

**SANTA FE COUNTY HOUSING AUTHORITY BOARD  
RESOLUTION NO. 2012-9 HB**

**A RESOLUTION ESTABLISHING RULES OF ORDER  
FOR MEETINGS OF THE  
SANTA FE COUNTY BOARD OF HOUSING COMMISSIONERS**

**WHEREAS**, NMSA 1978, Section 4-38-12 (1876) permits a Board of County Commissioners to establish rules of order to govern the transaction of business during meetings of the Board of County Commissioners;

**WHEREAS**, Resolution No. 2010-104 of the Board of County Commissioners of Santa Fe County (BCC) established the Santa Fe County Housing Authority Board (the Board) to construct, maintain, operate and manage any housing project or projects within Santa Fe County as authorized by the New Mexico Municipal Housing Act, NMSA 1978, Sections 3-45-1 et seq. on behalf of the BCC.

**WHEREAS**, in order to carry out the duties delegated by the BCC in Resolution No. 2010-104 the Board desires to adopt rules of order to govern the transaction of business during meetings of the Board;

**NOW THEREFORE**, the Board hereby adopts the following Rules of Order to govern its meetings.

**I. APPLICABILITY**

This Resolution applies to the transaction of business during meetings of the Board.

**II. QUORUM**

**A. Definition, "Quorum."** A quorum of a Board is the number of members who must be present at the meeting to legally conduct business.

**B. Number Constituting a Quorum."** A majority of the number of members of a Board is necessary to constitute a quorum.

**C. Disqualification.** Where a Board member is disqualified, voluntarily or involuntarily, from voting on a particular matter, the calculation of a quorum shall be redone so as to reduce the constituent number of members necessary for the vote on a particular item only, but in no event shall a quorum be construed to consist of fewer than three members of the Board.

**D. Action Without Quorum.** No action may be taken without a quorum except in the following circumstances:

1. Any actions determined necessary to obtain a quorum; and
2. Adjournment and/or recess.

**E. Loss of Quorum.** If a quorum is not present during any part of a meeting, no action except those listed in Article II. D above may be taken until a quorum is reestablished.

### **III. CHAIR**

**A. Direction.** Every meeting shall be convened under the direction of a Chair.

**B. Election.** The Board shall elect a Chair and Vice Chair each calendar year at the first meeting of the year.

**C. Vote.** The Chair has all rights as any other member for purposes of voting and making and seconding motions.

**D. Vice Chair.** Whenever the Chair is not present or is unable to participate in the discussion of a matter before the Board, the Vice Chair shall serve as the Chair. If the Chair should arrive during the course of a meeting that is already underway, the Vice Chair may continue to act as chair for the duration of the discussion regarding the specific matter, and thereafter shall relinquish the Chair to the elected Chair. Whenever the Chair and the Vice Chair are not present, the members may appoint a temporary chair to conduct the meeting.

**E. Duties.** The Chair's duties include:

1. Open meetings;
2. Announcing the business before the Board or committee and consideration of the agenda items;
3. Recognizing Board members;
4. Allowing members of the Board to speak on matters under consideration;
5. Recognizing members of the public to speak on matters under consideration;
6. Stating and calling for a vote all questions and motions properly made;
7. Announcing the results of all votes;
8. Preventing motions and discussion from becoming unduly delayed, disrespectful, frivolous, or cumulative;
9. Enforcing order and decorum at all times, and ensuring that members of the Board and the public conduct themselves in a respectful and appropriate manner; and
10. Assuring that these Rules are complied with.
11. Executing on behalf of the Board all contracts, applications, resolutions, policies, letters and other documents authorized by formal action of the Board.

**F. Discussions.** The Chair may take part in any discussion of any matter before the Board.

### **IV. AGENDA.**

**A. Agenda Required.** The Board shall establish its order of business for each meeting in the form of an agenda. So long as it is consistent with the applicable Open Meetings Resolution, the Board may provide notice of a meeting by publishing only a copy of the agenda.

Any member of the Board may request in writing that the Executive Director place an item on the agenda.

