



**RESOLUTION 08-08
TOWN OF TAOS
COUNCIL POLICIES AND PROCEDURES
RULES FOR THE CONDUCT OF TOWN COUNCIL MEETINGS**

SECTION 1. SCOPE.

- 1.1 These rules shall establish the procedures for the conduct of all meetings of the Town Council of the Town of Taos. The purpose of these rules are to establish procedures which will be convenient for the public, be fair to all members of the Town Council and contribute to the orderly conduct of Town business.

SECTION 2. MEETINGS

- 2.1 Open to Public. All meetings of the Town Council, whether regular or special, shall be open to the public, unless a closed session is called for as authorized by Law.
- 2.2 Regular Meetings. The Town Council shall conduct its regular meetings on the third (3rd) Tuesday (and possibly on the fourth (4th) Tuesday if necessary) of each month starting at 6:30 p.m. All regular meetings will be held at the Town Council Chambers, with the exception of the January State of the Town meeting, which will be held at Rio Grande Hall at the Taos Civic Plaza. Regular meetings shall not continue beyond the hour of 11:00 p.m. unless extended by a majority vote of the Town Council pursuant to Section 5.3.
- 2.3 Special Meetings. A special meeting may be called at any time by the Mayor provided that written notice of any such meeting is provided to all members of the Town Council and to the news media at least 3 days in advance of such meeting. The Mayor must specify the purpose of the meeting, the time, date, and location as to where the meeting will take place. Notice of the meeting must be made in accordance with the Law.
- 2.4 Closed Sessions. The Town Council may hold closed sessions during a regular or special meeting, or at any time authorized by Law, to consider or hear any matter which is authorized by Law.

- 2.5 Quorum. Three (3) members of the Town Council, or two (2) Councilmembers and the Mayor, shall constitute a quorum and shall be sufficient to transact business. If less than three Councilmembers appear at a regular meeting, the Mayor, Mayor Pro Tempore in the absence of the Mayor, any member shall adjourn the meeting.
- 2.6 Adjourned Meetings. The Town Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment and permitted by Law.
- 2.7 Briefing/Workshop Meetings. The Town Council will meet periodically for the purpose of meeting with the Town staff to be briefed on major activities by each department, and to hear requests from the Town staff for items to be considered at the Regular Meeting of the Council. Briefing Meetings will occur quarterly, or as needed, and are held on the first (1st) Tuesday of the month starting at 1:30 p.m. Workshop meetings are held on the second (2nd) Tuesday of each month starting at 9:30 a.m.

SECTION 3. POSTING NOTICE AND AGENDA

- 3.1 Posting of Notice and Agenda. For every regular or special meeting, the Town Clerk or other authorized person, shall post a notice of the meeting, specifying the time and place at which the meeting will be held, and an agenda containing a brief description of all items of business to be discussed at the meeting. This notice and agenda may be combined in a single document.
- 3.2 Location of Posting. The notice and agenda shall be posted on the main bulletin board at Town Hall to which the public has unrestricted access during normal business hours and where the notice and agenda are not likely to be removed or obscured by other posted material. The notice shall also be posted on the Town's website.
- 3.3 Posting for Regular, Briefing, Workshop and Special Meetings. For any Regular, Briefing, Workshop and Special meeting of the Town Council, the notice and agenda shall be posted no later than seventy-two (72) hours prior to the time set for the meeting.
- 3.4 Rescheduled Meetings. In the event a scheduled Regular Meeting, Workshop Meeting, or Special Meeting is rescheduled due to a conflicting event, lack of a quorum, or some other reason, the notice and agenda shall meet the requirements of Section 3.3.

SECTION 4. AGENDA CONTENTS

- 4.1 Description of Matters. All items of business to be discussed at a meeting of the Town Council shall be briefly described on the agenda. The description should set forth as clearly as practical a description of the item and the proposed action to be considered so that members of the public will know the nature of the action under review and consideration.

- 4.2 Availability of the Agenda to the Public. The agenda for any regular or special meeting shall be made available to the general public as soon as it is practical after delivery to the members of the Town Council. Copies of the agenda will be available to the general public at the Office of the Town Clerk and on the Town's website.
- 4.3 Limitation to Act on Only Items on the Agenda. No action shall be taken by the Town Council on any item not on the posted on the agenda, subject only to the exceptions listed below:
- A. Upon a majority determination that an "emergency situation" (as defined by State Law) exists; and
 - B. Upon a determination by a 4/5 vote of the Town Council that there is a need to take immediate action and that the need to take the action came to the attention of Town officials subsequent to posting of the agenda.

SECTION 5. ORDER OF BUSINESS

- 5.1 The order of business at regular meetings of the Town Council shall be as follows:
- A. CALL TO ORDER
 - B. ROLL CALL
 - C. PLEDGE OF ALLEGIANCE
 - D. APPROVAL OF THE AGENDA
 - E. APPROVAL OF THE MINUTES
 - F. CITIZENS PARTICIPATION
This item refers to those matters not scheduled on the agenda where a member of the public wants to address a matter of importance to the Town Council. Since the matter is not one on the agenda, no action by Council can be taken. If a member of Council so desires, the matter can be placed on the agenda of a future Council meeting for review and consideration.
 - G. AWARDS AND RECOGNITIONS
 - H. CONSENT AGENDA
These are items of a routine or generally uncontested nature. Any member of the Council or member of the public may request to have an item pulled from the Consent Calendar and acted on individually by the Council.
 - I. STAFF REPORTS
These are other matters of Town business which are not placed on the consent calendar requiring Council action and direction.

