been established, a majority of Commissioners present at the meeting shall be required to carry a motion, unless by statute, ordinance or other regulation, an extraordinary majority of the Commission is required. A quorum must be maintained at all times during Commission meetings.

14. Required Attendance of Officials and Staff. In addition to Commissioners, County officials whose regular attendance shall be required at meetings of the Commission are the County Clerk, County Manager, County Attorney, or their designees. Any Commissioner leaving a Commission meeting early, except in the event of an unexpected illness or emergency shall make the Chair aware of such departure as early as possible. No Commissioner or County official whose attendance is required shall be permitted to appear or participate by telephone or other electronic media at any Regular Administrative Meetings. All individuals who wish to participate in Regular Administrative Meetings must be personally present. Commissioners may participate in Special and Emergency meetings by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the Commissioner to attend the meeting in person, provided that the requirements of the Open Meetings Act, NMSA (1978), § 10-15-1, *et seq.* are met.

15. Clerk of the Commission. The County Clerk serves as the official Clerk for the Commission in accordance with NMSA (1978), §§ 4-40-3 and 4-40-4, as amended. The County Clerk shall keep minutes of every Commission meeting, and the minutes shall be maintained by the County Clerk and shall be available for inspection during regular County business hours.

16. Sergeant-at-Arms. The County Manager, or her/his designee, shall be Sergeant-at-Arms of the Commission meetings. The Bernalillo County Sheriff's Office, the Albuquerque Police Department and City of Albuquerque Security Staff is authorized to assist the County Manager in performing this duty. The County Manager shall carry out all orders and instructions given by the County Commission for the purpose of maintaining order and decorum at the Commission meeting. The following policy will provide guidance in handling disruptions:

(a) If an individual refuses to relinquish the podium after being allowed to address the Commission, the Chair will inform the individual that their time to address the Commission has expired and the Chair will direct the individual to leave the podium.

(b) If an individual causes disruption in the Commission meeting site, the Chair will inform the individual causing the disruption to cease the disruptive activity.

(c) If the individual fails to leave the podium or the disruption continues:

(1) The Chair may (i) inform the individual causing the disruption that their actions are contrary to the orderly function of the meeting and that the individual is to cease such action or the Sergeant-at-Arms will be instructed to remove the individual from the meeting site; and/or (ii) direct the individual to leave the meeting site. The Chair will inform the individual that, if s/he is directed to leave and fails to do so, the individual will be subject to arrest for trespass.

(2) If the disruption fails to cease, the Chair shall be authorized to take final action, including having the individual removed from the meeting site. In taking final action, the Chair shall read the following aloud to the individual: "As the Commission Chair, I inform you that your actions are inconsistent with the orderly function of this meeting and you have failed to comply with the lawful order of the Chair. I am instructing the Sergeant-at-Arms to have you removed from this meeting site, and if deemed necessary by the Sergeant-at-Arms, to remove you from this building."

17. Rules of Order and Debate.

(a) The Commissioner making the motion shall be entitled to the floor first for debate. After the maker of the motion has had the opportunity to speak first if he so wishes, the Chair shall recognize any other Commissioner wishing to speak on the matter for the purpose of debate.

(b) Once recognized, a Commissioner should not be interrupted when speaking except by the Chair to call said Commissioner to order or by another Commissioner calling for a point of order. If a call to order is made, the Commissioner must cease speaking until the question of order is determined, without debate, by the Chair. If it is determined by the Chair that the Commissioner is in order, the Commissioner shall be at liberty to continue speaking as first recognized.

(c) Commissioners shall confine their remarks to the question under discussion or debate, avoiding discussions pertaining to personal matters or conflicts in personalities. No Commissioner shall engage in private discourse or commit any other act tending to distract the attention of the Commission from the business before it.