**B. Items to be Included On the Agenda.**

**1. Regular Meetings.** The Agenda for each Regular Meeting of the Board must include the following items (additional items may be included as necessary):

- a. Call to Order;
- b. Roll Call;
- c. Introductions;
- d. Approval of the Agenda;
- e. Approval of the Minutes;
- f. Matters of Public Concern;
- g. Matters from the Board;
- h. Action and information items for Board consideration and possible action;
- i. Matters from the staff;
- j. Executive Session (if necessary); and
- k. Adjournment.

**2. Special and Emergency Meetings.** The Agenda for each Special Meeting or Emergency Meeting must include the following items:

- a. Call to Order;
- b. Roll Call;
- c. Approval of the Agenda;
- d. Any action or informational item that is the subject of the meeting; and
- e. Adjournment.

**3. Closed Executive Session.** The Agenda for each meeting that includes a closed executive session (or the agenda for a meeting following a closed executive session that was not open to the public) shall include the authority for the closure and the subject to be discussed with reasonable specificity.

**C. Specificity.** The agenda shall specifically state the business for which the meeting is convened so that the Board or committee and the general public will have notice of the proposed action and will have an opportunity to consider it.

**D. Action Items.** The agenda shall clearly identify each action item. An action item is one which requires a vote of approval or denial. The Board or a committee to which these rules apply may only act on those subjects listed on the agenda that are designated for action.

**V. MOTIONS**

**A. Definition.** A motion is a proposal on which a Board may take formal action or which expresses itself as holding certain views.

## **B. Procedure for Passing a Motion.**

**1. Necessity of a Motion.** Before any action may be taken by a Board on an item that the agenda has identified as requiring action, a motion must be made by a member who has obtained the floor.

**2. Addressing the Chair.** A member obtains the floor by addressing the chair and then asking to be recognized.

**3. Making a Motion.** After the chair recognizes the member, the member may state his/her request for action in the form of a motion.

**4. Seconding.** After a motion is made, the chair shall call for a second. A motion may be seconded by a member saying, "I second the motion." Every motion must be seconded before any further action can take place. A motion that is not seconded cannot be discussed or voted upon. If a motion is not seconded, the chair then states that the motion "dies for lack of a second."

**5. Stating a Question and Debate.** After a motion has been seconded, the chair shall restate the exact motion or refer to the motion as stated by a member and shall ask if there is any debate on the motion. Debate shall be limited to the motion on the floor. If a member wishes to comment on the motion, the member shall ask to be recognized by the chair. During such debate, the chair or a member may question the staff, the applicant, or a witness for information. Unless specifically requested by a member, no other public input from the floor shall be allowed.

**6. Parliamentary Motions.** While a motion is on the floor, the chair may entertain a secondary motion to amend the pending motion. There are two methods to amend a motion on the floor.

**a. Friendly Amendment.** Under a friendly amendment, a recognized member asks the maker and the second of a motion to change the motion in some way. If the maker of the motion and the second both agree, the motion for consideration is then changed and restated.

**b. Secondary Motion.** A recognized member may make a secondary motion to amend the motion on the floor. Such secondary motions must be seconded and resolved by vote before discussion of the primary motion may continue. All secondary motions shall be non-debatable and a secondary motion that has been properly seconded and that is otherwise in order shall be voted on before consideration of any pending motion. Secondary motions include:

- i. a motion to adjourn;
- ii. a motion to table;
- iii. a motion to limit, extend or end debate; and
- iv. a motion to call the question, provided that the chair shall have the discretion to allow or disallow such a motion to be made.

**7. Ending Debate and Voting.** When debate has ended, the chair or a member shall restate the exact motion, as amended, calling upon the recording secretary, if necessary. The chair then calls for the affirmative and then the negative votes (and, if applicable, any abstentions). Each member's vote shall be recorded. The chair then announces the vote. A simple majority of the members present shall be necessary to pass a motion, except as otherwise provided by law. If a vote results in a tie and one or more members are absent for a reason other than voluntary or involuntary disqualification, the item shall be tabled until the next meeting at which a greater number of members are present, or a special or emergency meeting if necessary. If the vote results in a tie as a result of a voluntary or involuntary disqualification, the motion is lost.

