



City of Rio Communities Library Board Meeting
City Council Chambers - 360 Rio Communities Blvd
Rio Communities, NM 87002
Tuesday, August 24, 2021 6:00 PM
Agenda

Please silence all electronic devices.

ATTENTION: In an effort to curb the spread of COVID-19 by practicing social distancing and limiting public gatherings, we are requiring **MASKS** to be worn while in the meeting. We encourage you to participate in the Library Board Meeting from the comfort and safety of your own home by entering the following link: @ <https://www.facebook.com/riocommunities>

Call to Order

Pledge of Allegiance

Present:

Approval of Agenda

Action Items

- 1. Discussion, Consideration, and Decision – Election of officers for the Board**
- 2. Discussion, Consideration, and Decision – Selection of terms for Board members**
- 3. Discussion, Consideration, and Decision – Adoption of the City's Open Meetings Act Resolution**
- 4. Discussion, Consideration, and Decision – Adoption of Roberts Rules of Order Procedures, Code of Conduct and Ethics Policy and Social Media Policy**
- 5. Discussion, Consideration, and Decision – Establish the date for the regular monthly meeting**

Public Comment: The Board will take public comments on *this meeting's specific agenda items*. These should be in written form via email through 4:00 PM on Tuesday August 24, 2021 to info@riocommunities.net. These comments will be distributed to all Board Members for review. ***If you wish to speak regarding specific agenda items***, The Board will allow each member of the public three (3) minutes to address the Board. Both the public and Library Board will follow rules of decorum. Give your name and where you live. The public will direct comments to the Board. Comment(s) will not be disruptive or derogatory.

General Board Discussion/Future Agenda Items

Adjourn

We will be streaming live on Facebook Live @ <https://www.facebook.com/riocommunities>

NOTE: THIS AGENDA IS SUBJECT TO REVISION UP TO 72 HOURS PRIOR TO THE SCHEDULED MEETING DATE AND TIME (NMSA 10-15-1 F). A COPY OF THE AGENDA MAY BE PICKED UP AT CITY HALL, 360 RIO COMMUNITIES BLVD, RIO COMMUNITIES, NM 87002. IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER OR ANY OTHER FORM OF AUXILIARY AND OR SERVICE TO ATTEND OR PARTICIPATE IN THE MEETING, PLEASE CONTACT THE MUNICIPAL CLERK AT 505-861-6803 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE.

City of Rio Communities, New Mexico

Ordinance No: 2020-75

CHAPTER 2 ADMINISTRATION AND PERSONNEL

ARTICLE 11 MUNICIPAL LIBRARY AND LIBRARY BOARD

- SECTION 1 ESTABLISHMENT OF A LIBRARY
- SECTION 2 CREATION OF BOARD
- SECTION 3 APPOINTMENT OF BOARD
- SECTION 4 TERM OF OFFICE
- SECTION 5 DUTIES AND FUNCTIONS OF BOARD
- SECTION 6 VACANCIES
- SECTION 7 TITLE OF PROPERTY
- SECTION 8 LIBRARY FUND
- SECTION 9 PERSONNEL
- SECTION 10 DUTIES OF THE LIBRARY DIRECTOR
- SECTION 11 ORGANIZATION OF THE BOARD
- SECTION 12 DUTIES OF OFFICERS
- SECTION 13 MEETINGS
- SECTION 14 REPEAL OF PRIOR ORDINANCES
- SECTION 15 INVALIDITY OF A PORTION OF ORDINANCE
- SECTION 16 EFFECTIVE DATE

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF THE CITY OF RIO COMMUNITIES PUBLIC LIBRARY AND CITY OF RIO COMMUNITIES LIBRARY BOARD

Whereas, under Chapter 3, Article 18 Section 3-18-14, NMSA, 2018, the City of Rio Communities is empowered to establish and maintain a free Public Library, and

Whereas, in connection with the operation and maintenance of such library facilities it is deemed necessary by the Governing Body of the City of Rio Communities to create a Library Board to provide for the efficient administration of such Library for the best interests of the City of Rio Communities and of the patrons of such library, and

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Establishment of a library: There is hereby established in the City of Rio Communities a free Public Library to be hereafter known as the City of Rio Communities Public Library. Such library is hereby declared to be a proper and legitimate object of expenditure and operation of the City of Rio Communities.

Section 2. Creation of board: There is hereby created the City of Rio Communities Public Library Board (hereinafter referred to as the "Library Board", as an administrative agency of the City of Rio Communities. The Library Board shall act in an advisory and policy development capacity and shall advise and assist the City of Rio Communities Mayor and Council in every possible way to insure the efficient and economical management and operation of the City of Rio Communities Public Library.

Section 3. Appointment of Board: The Library Board shall consist of at least five (5) members who shall be residents of the community served by said library. The existing Board shall make recommendations for members to the Mayor of the City of Rio Communities. The members of the Board shall be appointed by the Mayor and approved by the Council. The Mayor or his /her designee or the Library Director of the City of Rio Communities shall serve as an ex-officio member of the board but shall have no vote.