J. PUBLIC HEARINGS

These matters are ones that are duly noticed and published in a newspaper of general circulation and, where required by Law, written notice is given to the affected residents who have the opportunity to speak in favor or against a matter or ask questions about the matter.

K. MATTERS FROM THE COUNCIL

L. CLOSED SESSION (IF NECESSARY)

M. ADJOURNMENT

5.2 Change in Order of Business. The Mayor may decide to take matters listed on the agenda out of the prescribed order unless a majority of members present objection to this variation.

5.3 Town Council shall review agenda at 11:00 p.m. If, at the hour of 11:00 p.m., the Town Council has not concluded its business, it shall review the status of the agenda and determine by majority vote whether to extend the meeting beyond the hour of 11:00 p.m., continue any remaining items, or adjourn the meeting to another date and time.

SECTION 6. PUBLIC COMMENT

6.1. Public Comment. Persons present at meetings of the Town Council may comment, at the Mayor's discretion, on individual items on the agenda at the time the items are scheduled to be heard. In addition, comments may be offered on items not on the agenda under that portion of the agenda identified for Citizens Participation.

6.2 Limitations. The public comment period for individuals shall be five (5) minutes or less for items on the agenda or items not listed on the agenda, at the Mayor's discretion.

6.3 Procedure

A. To address the Town Council, each speaker is requested to fill out the Citizens Forum Sign-up Form before discussion on the agenda item begins. The form shall contain the name and city of residence of the speaker, the subject or subjects upon which the speaker wishes to address the Town Council and shall be signed by the speaker. The form should be turned in to the Town Clerk before the item is heard by the Town Council. The Town Clerk will provide the form to the Mayor.

B. Upon addressing the Town Council, each speaker is required to first state his or her name.

SECTION 7. PROCEDURES FOR THE CONDUCT OF MEETINGS

7.1 Role of the Mayor/Presiding Officer

- A. The Presiding Officer of the Town Council, who shall be the Mayor or in the Mayor's absence shall be the Mayor Pro Tempore, or in their absence any other designated member of the Town Council, shall be responsible for maintaining the order and decorum of meetings. It shall be the duty and responsibility of the Presiding Officer to ensure that the rules of operation and decorum contained herein are observed. The Presiding Officer shall maintain control of communication between Councilmembers and between the Council, staff and public.
- B. Communication with Councilmembers
 - 1. Councilmembers shall request the floor from the Presiding Officer before speaking.
 - 2. When one member of the Council has the floor and is speaking, other Councilmembers shall not interrupt or otherwise disturb the speaker.
- C. Communication with Members of the Public Addressing the Council
 - 1. The Mayor or Presiding Officer shall open the floor for public testimony as appropriate.
 - 2. Councilmembers may question a person addressing the Council at the conclusion of the person's comments or upon expiration of the person's time to speak. Such questions should be directed to the person through the Presiding Officer unless the Presiding Officer grants the Councilmember permission to directly question the person.
 - 3. Staff members, through the Town Manager, shall be a resource to the Town Council to answer questions arising during discussions between Councilmembers and between Councilmembers and members of the public. Communications in this regard shall be through the Presiding Officer.
 - 4. Members of the public shall direct their questions and comments through the Presiding Officer.

- 7.2 Rules of Order. The Town Council adopts no specific rules of order except those listed herein. The Town Council shall refer to *Roberts Rules of Order*. The Mayor or Presiding Officer has the discretion to impose reasonable rules at any particular meeting based upon facts and circumstances found at any particular meeting. These latter rules will be followed unless objected to by a majority of the Town Councilmembers present.

7.3 Motions. Any member of the Town Council may move on any matter of business on the agenda before the Council by making a motion. Before the matter can be considered or debated it must be seconded. Once the motion has been properly made and seconded, the Presiding Officer shall open the matter for full debate offering the first opportunity to debate to the moving party and, thereafter, to any Councilmember recognized by the Mayor or Presiding Officer. Debate shall be closed upon consent of a majority of the Council.

7.4 Reconsideration. Immediately after a vote on a matter, any member of the Town Council may request to have his/her vote changed on a matter before the Council moves on to the next item. Such a request will be granted by the Mayor or Presiding Officer. A matter may be reconsidered by the Town Council if a member on the prevailing side of the vote requests reconsideration. Such a motion may be made at a meeting where such action is taken.

7.5 Debate.

A. The discussions and deliberations at meetings of the Town Council are to secure the mature judgment of Councilmembers on proposals submitted for decision. This purpose is best served by the exchange of thought through discussion and debate.

Debate is regulated by these rules in order to assure every member a reasonable and equal opportunity to be heard.