18. Motions.

(a) No motion shall be entertained or debated until announced by the Chair, and every motion must be seconded in order to be considered for action. If a motion is not seconded, the motion dies. When a question is before the Commission, only the following additional motion(s) shall be entertained and such motion(s) 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
(6) To postpone to a time certain (to defer)
(7) To amend or substitute
(8) To postpone indefinitely
(9) All other motions

(b) A motion to adjourn, to recess, to table, or move the previous question shall be decided without debate and cannot be amended. All other motions are debatable.

(c) A motion to move the previous question must be approved by a majority of those present and voting, and may apply to only the immediate pending question.

(d) A motion to amend or substitute shall be clearly stated.

(e) A motion to adjourn when no fixed time is set shall mean an adjournment to the next Regular Administrative Meeting of the Commission.

(f) Tabled items shall be considered prior to the adjournment of the meeting in which it was tabled. If a tabled item is not considered prior to adjournment, it will be added to the agenda of the next regular Commission meeting.

19. Voting. The votes during all Commission meetings should be transacted as follows:

(a) Every member present and eligible to vote must give his/her vote, unless the member has publicly stated that s/he is abstaining from voting due to a conflict of interest. If any Commissioner declines to vote "aye" or "nay" by voice, his or her vote shall be counted as an "aye" vote.

(b) The passage of any motion shall require the affirmative vote of at least a majority of the membership of the Commissioners who are present and eligible to vote. If a motion is not carried by at least a majority, the proposal shall be considered lost. In case of a tie in votes on any proposal, the proposal shall be considered lost.

(c) Any matter requiring a super-majority of the Commission's quorum must specifically state the requirement in the written rules governing the matter, or a simple majority shall be presumed.

(d) A Commissioner shall be allowed to change his/her vote, but only before the result of the Commission's vote has been announced.

(e) A record of each Commissioner's vote on all items acted on during the meeting shall be entered in the minutes of each meeting.

20. Code of Ethics. In addition to any requirements set forth in the County's Code of Ethics, any Commissioner who has a direct financial interest or whose spouse or any dependent has a direct financial interest in any matter pending before the Commission shall disclose such interest and shall disqualify herself/himself from participating in any debate, decision or vote relating thereto. In the event other facts are known to the Commissioner which may create a conflict of interest or otherwise require disqualification of said Commissioner from participating in any action on the matter, the Commissioner shall disclose such potential conflict of interest and shall determine whether disqualification is necessary. Alternatively, the Commissioner may submit the issue to the Commission for its determination of whether disqualification is necessary under the circumstances. The decision of the Commission shall be final.

21. Personal Privilege and Parliamentary Inquiry. Any Commissioner may, as a matter of personal privilege, speak for not more than five (5) minutes upon matters which may affect the Commission, its rights, its dignity and the integrity of the proceedings. The Chair shall recognize any Commissioner making a parliamentary inquiry.

22. Ordinances. An ordinance is a legislative act which prescribes general, uniform, and permanent rules of conduct relating to the affairs of the county. Action may be taken by ordinance when permitted by law and/or to prescribe permanent rules of conduct, where such conduct is enforced by penalty. Ordinances continue in force and effect until repealed. All ordinances shall be introduced in writing, and scheduled for public hearing after advertisement.

(a) Introduction, Publication, Adoption and Required Text. At a first meeting where an ordinance is to be considered, the proposed ordinance and any amendments thereto shall be introduced on the agenda as a "First Reading." At a subsequent meeting the Commission will consider "Approval for Publication." After publication for a minimum of thirty (30) days, "Final Action" may be taken on the ordinance, which shall include a vote on the adoption. Steps one and two may be combined at the first meeting, but under no circumstances shall Final Action be taken until publication has occurred for a minimum of thirty (30) days. The County Clerk shall assign each ordinance a number. The enacting or ordaining clause of any proposed ordinance shall be: "BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BERNALILLO COUNTY, NEW MEXICO this ___ day of ____ (month), ____ (year)."