Section 4. Term of office: Library Board members shall be appointed for (4) four years and shall expire on July 1st . of the current board, the terms of three members shall expire July 1, 2022; the terms of two members shall expire July 1, 2024; When any vacancy shall occur for any cause, a member shall be appointed by the Mayor for the unexpired term.

Section 5. Duties and functions of Board: The Library Board shall be the Community representative for the City of Rio Communities Public Library and shall have the responsibility and obligation to:

- 1) receive gifts, bequests and donations of all kinds;
- 2) advise the Governing Body in formulating rules and regulations for the administration of the City of Rio Communities Public Library, not in conflict with the ordinances of the City of Rio Communities nor with the laws of the State of New Mexico;
- 3) post rules and regulations for public use of the library in appropriate places in the library for public inspection and information;
- 4) assist the Library Director in developing an annual library budget in sufficient time for the library budget to be included in the total budget for the City of Rio Communities;
- 5) notify the Mayor and Library Director of any vacancies on the Board and recommend persons to fill vacancies;

- 6) recommend to the City Manager of the City of Rio Communities nominees for appointment and/or employment of a Library Director
- 7) recommend to the Governing Body of the City of Rio Communities names for consideration in the appointment of Library Board members.
- 8) advise the library director in all matters pertaining to the management and operation of the library;
- 9) recommend to the City of Rio Communities Governing Body any action to maintain or administer the City of Rio Communities Public Library.

Section 6. Vacancies: No member of the Library board shall be removed from the Library Board except by a vote of two-thirds of the entire membership of the Governing Body of the City of Rio Communities. On the death, removal, resignation, change of residence to a place outside the City of Rio Communities District, or other inability to act as a member of the Library Board, such vacancy shall be filled in the same manner as the original appointment for the unexpired portion of the term.

Section 7. Title to property: The City of Rio Communities shall hold title to all real and personal property which has been acquired or may be acquired by the Library Board as trustees of the library.

Section 8. Library Fund: Within the municipal budget of the City of Rio Communities a shall be a library fund supported by the City of Rio Communities. Such library fund shall be administered by the Finance Officer/Treasurer of the City of Rio Communities, as are other funds of said City. All monies derived from any charges, fines, penalties, and donations, together with appropriations from supplies, maintenance of the building and other purposes relative to the operation of the library shall be placed in said fund. The Library Director shall present the library budget to the City Manager and Finance Officer/Treasurer in sufficient time for the library budget to be included in the total City Budget.

Section 9. Personnel: A duly qualified Library Director and such other personnel necessary for the operation and maintenance of the library shall be employed by the City Manager on the recommendation of the Library Board and Governing Body. The Mayor shall appoint a volunteer Library Director to serve until a Director is hired.

Section 10. Duties of the Library Director: The Library Director shall be the executive officer of the Library Board. The Library Director shall be solely responsible for the administration of the City of Rio Communities Public Library under the direction and review of the City Manager of the City of Rio Communities. The Library Director shall be responsible for operation of the Library within the financial conditions set forth in the annual budget; planning; improvement and maintenance of the library collections, services, equipment, facilities; and developing and maintaining good public relations with

schools, community organizations, citizens of Rio Communities and shall attend all library board meetings.

Section 11. Organization of the Board: At the first meeting of the Library Board and annually thereafter at the regular anniversary meeting, the members shall elect from its membership a Chairman, Vice-Chairman, a secretary and such other officers as may be necessary to carry out the functions of the City of Rio Communities Public Library. Each officer shall serve for a term of one year. The Board shall be governed in the conduct of its affairs by by-laws to be adopted upon its organization and amended from time to time as necessary.

Section 12. Duties of officers: The Chairman of the Library Board shall preside at all meetings, appoint all committees, call special meetings when necessary, prepare with the secretary the agenda, submit to the Municipal Clerk for posting and generally perform the duties of a presiding officer. The Vice-Chairman of the Library Board shall in the absence of the Chairman of the Library Board, perform the said duties, such as attend meetings, call special meetings when necessary and generally perform the duties of a presiding officer. The secretary of the Library Board shall attend all meetings of the Library Board and write agenda reports, take and prepare minutes, shall insure notices of all regular and special meetings are submitted to the Municipal clerk for posting, shall give custody of the minutes and other records of the Library Board to the Municipal Clerk, and shall notify the Mayor and Library Director of any vacancies on the Library Board.

Section 13. Meetings: The Library Board shall hold regular monthly meetings and such other special meetings as may be called by the chairman. The time and place of such meetings shall be fixed by the Library Board at its first meeting, at which time the Board shall also adopt the City's Roberts rules of Order as well as the established Opening Meetings Act Resolution adopted by the City of Rio Communities to govern its proceedings. A majority of the members of the Board constitutes a quorum for the transaction of business. The act of a majority of the Board shall be the act of the board. All Library Board meetings shall be open to the public.

