



City of Las Vegas

1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov

Mayor David Romero

**CITY OF LAS VEGAS
CHARTER COMMISSION MEETING
October 2, 2024–Wednesday– 1:30 p.m.
City Chambers
1700 N. Grand Avenue
Las Vegas, NM 87701**

AGENDA

*City Charter Commission Meetings are
Available via YouTube*

https://www.youtube.com/channel/UCNGDVGRRAL0qVevel5JYeRw?view_as=subscriber

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **MOMENT OF SILENCE**
- V. **APPROVAL OF AGENDA**
- VI. **PUBLIC INPUT (comments limited to topics on current agenda; not to exceed 3 minutes per person and individuals must sign up at least fifteen (15) minutes prior to meeting.)**
- VII. **WELCOME/INTRODUCTION BY MAYOR DAVID ROMERO**
- VIII. **DISCUSSION**
 1. Bylaws
- IX. **NEW BUSINESS**
 1. Election of a Chairperson and Vice Chairperson
 2. Determine future dates for Charter Commission Meetings

David Ulibarri
Councilor Ward I

Michael Montoya
Councilor Ward 2

Barbara Casey
Councilor Ward 3

Marvin Martinez
Councilor Ward 4

X . ADJOURN

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office prior to the meeting so that arrangements may be made.

ATTENTION PERSONS ATTENDING COUNCIL MEETING: By entering the County Chambers you consent to photography, audio recording, video recording and its/their use for inclusion on the City of Las Vegas website and to be broadcast on YouTube.

NOTE: A final agenda will be posted 72 hours prior to the meeting. Copies of the Agenda may be obtained from Utilities, Office of the City Clerk, 905 12th Street, Las Vegas, NM 87701 or the City's website at www.lasvegasnm.gov



CHARTER COMMISSION BYLAWS AND RULES OF PROCEDURE

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ARTICLE I. NAME.

The official name shall be the Charter Commission.

ARTICLE II. CREATION.

The Charter Commission is created by the City of Las Vegas Governing Body.

ARTICLE III. MISSION STATEMENT AND PURPOSE.

The function of the Commission shall be to serve at the pleasure of the Governing Body and shall assume whatever specific tasks are assigned to the Commission by the Governing Body.

In order that the function, duties and responsibilities of the Charter Commission may be carried out in an orderly, consistent and transparent way, the following bylaws and rules of procedure are adopted.

ARTICLE IV. APPOINTMENT AND MEMBERSHIP.

The Commission shall consist of the following:

1. Seven (7) members; all of which shall be appointed by the Mayor and subject to approval by the Council.
2. Regular members of boards and commissions shall be residents of the City except as otherwise provided herein.

3. Each board and commission shall have one (1) member appointed from each Council ward.
4. No member of the Governing Body, nor any appointed official or employee, shall serve on any board or commission except as a non-voting ex-officio member. The Governing Body may provide for such ex-officio members by ordinance as it deems appropriate.

ARTICLE V. TERMS OF SERVICE.

1. Terms of office for regular members of boards and commissions shall be four (4) years, staggered as provided herein.
2. At the first meeting the board shall determine by lot which of its members shall serve for two (2) years and which shall serve for four (4) years, with the two categories achieving equal numbers as nearly as possible.
3. The Mayor shall make appointments every two (2) years, subject to Council approval as provided herein, for the positions whose terms have expired.

ARTICLE VI. REMOVAL OR VACANCIES.

1. Except as otherwise provided by ordinance, any and all members of boards and commissions serve at the pleasure of the Governing Body and may be removed by the Mayor with approval of the Council, or by a majority of all of the members of the Council.
2. A board or commission may recommend to the Governing Body that it remove a member of that board or commission upon the occurrence of three (3) unexcused absences or other justifiable cause.
3. Other members of the board or commission may be appointed at-large from within the city limits, provided, that the Governing Body shall endeavor to achieve equal representation among districts. Non-residents may be considered for the at-large positions.
4. The Mayor shall appoint a replacement member to any board or commission within twenty (20) days of notification to the Governing Body of a vacancy.

ARTICLE VII. ELECTION OF OFFICERS, DUTIES AND POWERS.