**8. Motions to Reconsider.** A motion to reconsider may be made to reconsider any matter on which the Board has previously taken formal action. A motion to reconsider formal action taken during a regular meeting shall be made at the next regular meeting of the Board. A motion to reconsider formal action taken during a special meeting shall be in order only when it is made no later than the next regular meeting. A motion to reconsider shall be in order only when it is made by a member who voted with the prevailing side on the matter to be reconsidered, and a vote on a motion to reconsider shall only be made when the matter is placed on the agenda for reconsideration. A motion to reconsider is not in order on any question that has been reconsidered previously. Votes on the following matters may not be reconsidered: Motions to Adjourn, a Motion to Table, a Motion to Take a Recess, a Motion to Reconsider, a Motion to Approve the Agenda, and a Motion to Amend the Rules of Order. A motion to reconsider shall not be made and shall not be in order if made before any Board other than the Santa Fe County Housing Authority Board.

**9. Improper Motions.** No motion shall be allowed that conflicts with these Rules. No motion can suspend the Rules contained in Section V.

## **VI. ADJOURNMENT**

A meeting of the Board continues until terminated by motion and order of adjournment. The Chair cannot arbitrarily adjourn a meeting. The adjournment may be approved in accordance with the procedures for motions described in Section V herein. If an adjournment is voted and approved, no further business can be transacted.

## **VII. MISCELLANEOUS PROVISIONS**

**A. Voting by Members.** A member must either be physically present at a vote, or if it is difficult or impossible for a member to attend the meeting in person, the member may vote from a location outside the meeting place if the member is able to participate fully in the meeting by use of audio equipment that allows the member to be identified when speaking, allows the member to hear all persons at the meeting, and allows all persons at the meeting to hear that member. Members may not vote absentee or by proxy. A member need not be present at discussion, debate or testimony on the matter taken for vote.

SFC CLERK RECORDED 06/27/2012

**B. Suspension or Amendment of Rules.** The rules stated in this Resolution may only be suspended or amended by a majority vote of the Board at a public meeting except as provided in Section V(B)(8).

**C. Conflict of Interest.** No member may take part in any deliberation, testimony or vote on any matter in which such member or an immediate family member has a financial interest, either direct or indirect, in the outcome of the proceeding.

**D. Question of Order.** Only a member may invoke a question of order. A question of order maybe be invoked for the purpose of calling to the chair's attention that a rule of procedure is being violated. A question of order takes precedence over any pending matter, even interrupting a speaker. The question of order must be decided by the chair alone, who can ask advice of others before rendering the decision. If the chair is still in doubt after receiving such advice, the question may be presented to the board or committee for a vote.

**E. Interpretation of Rules.** If there is a question regarding the interpretation of any of these Rules or if a matter arises that is not addressed by these Rules, the chair, in consultation with the County Attorney, shall make a determination on the matter.

**F. Removal from Board or Committee.** The Board of County Commissioners may remove a member of the Board in accordance with NMSA 1978, Section 3-45-7.

APPROVED, ADOPTED AND PASSED, this 26 day of JUNE, 2012.

**THE SANTA FE COUNTY HOUSING AUTHORITY BOARD**

By: *Liz Stefanics*  
Liz Stefanics, Chair

ATTEST:

By: *Valerie Espinoza*  
Valerie Espinoza, Clerk



APPROVED AS TO FORM:

By: *Stephen C. Ross*  
Stephen C. Ross, County Attorney

COUNTY OF SANTA FE ) HOUSING RESOLUTION  
STATE OF NEW MEXICO ) ss PAGES: 6

I Hereby Certify That This Instrument Was Filed for  
Record On The 27TH Day Of June, 2012 at 10:43:39 AM  
And Was Duly Recorded as Instrument # 1673507  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Valerie Espinoza  
Deputy *Marcella Kalkas* County Clerk, Santa Fe, NM



SFC CLERK RECORDED 06/27/2012