Section 14. Repeal of Prior Ordinances: All ordinances of parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 15. Invalidity of a portion of ordinance: If any part of this ordinance is for any reason declared invalid, such part shall not affect the validity of the remaining portions thereof.

PASSED, APPROVED AND ADOPTED THIS 25th DAY OF FEBRUARY 2020 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.

City of Rio Communities Governing Body

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Councilor Mayor Pro-tem

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Jim Winters,
Councilor

ATTEST:

Elizabeth (Lisa) Adair,
Municipal Clerk

CITY OF RIO COMMUNITIES, NEW MEXICO

OPEN MEETINGS ACT RESOLUTION 2021 - 06

A RESOLUTION CONCERNING GOVERNING BODY MEETINGS AND THE PUBLIC NOTICE REQUIRED

WHEREAS, the Governing Body of the City of Rio Communities met in regular session at the City Council Chambers, 360 Rio Communities Blvd., Rio Communities, NM on March 23, 2021 at 6:00 p.m. as required by law; and

WHEREAS, Section 10-15-1 (B) NMSA 1978 provides that "All meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of any state agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of such body, are declared to be public meetings open to the public at all times, except as otherwise provided in the Constitution of New Mexico or the provision of the Open Meetings Act"; and

WHEREAS, Section 10-15-3 (A), NMSA 1978 provides that "No resolution, rule, regulation, ordinance or action of any board, commission, committee or other policymaking body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA 1978"; and

WHEREAS, Section 10-15-4, NMSA 1978 provides that "Any person violating any of the provisions of Section 10-15-1 or 10-15-2 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500) for each offense"; and

WHEREAS, Section 10-15-19 (D) requires that "Any meetings at which the discussion or adoption of any proposed resolution, rule, regulation, or formal action occurs, and at which a majority or quorum of the body is in attendance and any closed meetings, shall be held only after reasonable notice to the public. The affected body shall determine at least annually in a public meeting what notice for a public meeting shall be reasonable when applied to that body."

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Rio Communities, New Mexico that:

1. Notice shall be given at least six (6) days in advance of any regular meeting of a quorum of the members of the governing body or any board, commission, committee, agency, authority, or other policy-making body held for the purpose of discussion public business or taking any formal action within the authority of

such body.

2. The regularly scheduled meetings of the governing body will be held at 6:00 P.M. on the second and fourth Monday each month in the City Council Chambers located at 360 Rio Communities Blvd, Rio Communities, New Mexico. In the event that the regular meeting date falls on a legal holiday, the governing body shall designate an alternate meeting date and/or time to be published as provided in this Resolution. In the event that a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be published as provided in this Resolution.

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 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 governing body who speaks during the meeting.

3. Notice shall be given at least three (3) days in advance of any special meeting of a quorum of the members of the governing body, board, commission, committee, agency, authority, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body.
4. The notice requirements of Section 1, 2 and 3 of this Resolution are complied with if notice of the date, time, place, and subject matter of any regular or special meeting are published. Additionally, the notice shall contain information on how the public may obtain a copy of the meeting agenda, said agenda to be available at least six (6) days in advance of any regular meeting and a final agenda, if needed, at least seventy-two (72) hours prior to the meeting. "Publish" means printing in a newspaper which maintains an office in the municipality and is of general circulation within the municipality. If such newspaper is a non-daily paper which will not be circulated to the public in time to meet publication requirements, or, if no such newspaper exists, "publish" shall mean posting in at least six (6) public places within the municipality, website and one of the public places where posting shall be made is the office of the municipal clerk, who shall maintain posting for public inspection
5. *Within the time limits specified. That at least six (6) of the eight (8) public places listed below a notice shall be posted:*

Rio Communities City Hall
New Mexico Water Department
United Business Bank

Oasis Cafe
Chamesa

The Clerk may, in addition to posting, publish one or more times in a newspaper of general circulation within the municipality, even though it does not maintain an office within the municipality. In addition, written notice of such meetings shall be mailed or faxed to federally licensed broadcast stations and newspapers of general circulation in the municipality, which have provided a written request for such notice.

6. Notwithstanding any other provisions of sections 1 through 4 of this Resolution, governing body may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.
7. The governing body of the City of Rio Communities may close a meeting to the public only pursuant to exclusions contained in Section 10-15-1, Subsection H, NMSA 1978. If a meeting is closed during an open meeting, such disclosure shall be approved by a majority vote taken during the open meeting. The authority for the closed meeting and subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting. If a closed meeting is called when the governing body of the City or Rio Communities is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and the general public. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure. Except as provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by a vote of the governing body of the City of Rio Communities in an open meeting.
8. Notwithstanding any other provision of sections 1 through 7 of this Resolution, the governing body of the City of Rio Communities may call emergency meetings of the governing body, any board, commission, committee or other policymaking body of the municipality. Emergency meetings will be called only under unforeseen circumstances, which demand immediate action to protect the health, safety, and property of the citizens or to protect the municipality from substantial financial loss. The City of Rio Communities will avoid emergency meetings whenever possible. Emergency meetings may be called upon twenty-four (24) hours' notice unless threats of personal injury or property damage require less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

PASSED, APPROVED AND ADOPTED THIS 23rd DAY OF MARCH 2021 BY THE GOVERNING BODY OF THE CITY OF RIO COMMUNITIES, NEW MEXICO.