B. Obtaining the Floor for Debate.

As soon as a debatable motion has been stated to the Council or Presiding Officer, any member of the Council has a right to discuss it after obtaining the floor. The member obtains the floor by seeking recognition from the Mayor or Presiding Officer. A member who has been recognized is entitled to be heard so long as he/she observes the rules of debate. Debate on each item on the agenda by each individual member of the Council shall be limited to fifteen (15) minutes.

C. Speaking More Than Once.

To encourage the full participation of all members of the Council, no member or members shall be permitted to monopolize the discussion of the question. If a Councilmember has already spoken and other members wish to speak, the latter members should be recognized in preference to the member who has already spoken. However, if no other members seek recognition, the Mayor or Presiding Officer may recognize the member who has already spoken. In this case, the Councilmembers will have five (5) minutes to speak.

D. Relevancy of Debate.

All discussion must be relevant to the motion before the Town Council. A

member is given the floor only for the purpose of discussing the pending question; discussion which departs is out of order. The Mayor or Presiding Officer should then direct the speaker to limit discussion to the question before the Town Council.

A motion-its nature or consequences-may be attacked vigorously. But, it is never permissible to attack the motives, character, or personality of a member either directly or by innuendo or implication. It is the duty of the Mayor or Presiding Officer instantly to stop any member who engages in personal attacks. It is the motion, not its proposer, that is the subject of debate. Meetings must discuss measures and ideas, not people.

Arguments, for or against a measure, should be stated as concisely as possible.

Debate must be fundamentally impersonal. All discussion is addressed to the Mayor or Presiding Officer and must never be directed to any individual.

E. Mayor's Duties During Debate.

The Mayor or Presiding Officer has the responsibility of controlling and expediting debate. A Councilmember who has been recognized to speak on a question has a right to the undivided attention of the Council.

It is the duty of the Mayor or Presiding Officer to keep the subject clearly before the members, to rule out irrelevant discussion, and to restate the question whenever necessary.

7.6. Executive Session

Executive Sessions are necessary for the Mayor and Town Council to discuss specific confidential items as authorized by Law (NMSA 1978 10-15-1-H.) in closed session. Those Councilmembers or staff members present during Executive Session shall not disclose to the public any issues that were discussed unless the Council unanimously agrees to disclose such items.

SECTION 8. ITEMS TO BE PLACED ON THE AGENDA

- 8.1 Councilmembers. Any member of the Town Council may request to have a matter placed on the agenda of the Town Council by requesting same of the Mayor or his/her designee at least 7 working days before the next Town Council meeting. Any background materials or information relating to the matter should be provided to the Town Clerk for distribution to the Town Council as part of the agenda packets for the meeting. A Councilmember presenting an item will do everything possible to make the item complete. Items shall be placed on the Workshop agenda as well.

SECTION 9. DECORUM

- 9.1 Councilmembers. Members of the Town Council value and recognize the importance of the trust invested to them by the public to accomplish the business of the Town.

Councilmembers shall accord the utmost courtesy to each other, to Town employees, and to the public appearing before the Town Council.

- 9.2 Town Employees. Members of Town staff shall observe the same rules of order and decorum applicable to the Town Council. Town staff shall act at all times in a business and professional manner towards Councilmembers and members of the public.
- 9.3 Public. Members of the public attending Town Council meetings shall observe the same rules of order and decorum applicable to the Town Council.
- 9.4 Noise in the Chambers. Noise emanating from the audience within the Council Chambers or lobby area, which disrupts Town Council meetings, shall not be permitted.
- 9.5 Sergeant-at-Arms. The Chief of Police or his representative shall be ex-officio Sergeant-at-Arms of the Town Council.

SECTION 10. MINUTES OF THE COUNCIL

- 10.1 Summary Minutes. The Town Clerk shall prepare the minutes of the Council by summarizing the discussion that takes place during each item on the agenda. While the minutes will reflect only a summary of the discussion, they will state the actual motion that is made by the respective Councilmember. It is the position of the Town Council that the action taken by the Council is what is important, not long drawn out points of view. The minutes will not be transcribed verbatim unless specifically directed by a majority of the Council or at the option of the Town Clerk.
- 10.2 Relevant Discussion. All discussion must be relevant to the motion before the Town Council. A member is given the floor only for the purpose of discussing the pending question. Discussion, which departs from the agenda item, is out of order, and will not be recorded in the minutes. In the event that a Councilmember desires to have a statement recorded into the official minutes, he/she shall state "For the record" before the statement is made. Again, the statement will become a part of the official minutes only if it is relevant to the motion.

SECTION 11. VIOLATIONS OF PROCEDURES

Nothing in these policies and procedures shall invalidate a properly noticed and acted upon action of the Town Council in accordance with State Law.

This policy shall remain in effect until modified by the Town Council.

ADOPTED BY THE TOWN COUNCIL on this 15th day of April, 2008.

TOWN OF TAOS

By _____
Bobby F. Duran, Mayor

ATTEST:

Renee Lucero, Town Clerk

APPROVED AS TO FORM:

Renee Barela-Gutierrez, Town Attorney

VOTE: FOR: _____ AGAINST: _____ ABSTAIN: _____