1. The officers of the Commission shall consist of a Chairperson and Vice Chairperson elected from the appointed members of the Commission and such other officers as the Commission and such other officers as the Commission may, by majority vote, approve and appoint from among those confirmed by the Governing Body.
2. Election of Officers shall take place at the annual meeting or the first regular meeting thereafter when new members are seated on the Commission. The term of office for each officer shall run until the subsequent election.
3. Vacancy of an office caused by resignation or removal of any officer of the Board during his or her term of office shall be replaced by a member appointed by the Mayor within twenty (20) days of notification to the Governing Body of a vacancy.
4. Officers and Members.

A. The Chairperson shall preside over the meetings of the Commission and exercise all the powers usually incident to the office.

B. The Vice Chairperson shall, in the absence of the Chairperson, perform all the duties incumbent upon the Chairperson. The Chairperson and Vice Chairperson both being absent, the members present may elect for the meeting a temporary Chairperson who shall have the full power of the Commission during the absence of the Chairperson and Vice Chairperson.

C. The secretary or City representative shall keep a written record of all business transacted by the Commission, notify all members of all meetings, keep on file all official records of the Commission, and be responsible for serving legal notice of all public hearings. The minutes shall include, as a minimum, the date, time and place of the meeting, the names of the members, the names of the members in attendance and those absent, the substance of the proposals considered and a record of any decisions and notes taken which show how each member voted. All minutes will be open to public inspection. Draft minutes shall be prepared within ten (10) working days after the meeting. Minutes shall not become official until approved by the Commission.

D. Ex-Officio (non-voting) members: no member of the Governing Body, nor any appointed official or employee, shall serve on any board or commission except as non-voting ex-officio member. The Governing Body may provide for such ex-officio members by ordinance as it deems appropriate.

5. The Charter Commission shall exercise such powers and duties as are delegated to it by the Governing Body.
6. The Commission shall annually prepare and deliver a report of its activities and recommendations at a meeting of the Governing Body or as otherwise requested by the Governing Body.

ARTICLE VIII. QUORUM.

1. A quorum of any board or commission shall be a simple majority of all appointed members. Each board and commission shall annually adopt a resolution requiring compliance with the provisions of the New Mexico Open Meetings Act.
2. The Commission shall conduct no business unless a quorum of its membership is present at the meeting. With a quorum present, the business of the Commission shall be transacted by a majority vote of the members present and voting.
3. All votes taken by the Commission shall be by voice, roll call, or machine vote, if available, at the discretion of the Chairperson.

ARTICLE IX. MEETINGS.

1. Regular Meetings: The regular meetings of the Commission will be held at a time approved by majority vote of all Commission members. All meetings will be held at the Las Vegas Council Chambers, City Hall, 1700 North Grand Avenue, Las Vegas, New Mexico, unless otherwise directed by the Charter Commission Chairperson. All meetings shall be open to the public.
2. Special Meetings: Special meetings shall be at the call of the Chairperson or by request of at least a majority of the Commission Members.

3. Annual Meeting: The annual meeting will be the first regular meeting in January.
4. All regular and special meetings shall be in conformance with the "Open Meetings Act" (NMSA 10-15-1 to 10-15-4).
5. If no matters over which the Charter Commission has jurisdiction are pending for the next regularly scheduled meeting, a meeting may be canceled by notice given by the Chairperson.
6. Except as modified by these rules of procedure, the latest edition of Robert's Rules of Order (as interpreted by the Chairperson) shall govern the conduct of all Commission meetings.
7. It is unethical and contrary to law for Commission members to discuss any of the issues on the agenda amongst themselves or with others, outside of and prior to the public meeting.

ARTICLE X. CONFLICT OF INTEREST.

1. Any member of the authority having a financial interest or other possible interest ("immediate family member involvement") in the outcome of any policy, decision or determination, shall disclose the existence of said potential conflict, and this disclosure shall be recorded in the written minutes of the Commission. Chairperson will then excuse the member(s) with a potential conflict from sitting in on any discussion, voting or in any way influencing the outcome of the matter. Member(s) shall leave his or her chair until decisions have been made and voted on. This disclosure shall be made before any discussion or the taking of any vote on the issue in which the Commission member has a financial interest or other potential conflict of interest. Thereafter, said Commission member shall disqualify himself or herself from any official act in regard to the policy, decision, or determination.

Immediate family members could be restricted to spouse, parents, brothers, sisters and children.

ARTICLE XI. ORDER OF BUSINESS.