City of Rio Communities Governing Body

Mark Gwinn,
Mayor

Margaret (Peggy) Gutjahr,
Mayor Pro tem/Councilor

Bill Brown,
Councilor

Joshua Ramsell,
Councilor

Jimmie Winters,
Councilor

ATTEST:

Elizabeth (Lisa) Adair,
Municipal Clerk

Simplified Parliamentary Procedure

Based on
Robert's Rules of Order
Newly Revised



League of Women Voters®

The application of parliamentary law is the best method yet devised to enable assemblies of any size, with due regard for every member's opinion, to arrive at the general will on a maximum number of questions of varying complexity in a minimum time and under all kinds of internal climate ranging from total harmony to hardened or impassioned division of opinion.

From the Introduction to
*Robert's Rules of Order
Newly Revised.**

**Robert's Rules of Order Newly Revised*, Tenth Edition, the most commonly used parliamentary manual, is published by Perseus Books Group and can be obtained through most bookstores.

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Organizations

An organization and the way it functions are governed by its charter (if it is incorporated), its bylaws, and parliamentary rules or rules of order. Nothing in the bylaws may conflict with the corporate charter; the bylaws, in turn supersede the rules of order. Bylaws are considered so important that special requirements are set for changing them. These usually include advance notice and a larger-than majority vote for the adoption of amendments.

Most organizations use as their parliamentary authority a published manual, such as *Robert's Rules of Order Newly Revised*, which they may modify to meet their particular need by adopting special rules of order.

Governing an organization

In any organization, final authority rests with the members assembled in regular or annual meetings or conventions, though they may not, of course, take any action that conflicts with the charter or bylaws.

The business of most organizations is managed by a board of directors that is responsible to the membership and acts under its general instructions and guidance. The officers and members of the board are usually elected at an annual meeting, although the board is sometimes empowered to choose some of its own members. Other members may serve *ex officio* usually because of another position they hold. *Ex officio* members have all privileges, including the right to vote and make motions.

Work is often carried on by committees that are either provided for in the bylaws (**standing committees**) or appointed for a special purpose (**ad hoc committees, task forces**). Their powers are limited to those specifically given them by the bylaws or by direction of the board or the members. Usually they report to the board or to the membership meeting and may not be authorized

to act on their own in the name of the organization.

Officers

The president:

- Supervises the conduct of the organization's business and activities.
- Serves, *ex officio*, on all but the nominating committee.
- Presides at meetings.

The vice-president:

- Acts in place of the president when necessary and presides at meetings when the president temporarily vacates the chair. In the absence of the president, the vice-president should not change rules, cannot fill vacancies required to be filled by the president and does not serve as an *ex officio* member of committees.
- Upon the death or retirement of the president, assumes all the duties and privileges of the president, unless the bylaws provide another method of filling the vacancy. In organizations with more than one vice-president, these duties and responsibilities are assumed by the first vice-president.

The secretary:

- Is the recording officer.
- Handles correspondence.
- Issues notices of meetings.
- Informs those elected or appointed to office or committees.
- Receives and files committee reports.
- Keeps the minutes of meetings.

At each meeting, the secretary should have the minute book, a copy of the bylaws, a book on parliamentary procedure and a list of the unfinished business from the previous meeting.

Minutes should reflect what was *done*, not what was *said*, at a meeting. The common tendency is to report in too much detail. Minutes should contain:

- The date, place, time and type of meeting (regular, special).
- The names of the presiding officer, the secretary and, in boards and committees, the names of those present.
- Action taken on the minutes of the previous meeting and corrections, if any.
- Exact wording of each motion, the name of the maker and the disposition.
- The name and topic of guest speakers (their speeches need not be summarized).
- Time of adjournment.

The treasurer:

- Receives funds.
- Deposits them in financial institutions approved by the board.
- Pays bills for expenses that have been authorized.

If any appreciable sums of money are involved, the treasurer should be bonded to protect the organization from loss. It is customary for the treasurer to report to the board at each of its meetings and to make a full financial report to the annual meeting or convention. (In larger organizations, this report should be reviewed by an independent auditor. If the auditor's report is available at the time of the annual meeting or convention, it should be presented immediately after the treasurer's report. Adoption of the auditor's report, on motion, signifies acceptance of the treasurer's report.)

