

NOTICE OF ORDINANCE

NOTICE IS HEREBY GIVEN that on the 5th day of November, 2018, at its meeting at 6:00 p.m., in the City Commission Chamber at City Hall, 1st Floor Annex, 200 East Broadway, Hobbs, New Mexico, the governing body of the City of Hobbs proposes to adopt an ordinance amending Chapter 2.04 of the Hobbs Municipal Code. A summary of the proposed ordinance is contained in its title and is further described as follows:

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2.04 OF THE HOBBS CITY CODE RELATED TO THE CITY COMMISSION AND MAYOR

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that the following section of Chapter 2.04 of the Hobbs Municipal Code are hereby amended to read as follows:

Chapter 2.04 CITY COMMISSION AND MAYOR RULES

2.04.060 - Rules of procedure—Other matters.

Article I - General Provisions

F. Duties of the Presiding Officer.

1. Mayor Responsibilities.

- a. The Mayor is the presiding officer of all meetings of the City Commission, both regular and special. The Mayor shall preserve order and decorum and have general direction of the Commission Chambers.
- b. Announce the business before the body in the order in which it is to be acted upon.
- c. Recognize the speakers entitled to the floor and guide and direct the proceedings of the body.
- d. Call for public input ~~on agenda items.~~
- e. Decide all points of order, subject to appeal, unless he or she prefers to submit the point to the decision of the Commission.
- f. Put to vote all questions which are regularly moved or otherwise arise in the course of the proceedings; the Mayor has the same right to vote and participate as a Commissioner.
- g. In accordance with the Municipal Charter, the Commission shall elect from its membership at its first meeting following the regular municipal election a standing Mayor Pro Tempore who, in the absence of the Mayor, upon the Mayor's inability to act, or upon the request of the Mayor, shall preside and shall have all the powers and authority of the Mayor.
- h. In the absence of the Mayor or the Mayor Pro Tem, a temporary presiding officer may be appointed from the remaining Commissioners, who shall serve and act with full authority and power of the Mayor for and during the tenure of the meeting for which he or she is appointed.

Article II - Meeting Procedures

A. Order of Business.

1. The order of business shall be conducted as follows, provided that the presiding officer may rearrange items to conduct business more efficiently:
 - a. Call to Order and Roll Call;
 - b. Invocation and Pledge of Allegiance;
 - c. Approval of Minutes;
 - d. Proclamation and Awards of Merit;
 - e. Public Comments ~~(Regarding Non-Agenda Items)~~;
 - f. Consent Agenda. (To be used only for routine, ministerial items when the agenda is lengthy.) The consent agenda is approved by a single motion. Any member of the Commission may request an item to be transferred to the regular agenda from the consent agenda without discussion or vote;
 - g. Discussion;
 - h. Action Items (Ordinances, Resolutions, Public Hearings);
 - i. Comments by City Commissioners, City Manager;
 - j. Adjournment—Motion, Second, Vote.

B. Rules of Order.

1. Debate. Debate is the essential feature of a legislative body. It is the means by which the opinions of members are exchanged, questions deliberated and conclusions reached on the business before the body.
 - a. To Permit Debate. There must be a debatable question before the body, and one (1) member must have been recognized as entitled to speak.
 - b. Time Limits. The presiding officer may set time limits in debate, including a time limit on members and public input.
 - c. Call the Question (Previous Question). Debate may be closed by calling the question. If there is no objection, the presiding officer shall immediately call the question; otherwise a second and subsequent vote is needed to close debate. A call for the question is not debatable.
2. Voting.
 - a. Each member in attendance must vote for or against all measures before the body unless there is a stated and disclosed conflict of interest, for which abstention is allowed.
 - b. Except for "show of hands" procedural matters, so declared by the presiding officer, voting shall be by simultaneous electronic voting equipment. For audio recording purposes, the presiding officer will announce the voting results at the end of each vote. Each member's vote shall be recorded in the minutes. In the event of an equipment malfunction, voting shall be by roll call. Roll call votes shall be at random, but the presiding officer shall vote last.
3. Decorum.
 - a. All remarks shall be addressed through the presiding officer.
 - b. Members shall confine their remarks to the question under discussion or debate, avoiding personal references or attacks on fellow members, staff members or members of the public. No member of the governing body shall engage in private discourse or commit any other act tending to distract the attention of the governing body from the business before it.
 - c. A member of the governing body or public who resorts to persistent irrelevance or persistent repetition may be directed to discontinue his or her speech by the presiding officer.

- d. Point of Order. A member may call attention to the violation of the rules or a mistake in procedure by claiming a point of order. The presiding officer may permit a full explanation before ruling on the claim and may submit the question to the governing body for decision by a majority vote. The presiding officer is not required to decide any point of order not directly presented in the proceedings of the body.
- e. Question of Privilege. Questions of privilege do not relate to pending business but concern special matters of immediate and overriding importance which should be allowed to interrupt the consideration of any other matter. The presiding officer makes all rulings as to whether a request for privilege is granted.

4. Public Comment.

- a. Persons Addressing the Commission in an Open Meeting. Each person who addresses the Commission shall not make disruptive comments which include, but are not limited to, personal attacks, threatening remarks, repetitive remarks, slanderous remarks, derogatory remarks, profane remarks, or other comments or acts that disrupt the proceedings.
- b. Warning and Redress. Pursuant to Article I(F)(1)(a) herein, the presiding officer shall preserve order and decorum in the proceedings. As such, the presiding officer shall request that a person who is disrupting the proceedings cease disruption. If, after receiving a warning from the presiding officer, a person persists in disrupting the proceedings, the presiding officer shall order the person to leave the Commission meeting.
- c. Time limits. Pursuant to Article II(B)(1)(b), the presiding officer may set time limits on public comment. The period of time allotted for public comment shall not exceed a maximum of 30 minutes in the aggregate, unless a majority of Commissioners vote to extend the time. Each speaker shall be afforded the same amount of time, set by the presiding officer, within the aggregate time allotted.
- d. Prior registration required. In order to maximize efficiency and preserve decorum, each member of the public wishing to provide public comment before the Commission shall register to do so by signing the Public Comment Registration Form, located in the Commission Chambers, prior to commencement of the meeting in which they wish to speak. The presiding officer shall have the authority to call for further public input at any time during the meeting. This section shall be exclusive from the process for Article III – Public Hearings.

A full version of the proposed ordinance in its entirety is available to interested persons during regular business hours in the Office of the City Clerk, City Hall, 200 East Broadway, Hobbs, New Mexico. The ordinance is also available for viewing online at www.hobbsnm.org.

/s/Jan Fletcher
Jan Fletcher, City Clerk