

# ESTANCIA WATER BASIN PLANNING COMMITTEE

## RULES OF CONDUCT

**Adopted February 13, 2020**

The Estancia Basin Water Planning Committee (EBWPC, the Committee) was founded by a tri-county Memorandum of Understanding adopted on the following dates:

Santa Fe County	7-11-95
Bernalillo County	8-21-95
Torrance County	8-23-95

Section 3, Paragraph B, of the MOU indicates that the committee is to “Establish its own rules of conduct for purposes of holding public meetings and maintaining an active membership.” Additional responsibilities are outlined in Section 3 of the MOU are addressed as appropriate in these Rules of Conducts through the assignment of responsibilities and duties.

These Rules of Conduct have been adopted in accordance with the MOU to promote public participation in orderly public meetings, maintain active membership, and for the stated purposes of Section 3 of the MOU as it pertains to the conduct of the Committees affairs and responsibilities.

### ***Section 1. Committee Meetings***

A. Meetings of the EBWPC shall be held in accordance with an annually adopted Open Meetings Act Resolution. All meetings will be open to the public.

B. Written or printed notice stating the place, day, and hour of all meeting dates shall be provided to all committee members and shall be posted and published either electronically or in hard copy so as to comply with the Open Meeting Act Resolution.

C. In general, Roberts Rules of Order shall be used for conducting the meetings, and shall be strictly used if so requested by a voting member as a point of order or as needed to otherwise ensure orderly conduct of the meeting.

D. Although the founding MOU established 13 voting members for the Committee, there are protracted periods where the appointed positions remain unfilled. In many cases, this prevents business being conducted due to lack of a quorum based on a 13 voting member committee. The Committee hereby adopts a definition of “quorum” as:

“a simple majority of the filled voting committee member positions identified in the founding MOU”

Vacant positions shall not be counted in the basis for determining a quorum present at a meeting, and the number of members present to constitute a quorum may fluctuate from meeting date to meeting date based on the number of voting member positions that remain unfilled.

E. If less than a quorum is present at a meeting, the meeting shall not be called to order as a committee of the whole, but may be convened as a subcommittee for the purpose of making recommendations on the agenda to the committee of the whole, or may be adjourned without further notice.

F. In order to encourage public participation, the meetings will be conducted in such a manner to provide any person residing in the Estancia Water Basin or anyone having a concern about the basin, the opportunity to present their viewpoints. At each meeting there will be time specifically allocated for public input. No prior notice of intent to address the committee, or of the subject matter to be addressed, will be required.

G. At the discretion of the Chair, guests and members of the public may also be invited to discuss agenda topics with the committee if the Chair deems that such input would benefit the committee and/or best facilitate conducting an orderly meeting. At the discretion of the Chair, such input need not be strictly limited to the public input period.

## ***Section 2. Formation of Ad Hoc Committees, Working Groups, and Appointment of Special Representatives***

A. Consistent with Section 3.0 Committee Responsibilities (B.) the Committee may, as needed, form subcommittees, ad hoc committees, working groups, or other such groups, and/or designate special representatives of the Committee to promote and participate in water resource planning activities affecting the Estancia Basin.

B. Such ad hoc committees, working groups, and special appointments will be approved only by a quorum of the committee and may include participants that are or are not voting members of the EBWPC.

C. Such ad hoc committees, working groups, and special appointments do not speak on behalf of the Committee without explicit approval of the Committee, or conduct business and financial transactions on behalf of the Committee.

D. The duties of such appointments extends only to matters of compiling data and information, participating in public forums and meetings, and investigating, and recommending to the committee of the whole, water policies and strategies for consideration, and advising the Committee on such policy and planning matters.

## ***Section 3. Voting Membership***

A. The membership of the committee and the terms of service for voting members was established by the originating MOU and may not be altered without formal amendment of the MOU.

B. For purposes of the committee, a previously appointed voting member who's term has expired, may at their own discretion and with approval of the committee, continue as a voting member of the committee until such time as the member agency appoints or reappoints a replacement or until the member agency declares the position vacant. Such a continuation of term of service should be voted upon and approved by a quorum of the Committee.

C. Individual member agencies may impose and enforce such restrictions on consecutive terms of service or extension of terms of service as it deems appropriate, and may enforce such conditions through its ability to appoint and/or remove its appointed voting member and/or to declare the position vacant. Such actions shall take precedence over the decisions of the Committee

D. Should an appointed voting member fail to attend three consecutive meetings, the Chair shall notify the respective appointing agency regarding the absences and a possible replacement of the voting member. Absences excused by the Chair and so noted in the minutes shall not be counted as a failure to attend a meeting.