Meetings

At all meetings (referred to in *Robert's Rules* as "assemblies"), it is up to the presiding officer to use the rules of parliamentary procedure appropriately so that good order and reasonable decorum are maintained and the business of the meet-

ing goes forward. At times, the technical rules of parliamentary procedure may be relaxed, as long as the meeting accomplishes its purpose and the rights of absentees and minorities are protected. Conventions and large meetings are conducted more formally than the meetings of small board and committees.

The role of the presiding officer

The presiding officer (chair) should:

- Be ready to call the meeting to order at the time set.
- Follow the agenda and clarify what is happening and what is being voted on at all times.
- Deal firmly with whispering, commotion and frivolous or delaying debate and motions.
- See that debate is confined to the merits of the question and that personal comments are avoided. No one should speak more than twice on a subject, and no one should speak a second time until all who wish to speak have had a chance to do so.
- Talk no more than necessary. Except in small boards and committees, the presiding officer should not enter the debate without giving up the chair to a substitute until the motion under debate has been voted on.
- Remain calm and deal fairly with all sides regardless of personal opinion. To preserve this impartiality, the presiding officer abstains from voting except by ballot or to cast the deciding vote on an issue.

Order of business

A minimum number of voting members (quorum), as prescribed in the bylaws, must be present before business can be legally transacted. The presiding officer should determine that there is a quorum before beginning the meeting. Every organization is free to decide the order in which its business will be conducted, but most agendas follow a standard pattern:

1. Call to order.

2. Minutes are read by the secretary and corrections requested. The presiding officer says: *If there are no corrections, the minutes stand approved as read.*

3. Treasurer's Report is given and questions called for: *The Treasurer's Report will be filed.*

4. Reports of officers, the board and standing committees. Recommendations in reports should be dealt with as motions at this point.

5. Reports of special committees.

6. Unfinished business. Items left over from the previous meeting and business postponed to this meeting are brought up in turn by the presiding officer.

7. New business: *Is there any new business?*

8. Program. The program chairperson is called upon to introduce speakers, film or other presentation.

9. Announcements.

10. Adjournment: *Is there any further business?*
(Pause) *The meeting is adjourned.*

Motions

Business is conducted by acting on motions. A subject is introduced by a **main motion**.

Once this has been seconded and stated by the presiding officer, nothing else should be taken up until it is disposed of. Long and involved motions should be submitted in writing. Once a motion has been stated, the mover may not withdraw it without the consent of the meeting. Most motions must be seconded.

While a main motion is being considered, other **parliamentary motions**, which affect either the main motion or the general conduct of the meeting, may be made. The ones most frequently used are described in general below, but it should be noted that there are exceptions and modifications that cannot be included in this brief text.

1. Amend. Debatable; majority vote

Used when the intention is to change, add or omit words in the main motion.

Amend the amendment: Used to change, add or omit words in the first amendment. This motion *cannot* itself be amended.

Method: The *first* vote is on the amendment to the amendment. The *second* vote is on the first amendment either as changed or as originally proposed, depending on the first vote. The *third* vote is on the main motion either as introduced or as amended.

2. Refer. Debatable; majority vote

If a motion becomes too complicated through amendments or if more information is needed, a motion may be made to refer it to a committee for study or redrafting. This committee reports back or acts as instructed.

3. Postpone. Debatable; majority vote

Consideration of a motion can be delayed until a more suitable time, until other decisions have been made or until more information is available by a motion to postpone to a stated future time.

4. The previous question. Not debatable; two-thirds vote

I move the previous question. This motion is used to end debate that has become lengthy or repetitious. When it is seconded, the presiding officer immediately puts the question on closing debate. If this receives a two-thirds vote, the pending motion is voted on at once without further discussion.

5. Lay on the table. Not debatable; majority vote

I move that we table this motion. In order when something more urgent needs consideration. This postpones consideration in such a way that the motion can be taken up again in the near future if a majority decides to "take it from the table."

6. Reconsider. Usually debatable; majority vote

A vote may be reconsidered through this motion, which must be made on the same day or the day following the vote by someone who voted on the prevailing side. A motion can be reconsidered only once. The *first* vote is on whether the motion should be reconsidered. If this passes, the second vote is on the motion itself.

7. Point of order and appeal.

A member who feels the rules are not being followed may call attention to the breach by rising and saying: *Point of order.* The chair says: *State your point of order.* Upon hearing it, the chair may say: *Your point is well taken,* or *Your point is not well taken.*

One dissatisfied with the ruling may appeal to the meeting for a final decision: *Shall the decision of the chair be sustained?* This appeal is debatable, and the presiding officer may enter the debate without giving up the chair. A majority of *no* votes is necessary to reverse the ruling; a tie sustains it.

8. Questions and inquiries.

Whenever necessary, advice may be asked as to correct procedures (**parliamentary inquiry**), facts may be requested (**point of information**), or a change may be sought for comfort or convenience (**question of privilege**). The presiding officer responds to the question or refers it to the proper person.