(b) Comment During Public Hearings. Prior to the beginning of any public hearing with respect to the proposed adoption of an ordinance or amendment thereto, the Chair may require that all persons who wish to be heard sign in with the Commission Administrator, give their name, the agenda item and whether they wish to speak as a proponent, opponent, or otherwise. The speaker is required to limit his/her comments to the particular agenda item and the comments must be germane to the particular agenda item. If a sign-in sheet is required, any person who does not sign in may only be permitted to speak with the permission of the Chair and only after all those who signed in have done so. The Chair is authorized to establish speaker time limits and otherwise control presentations to avoid repetition or comment that is not germane to the item before the Commission.

23. Public Hearings – Procedures. The procedures to be followed for public hearings are, generally, as follows:

(a) The County Manager or designee should describe the agenda item to be considered, and state the staff recommendations for the item. The Chair should then inquire as to whether any Commissioners have questions for County staff.

(b) Following presentation by County staff, the Chair shall accept public comment on the agenda item.

(c) Following public comment (if any), the Chair shall close the public hearing and inquire as to whether any Commissioner wishes to make a motion on the item. If a motion is made, which is seconded, discussion on the item occurs among the Commissioners.

(d) Before closing discussion on the item, the Chair inquires as to whether there is any further discussion by the Commissioners and/or any final comments or recommendations from County staff.

(e) The Chair then inquires as to whether the Commissioners are ready to call the question. If the Commissioners are ready to call the question, the Chair ends discussion on the item and calls for the vote.

24. Resolutions. Generally, a resolution is an internal legislative act which is a formal statement of policy concerning matters of special or temporary character. Commission action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All resolutions shall be reduced to writing. Final action may be taken on a resolution on the same day on which it was introduced.

(a) Assignment of Number and Required Text. The County Clerk shall assign each resolution a number. The citation clause at the end of the text shall include: "NOW THEREFORE, be it resolved by the Board of County Commissioners, the governing body of the County of Bernalillo, that _____ be adopted this ___ day of ____ (month), ____ (year)."

25. Enacted Motions. An enacted motion is a form of action taken by the Commission to direct that a specific action be taken on behalf of the County. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law. All motions shall be made and seconded before debate.

26. Reconsideration of Action Previously Taken. A motion to reconsider enables the Commission to set aside a vote taken at the same meeting, and to consider that motion again as though no vote had been taken on it.

(a) A motion to reconsider shall be allowed at any time by a Commissioner who is recorded as having voted with the prevailing side, except when a motion on some other subject is pending.

(b) A motion to reconsider shall require the affirmative vote of the Commission's quorum, or the motion shall fail and the vote may not be set aside.

27. Corrected Actions. Any official action taken by the Board while in session that is later found to be in error, either substantive or clerical in nature, shall be corrected at the earliest possible time and returned to the Commission for official action.

28. Appeal. During a convened meeting of the Commission, an appeal to the Board may be made from any decision of the Chair. In making an appeal to the Board, the Commissioner appealing shall state her/his reasons thereof, to which the Chair may respond. Such appeals shall be immediately acted upon by the Board and no motion, other than a motion to adjourn, shall be entertained until the question has been decided. A vote of the majority of the Commission's quorum shall be required to sustain an appeal.

29. Election of Chair and Vice-Chair. The Procedures for electing officers are as follows:

(a) At the first meeting of the Commission in the month of January of each year, the Commission shall elect one of its members to act as Chair of the Commission (Section 4-38-10, NMSA 1978). The Chair shall serve until the election of a Chair at the first meeting of the Commission in January of each year.

(b) The current Chair calls for nominations for Chair. Nominations require a second. A roll-call vote is conducted if there is more than one nomination. If a vacancy occurs in the office of the Chair, the Commission shall, at its next meeting, select a Chair for the remainder of the term.

(c) In conjunction with the above election, a Vice-Chair is also elected in a like manner. The Vice-Chair continues to have all the rights, privileges and immunities of a member of the Commission.