1. Agendas shall be prepared for each meeting consisting of the following order of business:
 - a. Call to Order
 - b. Roll Call
 - c. Approval of Minutes
 - d. Public Hearings
 - e. Unfinished Business
 - f. New Business
 - g. Miscellaneous
 - h. Adjournment
2. At the conclusion of the presentation of the item before the Board by the Administrator the Chairperson will open the public hearing and will conduct the hearing as follows:
 - a. In all cases dealing with property issues, all persons (witnesses who wish to speak for or against the issue will have to be sworn in). The sworn in procedure is as follows: The Chairperson of the Board asks that all persons who are going to testify (speak) either for or against the issue must stand up or raise their right hand. The Chairperson (herself or

himself) must also stand up. All persons wishing to speak in favor of the matter before the Commission shall be asked to speak first, and all persons wishing to speak against the proposal shall be asked to speak second. After they all stand and raise their right hand, the Chairperson states:

“Do you solemnly swear that the testimony that you are about to give in this matter shall be the truth, the whole truth and nothing but the truth, so help you God”

The witnesses should then state ***“YES”*** and they are then considered sworn in. At the time they come up to the podium to speak, they should state their name and address for the record. The Commission should also allow all parties to question (*cross examine*) each other if they so desire. (*All the above is in keeping with the due process which must be afforded to all individuals in these types of cases*).

Prior to the conclusion of the public hearing portion of the meeting, the Chairperson shall ask staff if any written comments have been received and read verbatim or to summarize those comments.

- b. All comments shall be directed to the Chairperson. Public comments shall be kept on the subject. The Chairperson is charged with the responsibility of discouraging and stopping any irrelevant and unnecessarily long, repetitive, or abusive comments. If a large number of people wish to give comment, the Chairperson may limit the length of initial comment. Time permitted, additional opportunity will be provided for additional public comment after everyone who desires to speak has had an opportunity.
- c. The Chairperson shall not allow the audience to interrupt public comment.
- d. All comments and questions shall be directed to the Chairperson.
- e. If written comments or petitions are made, a copy shall be presented to the Chairperson.
- f. Upon completion of the public hearing portion of the meeting, the Chairperson will close the public hearing and the Commission will continue discussion on the matter before them.
- g. At any time after the Chairperson has closed the public hearing, any member of the Commission may make a motion to approve, deny, table or postpone the matter. A motion is always introduced in the following form: ***“I move that”***, followed by a statement of the proposal. Most important in the statement findings of fact supporting the motion. Aside from very brief explanatory remarks, it is **not** seconded. All discussion must wait until after the Chairperson has stated the motion to the assembly and has called for discussion.
- h. Another member may say ***“I second the motion”***. Seconding a motion is merely an indication that the member seconding it wishes the motion to come before the Commission for consideration. If no one seconds the motion, the Chairperson may declare, ***“The motion fails for want of a second”***.
- i. When a motion has been properly proposed and seconded, any member has a right to discuss it. Discussion must be confined to the question that is before the Commission.
- j. When all members who desire to discuss the question have done so, the Chairperson puts the motion to a vote. Any member may also ***“call for the question”*** which immediately ceases discussion and puts the motion to vote.
 1. Voting will be by voice vote, roll call, or machine, (if available) as determined by the Chairperson.

2. Regular agenda items will follow essentially the same procedure with the exception of the public hearing portion.

ARTICLE XII. PETITIONS AND APPLICATIONS.

Petitions and applications for formal action by the Commission will be accepted by the Commission only after said request has been properly filed with the City Clerk and after specific direction given by the Governing Body. Upon submittal to the City Clerk, the application and/or materials will be examined to ensure that they are complete and accurate before acceptance.

ARTICLE XIII. AMENDMENTS TO BYLAWS.

These bylaws may be amended or altered by the Commission with a majority vote at any regular or special meeting with a quorum present. The proposed amendment must be submitted by electronic mail or postmarked for U.S. mail at least fourteen (14) days prior to the meeting. No amendment to these bylaws shall operate to increase the power, authority or scope of this Commission, or to exempt or otherwise affect this Commission's sole purpose of serving at the discretion of the Governing Body.

ARTICLE XIV. PARLIAMENTARY PRACTICES.

Except as otherwise specifically provided in these bylaws, all questions of order or procedure with respect to any meeting or action of this Commission, its Executive Committee or any committee appointed hereunder shall be determined in accordance with Robert's Rules of Order, newly revised, as revised from time to time.

DONE THIS _____ DAY OF _____, 2024.

Charter Commission Chairperson

Attest:

Charter Commission Officer