9. Adjourn. Usually not debatable; majority vote

If the time set for adjournment has arrived or there is no further business, the presiding officer declares the meeting adjourned without waiting for a formal motion. A member may move to adjourn at any time except when a speaker has the floor or a vote is in process. If the motion carries, the meeting is immediately adjourned.

Voting

The vote needed to pass a motion or elect an official is based on the votes actually cast, unless the bylaws or rules provide otherwise. Thus, a majority is more than half of those voting; abstentions and blank ballots are disregarded.

- By using **general consent**, a formal vote can be avoided on routine matters where there is no opposition. The presiding officer says: *If there is no objection* (Pause)... and declares the decision made.
- A **voice vote** (aye and no) is common practice but should not be used where more than a majority is needed.
- A **show of hands** is a good alternative in small groups.
- If unsure of the result, the presiding officer should order a rising vote or an actual count. If this is not done, a member can insist upon a **rising vote** by calling out "*division*"; a count can be forced only by a motion made, seconded and approved by a majority vote.
- A motion for a **ballot** (secret written vote) can be made if the bylaws do not already require one. This motion is not debatable and requires a majority vote.

Nominations and elections

Normally, a nominating process is used for elections, although any eligible member may be elected whether nominated or not. Most organizations use a nominating committee to prepare a slate of nominees for the offices to be filled. Service on a nominating committee does not prevent a member from becoming a nominee.

After presentation of the nominating committee's report to the assembly, the presiding officer calls for nominations from the floor. Many organizations require that the consent of the nominee be obtained in advance to avoid a futile election. Seconds are not necessary for either committee

nominations or nominations from the floor.

When all nominations appear to have been made, the presiding officer declares that nominations are closed—or a motion to this effect may be made. It is not debatable and requires a two-thirds vote. A motion to reopen nominations requires a majority vote.

The method of voting usually is fixed in the bylaws. A ballot is the normal procedure if there is more than one nominee for an office. If there are several nominees and the bylaws do not provide for election by a plurality vote (that is, the largest number, but not necessarily more than half the votes cast), several ballots or votes may be needed before one candidate achieves a majority.

Where election is by ballot, the presiding officer appoints tellers (or an election committee) to collect and count the votes. The tellers' report, giving the number of votes cast for each nominee, is read aloud and handed to the presiding officer. The presiding officer rereads the report and declares the election of each official separately. Tellers' complete report is recorded in minutes.

A postscript to the presiding officer:

The rules of parliamentary procedure are meant to help, not hinder. Applied with common sense, they should not frustrate the meeting or entangle it in red tape. Retain control at all times, give clear explanations, and keep things as simple as possible. Good advice from the chair as to the wording of motions and the best way to proceed will avoid needless complications. When in doubt, your rule should be: **Respect the wishes of the majority, protect the minority and do what seems fair and equitable.**

Order from: League of Women Voters of the United States. Pub #138; 888-287-7424; pubsales@lwv.org; fax: 202-429-4343. Revised and reprinted 2006.



CODE OF CONDUCT AND ETHICS

Preamble:

The citizens and businesses of the City of Rio Communities are entitled to have fair, ethical and accountable government, which continually strives to earn the public's full confidence for integrity. In keeping with the City of Rio Communities commitment to excellence, goals and mission, the effective functioning of democratic government therefore requires that public officials, both appointed and elected, comply with both the letter and spirit of laws and policies affecting the operations of Government; that public officials be independent, impartial and fair in their judgment and actions; that public office is used for public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City of Rio Communities Governing Body has adopted this Code of Conduct and Ethics for members of the Governing Body, members of the boards, commissions, committees, employees, staff and volunteers who serve the City of Rio Communities to assure the public's confidence in the integrity of local government and its effective and fair operation.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of the City of Rio Communities and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the City of Rio Communities Governing Body, boards, committees, and commissions

2. Comply with the Law

Members shall comply with the laws of the Nation, the State of New Mexico and the City of Rio Communities in the performance of their public duties. These laws include, but are not limited to: The United States and the State of New Mexico Constitutions; the City of Rio Communities Ordinances and laws pertaining to conflict of interest, election campaigns, financial disclosure, employer responsibilities, and open processes of government.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Governing Body, boards, commissions, communities, volunteers, the staff or public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the City of Rio Communities Governing Body and the boards, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Governing Body and staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the City of Rio Communities Governing Body or

boards, committees and commissions, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship that may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, which are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City of Rio Communities. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Members shall not use public resources that are not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of the Governing Body, boards, committees, commission and volunteer organizations shall not appear on behalf of the private interests of third parties before the Governing Body or any boards, committees, commissions or proceeding of the City of Rio Communities, nor shall members of boards, organizations, committees or commissions appear before their own bodies or before the Governing Body

on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the Governing Body, boards, commissions or committees to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their Governing Body, nor will they allow the inference that they do.