(d) In case of the absence or temporary disability of the Chair, the Vice-Chair serves as Chair during the absence. In case of the absence or temporary disability of the Chair and the Vice-Chair, an Acting Chair and Vice-Chair, selected by members of the Commission, serves during the continuance of the absences or disabilities.

30. Commission Chair. The Chair presides at all meetings of the Commission. In addition to the powers conferred upon her/him as Chair, s/he continues to have all the rights, privileges and immunities of a member of the Commission. The Chair's authority is established by state statutes and these rules. The Chair shall have no authority to act on behalf of the Commission or the County or to set policy or operational practices or procedures unless specifically provided by these rules or state statute. With respect to meetings of the Commission the Chair's responsibilities are as follows:

(a) Call the meeting to order, having ascertained that a quorum is present;

(b) Preserve order and call to order any member of the Commission who violates any of these procedures; and, when presiding, decide questions of order, subject to a majority vote on a motion to appeal;

(c) Speak to points of order in preference to other Commissioners;

(d) Speak, as may other Commissioners, on general questions from the chair;

(e) Vote upon all questions in the same manner as other Commissioners;

(f) Announce the result promptly upon completion of every vote;

(g) Appoint all members of committees whether standing, joint or special. Special committee(s) shall be committee(s)-of-the-whole and limited in time and purpose. S/he shall designate the Chair of each committee.

(h) Designate a Chair for the committee-of-the-whole each time the Board convenes a committee-of-the whole.

(i) Sign, along with all members of the Board, official actions passed by the Commission, as required.

(j) Sign decision letters arising from decisions made by the Commission regarding land use matters, during zoning meetings, or during other properly noticed meetings of the Commission.

(k) Declare the meeting adjourned when the Commission so votes, or at any time in the event of an emergency affecting the safety of those present;

(l) Assign each Commissioner's seat in the commission chambers.

(m) For time-sensitive matters only, send letters to the State and Federal Legislative Delegations representing Bernalillo County and other government officials in support of local government or community-based organization initiatives within Bernalillo County, such as legislative changes and grant requests. This authority shall be limited exclusively to those instances where the Board of County Commissioners has taken a position in support of the initiative in its legislative agenda or, by some other action, expressed its position on the issue presented.

31. <u>Commission Appointments to Boards and Committees.</u>

(a) Members of the County Commission serve on various public bodies created by statute or through agreements with other governmental entities. The Chair shall appoint Commissioners to serve on all such public bodies annually and no later than the third Monday in January of each year.

(b) Whenever the Commission is required to appoint members of the public to serve on public bodies, such appointment shall be done in accordance with these rules or any other rules or procedures which may be established for such public body. Whenever the Commission, or an individual Commissioner, is required to appoint members to a public body, the matter shall be considered under the order of business "Boards and Committee Appointment" at any Commission meeting.

32. Other Matters Not Covered by These 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 Chair, subject to the Right of Appeal set forth in Section 29 herein.

33. Suspension of Rules. Except for rules related to introduction and adoption of Ordinances, or any rule required under state law, these rules, or any part thereof, may be temporarily suspended by an extraordinary majority vote of the Commission's quorum.

34. Amendment of Rules. These rules, or any part thereof, may be amended, repealed, altered or rescinded by a majority vote of all Commissioners after two weeks' notice of the intent to amend. Such notice shall be presented in writing at a Regular Administrative Meeting of the Commission.

ADOPTED, in County of Bernalillo, New Mexico, this 27th day of March, 2012.

BOARD OF COUNTY COMMISSIONERS

Art De La Cruz, Chair

Michael C. Wiener, Vice Chair

Michelle Lujan Grisham, Member

Maggie Hart Stebbins, Member

Wayne A. Johnson, Member

APPROVED:

County Attorney

Date: 4/10/12

ATTEST:

Maggie Toulouse Oliver, Clerk

Date: 4/10/12

BERNALILLO COUNTY COUNTY CLERK SEAL STATE OF NEW MEXICO