E. The Chair shall advise the member agencies of expiring terms of its voting members in a timely manner. No later than the June meeting of each calendar year, the Chair shall provide written notification to member agencies of existing vacancies on the Committee and of expiring voting member terms that may occur prior to July 30<sup>th</sup> of the current calendar year. The Chair shall request such positions be filled no later than August 1st of the current calendar year.

#### **Section 4. Officers and Duties**

A. Each August, an election will be held within the Committee for electing a Chair, Vice Chair, and a Secretary/Treasurer. This election shall occur only after all members agencies have been advised of existing and upcoming vacancies.

B. Elected positions may serve multiple consecutive terms in that position if so elected annually by a quorum of the Committee.

C. The following duties for offices are hereby established.

##### **Duties of the Chair:**

- Set the agenda for Committee meetings
- Conduct all meetings of the committee, and establish and mediate rules for the conduct of the meetings.
- In the event of a tie vote during a committee meeting, may cast the deciding vote.
- Excuse members from meeting attendance as warranted.
- Subject to Committee approval, make appointments to ad hoc committees, subcommittees, and to other water planning committees and organizations. Such appointments are not restricted to members of the committee, though such appointments from the voting members of the Committee is generally preferable.
- Serve as the primary signatory for the Committee for administrative matters such as minutes of meetings, MOUs, and contracts.
- Serve as spokesperson for the committee to outside state and local agencies and governments.
- Serve as liaison between the Committee and member agencies. This shall include ensuring preparation and submittal of an annual report and funding request to the member agencies, and specifically to the County Commissions of Bernalillo, Santa Fe, and Tarrant Counties.
- Ensure periodic reporting of the Committee's activities to the Mid-Region Council of Governments for maintaining regional coordination and cooperation in water resource planning and management. This may occur either directly or through a designated voting member authorized to speak on behalf of the Committee.

### **Duties of Vice Chairman:**

- Conduct meetings in the absence of the Chair.
- Track and maintain a current voting membership roster and advise the Chair in a timely manner of upcoming vacancies.
- Ensure that the Secretary/Treasurer is providing timely and required notifications of meetings as provided in the Open Meetings Resolution.
- Periodically review and ensure accuracy of financial matters of the Committee in conjunction with the Secretary/Treasurer and the designated Fiscal Agent for the Committee
- Serve as signatory for the Committee in the absence/unavailability of the Chair.
- Assist the Chair with all matters of the committee

### **Duties of Secretary/Treasurer**

- Prepare and publish meeting notices, agendas, and minutes of each meeting as required in the Open Meeting Resolution either personally or through a Committee-approved designee such as a Recorder or Administrative Assistant.
- If unable to attend a meeting, designate a replacement to record the minutes.
- Serve as the primary point-of-contact for the Committee's Fiscal Agent
- In coordination with the designated Fiscal Agent, prepare a timely financial report for each regular meeting and ensure timely submittal and payment of invoices and receipts of the Committee.
- As needed and approved by e-mail record from the Chair or Vice Chair, provide signature for approval of invoices to the Fiscal Agent to ensure timely processing and payment of contractors of the committee between meetings. Such activities shall be noted in bi-monthly fiscal report. If possible, such invoices should be approved by the Committee prior to submittal, and at a minimum, copies of signed approvals will be provided in the bi-monthly financial report.
- Assist the Vice Chair in membership matters, including but not limited to maintaining an attendance roster for meetings.
- Maintain the records of the Committee.

## ***Section 5. Financial and Administrative Records Management***

A. Through approval of an MOU or other similar instrument, the Committee shall designate a Fiscal Agent to conduct the financial business of the Committee. The approval shall allow the Fiscal Agent to receive payments, make payments, and otherwise conduct the financial affairs of the Committee. The Fiscal Agent will work in conjunction with the Secretary/Treasurer of the Committee to ensure financial matters of the Committee are properly and timely addressed.

B. Through approval of an MOU, the Committee shall designate a Records Custodian. The founding MOU designates only that the data and information on water resources be maintained

in a library at the Torrance County Courthouse. The Secretary/Treasurer shall be the designated Records Liaison for the Committee.

C. Wherever possible, the Committee's records shall be maintained in electronic copy and shall be maintained in a manner similar to those maintained by the Records Custodian.

State records retention schedules will be used for maintenance of the Committee's records.