14. Policy Role of Members

The Governing Body determines the policies of the City of Rio Communities with the advice, information and analysis provided by the public, boards, commissions, and committees, and City Staff. The Governing Body delegates authority for the administration of the City to the City Manager. Members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Governing Body policy decisions.

15. Independence of Governing Body and Commissions

Because of the value of the independent advice of boards, committees and commissions to the public decision-making process, members of the Governing Body shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee or commission proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the city. Members shall recognize their special role in dealings with City employees and in no way create the perception of inappropriate direction to staff.

17. Implementation

As an expression of the standards of conduct for members expected by the city, the City of Rio Communities Code of Conduct and Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for candidates for the City of Rio Communities Governing Body, applicants to boards, committees and commissions, and newly elected and appointed officials. Members entering office

shall sign a statement affirming they have read and understood the City of Rio Communities Code of Conduct and Ethics. In addition, the Governing Body, boards, committees and commissions, shall annually review the Code of Ethics and the Governing Body shall consider recommendations from boards, committees and commissions to update it as necessary.

18. **Prohibited Political Activities**

1. Using official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office, or for any other political purpose.
2. Directly or indirectly coercing, attempting to coerce, commanding or advising a state or City officer or employee to pay, lend, or contribute anything of value to a party, committee, or organization, agency, or person for a political purpose.
3. Threatening to deny promotions to any individual who does not vote for certain candidates, requiring individuals to contribute financially to a political fund, influencing subordinate individuals to buy tickets to political fund-raising events and similar events, advising individuals to take part in political activity and matters of a similar nature.
4. Engaging in political activity while on duty or campaigning on City property.

19. **Nepotism**

A. Definition of Nepotism

Nepotism, for purposes of this code, is defined as the practice of giving preferential treatment in areas of employment, including but not limited to, selection, benefits, pay, promotion and discipline to an employee's **near relatives**.

1. For purposes of this nepotism policy, **near relatives** are defined as the employee's spouse, children, parents, siblings, grandparents, grandchildren, aunts, uncles, first cousins and all like-relations of the employee's spouse and any former spouse(s), or unrelated persons sharing a spousal relationship. This definition covers any person related to the employee by birth, adoption, or marriage.

B. Prohibited Practices

The practice or appearance of nepotism is prohibited. Near-relatives shall not work in the same department when there is a supervisory relationship between them. Any problems arising from such a situation should be referred to the City Manager for review. Near-relatives cannot fill or be promoted into a position that requires supervision by a near-relative. Neither shall any elected official or appointee or City employee give employment as clerk, deputy, assistant or other class of departmental employee to any near relative when

that person's compensation is six hundred (\$600) dollars or more per year. NMSA 1978, §10-1-10 (1987 Repl. Pam.). Any exceptions to this rule must be approved by the City Council.

20. Sexual Harassment

A. Policy Regarding Sexual Harassment

The City is committed to enforcing a policy prohibiting sexual harassment that:

1. Provides for an environment free from all forms of sexual harassment.
2. Applies to the actions of all City employees, elected and appointed officials, commissions and volunteers.
3. Ensures that appropriate corrective measures, up to and including dismissal and appropriate legal action, will be taken if this policy is violated.
4. Establishes a complaint procedure that is fair and confidential and protects against retaliation for filing or testifying as a witness to a complaint.
5. Ensures that all complaints are investigated promptly, thoroughly and fairly.
6. Ensures that all elected officials, department heads and supervisors are fully aware of their responsibilities under this policy.

21. Equal Opportunity

Members representing the City shall not harass or discriminate against individuals on the basis of race, age, religion, color, national origin, ancestry, sex, gender identity, physical or mental handicap or medical condition.

22. Use of Alcohol or Illegal use of Drugs

A. Use of Alcohol or Illegal Drugs

The use of controlled substances, drugs or alcohol prescribed and non-prescribed, is a concern to the City when it interferes with job performance, conduct, attendance, safety, or when it is in violation of the law. The unlawful manufacture, distribution, possession or use of a controlled substance or alcohol by an employee while on City premises or while on City business is prohibited. Conducting City business that includes driving vehicles or operating City equipment while under the influence of alcohol or other drugs is also prohibited. This Applies to all City employees, elected and appointed officials, commissions and volunteers. Engaging in any of these prohibited activities may result in disciplinary action up to and including termination from employment or position.

B. Reasonable Suspicion Testing

Any individual shall be tested for alcohol and drugs if the City has reasonable grounds to suspect that the individual is engaging in the use of drugs or alcohol

on the job or is reporting to work under the influence of drugs or alcohol. Reasonable suspicion includes, but is not limited to, the following:

1. Job accidents involving loss of life, limb and damage to property including City property, where the individual is a contributing factor to the accident; or
2. Evidence of alcohol or drugs or paraphernalia discovered at the individual's work place; or
3. Any individual showing signs of erratic behavior, changes in mood, altered appearance or speech patterns, smell of alcohol on breath and person, an increase in absenteeism, tardiness and deterioration of work performance.

22. **Compliance and Enforcement**

The City of Rio Communities Code of Conduct and Ethics expresses standards of ethical conduct expected of members of the City of Rio Communities Governing Body, boards, committees, commissions and volunteers. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have *full* confidence in the integrity of government. The chairs of boards, committees and commissions and the Mayor of the City of Rio Communities have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Conduct and Ethics are brought to their attention. The Governing Body may impose sanctions on members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Governing Body also may remove members of Board-appointed boards, committees and commissions from office. A violation of this Code of Conduct and Ethics shall not be considered a basis for challenging the validity of Governing Body, board, committee or commission decision.



CITY OF RIO COMMUNITIES
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**CODE OF CONDUCT and ETHICS
ACKNOWLEDGEMENT SIGNATURE FORM
COUNCIL/COMMISSIONS/BOARDS**

I acknowledge that I have received a copy of the City of Rio Communities Code Conduct and Ethics Policy that provides guidelines on the conduct, ethics and confidentiality affecting my position with this organization, either elected or appointed. I understand that the City can, at its sole discretion, modify, eliminate, revise, or deviate from the guidelines and information in these practices as circumstances or situations warrant.

Furthermore, I understand that I should consult my supervisor or the City Manager if I have any questions that are not answered in the City's Code of Conduct and Ethics Policy.

I have read and fully understand the Code of Conduct and Ethics Policy. By signing this acknowledgement I agree to abide by the City of Rio Communities Code of Conduct and Ethics policy.

Name: _____
(Please Print)

Signed: _____

Date: _____



SOCIAL MEDIA POLICY

Policy

This policy provides guidance for its members and the members of all boards, employees, committees, commissions and volunteers use of social media, which should be broadly understood for purposes of this policy to include blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a contemporaneous manner.

Procedures

The following principles apply to professional use of social media on behalf of the City of Rio Communities as well as personal use of social media when referencing the City of Rio Communities.

1. Members and the members of all boards, employees, committees, commissions and volunteers need to know and adhere to the City of Rio Communities Code of Ethics, Employee Handbook, and other company policies when using social media in reference to the City of Rio Communities.
2. Members and the members of all boards, employees, committees, commissions and volunteers should be aware of the effect their actions may have on their images, as well as the City of Rio Communities image. The information that the individual post or publish may be public information for a long time.
3. Members and the members of all boards, employees, committees, commissions and volunteers should be aware that the City of Rio Communities may observe content and information made available by said individual through social media. The individual should use their best judgment in posting material that is neither inappropriate nor harmful to the City of Rio Communities, members and the members of all boards, employees, committees, commissions or customers.
4. Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.

5. Members and the members of all boards, employees, committees, commissions and volunteers are not to publish, post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, individuals should check with the administration for the City of Rio Communities.
6. Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. The individual should refer these inquiries to authorized spokespersons for the City of Rio Communities.
7. If the individual encounter a situation while using social media that threatens to become antagonistic, said individual should disengage from the dialogue in a polite manner and seek the advice of the administration for the City of Rio Communities.
8. Individuals should get appropriate permission before you refer to or post images of current or former members and the members of all boards, employees, committees, commissions, volunteers, vendors or suppliers. Additionally, the individual should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.
9. Social media use shouldn't interfere with individual's responsibilities at the City of Rio Communities. The City of Rio Communities computer systems are to be used for business purposes only. When using The City of Rio Communities computer systems, use of social media for business purposes is allowed (ex: Facebook, Twitter, www.riocommunities.net blogs and LinkedIn), but personal use of social media networks or personal blogging of online content is discouraged and could result in disciplinary action.
10. Subject to applicable law, after-hours online activity that violates the City of Rio Communities Code of Ethics or any other company policy may subject the individual to disciplinary action or termination.
11. If the individual publish content after-hours that involves work or subjects associated with the City of Rio Communities, a disclaimer should be used, such as this: "The postings on this site are my own and may not represent the City of Rio Communities positions, strategies or opinions."
12. It is highly recommended that the individual keep the City of Rio Communities related social media accounts separate from personal accounts, if practical.



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SOCIAL MEDIA ACKNOWLEDGEMENT SIGNATURE FORM COUNCIL/COMMISSION/BOARDS

I acknowledge that I have received a copy of the City of Rio Communities Social Media Policy that provides guidelines on the use of social media conduct, ethics and confidentiality affecting my position with this organization, either elected or appointed. I understand that the City can, at its sole discretion, modify, eliminate, revise, or deviate from the guidelines and information in these practices as circumstances or situations warrant.

Furthermore, I understand that I should consult my supervisor or the City Manager if I have any questions that are not answered in the Social Media Policy.

I have read and fully understand the Social Media Policy. By signing this acknowledgement I agree to abide by the City of Rio Communities Social Media policy.

Name: _____
(Please Print)

Signed: _____

Date: _____