



ALBUQUERQUE HOUSING AUTHORITY

"Improving quality of life through housing opportunities"

**Rules of Conduct
of the
Board of Housing Commissioners
of the
Albuquerque Housing Authority**

2013 Revised Edition

Article I. Meetings

Section 1. REGULARLY SCHEDULED, SPECIAL AND EMERGENCY MEETINGS. At the first meeting of the Board of Housing Commissioners of the Albuquerque Housing Authority (the "Board") in December of each year, the Board shall adopt a resolution determining the schedule for regularly scheduled meetings and reasonable public notice for regularly scheduled, special and emergency meetings. Meetings are normally held in the Manuel Cordova Conference Room of the Carnis Salisbury Building at the Albuquerque Housing Authority administrative office at 1840 University Boulevard Southeast, Albuquerque, New Mexico 87106.

Section 2. NOTICE. Notice of meetings shall be in accordance with the State of New Mexico Open Meetings Act, §10-15-1 et seq., and the City of Albuquerque Public Boards, Commissions and Committees Ordinance, §2-6-1-4(B)(2) ROA 1994, provided that in no event shall notice be less than the notice required for Albuquerque City Council meetings. Nothing in these rules shall prevent the use of additional means or methods of giving notice of meetings. Nothing in these rules shall require new notice for any meeting for which notice has been given pursuant to these rules and which is recessed, provided that an oral announcement of the date, time and place is made by the Chairperson before such meeting is recessed.

Section 3. MEMBERS OF THE BOARD. Each person who is a member of the Board is referred to in these rules individually as a "Member" and collectively as "Members".

Section 4. QUORUM. A majority of the Members shall constitute a quorum of the Board.

Section 5. ADDRESSING MEETINGS.

A. One or more persons may be invited by the Board to address it on a particular agenda item or for the purposes of a general address.

B. A person, not invited by the Board, wishing to speak before the Board on a particular agenda item or to offer general comments in public shall comply with the requirements set forth in Article III, Section 3.B. of these rules.

Section 6. MINUTES. The Secretary of the Board shall keep the minutes of the Board. Minutes of the Board are public records and shall be subject to inspection by the public.

Section 7. ATTENDANCE. The Members shall attend all meetings of the Board unless excused by the Chairperson.

Section 8. DISTURBING MEETINGS. No person shall disturb a meeting of the Board or behave in a disorderly manner at a meeting of the Board. The Chairperson may order the removal of any person from a meeting room who disturbs a meeting of the Board or who behaves in a disorderly manner at a meeting of the Board.

Section 9. OPEN MEETINGS. All meetings of the Board shall be open to the public unless, for a specifically named and limited purpose, a meeting is scheduled as a closed meeting or an open meeting is called into a closed session.

Section 10. CLOSED MEETINGS. Matters allowed by the New Mexico Open Meetings Act to be closed to the public may be considered by the Board in a closed meeting or a closed session during an

otherwise open meeting, provided that such closed meeting or closed session is held in compliance with public notification procedures. All votes of the Board on an item discussed in a closed meeting or a closed session shall occur in a meeting open to the public.

Article II. Officers and Organization of the Board

Section 1. ELECTION OF THE CHAIRPERSON. At the first meeting of the Board in the month of December each year, the Board shall elect a Member to act as Chairperson of the Board. The Chairperson shall serve at the pleasure of the Board until December 1st of the next year or until the Chairperson's successor has been elected. If there is a vacancy in the office of the Chairperson, an election shall be held at the next regularly scheduled meeting of the Board to fill the vacancy. Election shall require the affirmative majority vote of all the Members.

Section 2. ELECTION OF THE VICE-CHAIRPERSON. At the first meeting of the Board in the month of December of each year, the Board shall elect a Member to act as Vice-Chairperson of the Board. The Vice-Chairperson shall serve at the pleasure of the Board until December 1st of the next year or until the Vice-Chairperson's successor has been elected. If there is a vacancy in the office of the Vice-Chairperson, an election shall be held at the next regularly scheduled meeting of the Board to fill the vacancy. Election shall require the affirmative majority vote of all the Members.

Section 3. POWERS AND DUTIES OF THE CHAIRPERSON AND VICE-CHAIRPERSON.

A. The Chairperson shall possess the following powers and perform the following duties:

1. To receive all formal messages and communications;
2. To approve, and direct dissemination of, the agenda for each meeting of the Board, and to direct the Executive Director to provide for public notice for each meeting of the Board;
3. To call the Board to order, and to conduct business if a quorum is present;
4. To preserve order and decorum during a meeting of the Board, and to have general direction of the location where the Board holds its meetings;
5. To decide all questions of order;
6. To speak to points of order in preference to other Members;
7. To speak, as other Members, on general questions from the chair;
8. To vote, as other Members, upon all questions;
9. To promptly announce the result on the completion of each vote; and
10. To sign, as required, official documents.

B. In the absence of the Chairperson, upon the Chairperson's inability to act or upon request of the Chairperson, the Vice-Chairperson shall preside and shall have all the powers and authority of the Chairperson.

Section 4. EXECUTIVE DIRECTOR.

A. The Board shall appoint an Executive Director to administer the Albuquerque Housing Authority. An appointment shall require the affirmative majority vote of all the Members. The Executive Director shall not be a member of the Board.

B. The Executive Director shall possess the following powers and perform the following duties:

1. To serve as the Executive Director of the Albuquerque Housing Authority, to advise the Board on all matters that are reasonably necessary for the Board to properly carry out its functions and to carry out all policy, budget and operational matters of the Albuquerque Housing Authority;

2. To act as Secretary of the Board and coordinator between the Board and the general management of the Albuquerque Housing Authority;

3. To receive communications and reports from the general management of the Albuquerque Housing Authority, and to organize and summarize all material for proper presentation to the Board;

4. To transmit to the general management of the Albuquerque Housing Authority specific communications or complaints from the Board;

5. To act as the official channel through which shall pass all petitions, protests and complaints by the public addressed to one or more Members and/or the Board;

6. To furnish to each Member prior to each regular meeting of the Board a printed copy of each matter previously referred by the Chairperson;

7. To post or publish all orders, resolutions, notices and agendas which the Chairperson or the Board shall order to be posted or published or as required by law;

8. To keep minutes of the meetings of the Board, specifying in the minutes the names of the Members present at each meeting and the record of all votes;

9. To keep records, convenient for reference, of all resolutions and communications introduced or presented to the Board, together with a complete chronological record of each action by the Board on each resolution and communication; and

10. To appoint one or more designees to possess the powers and perform duties of the Executive Director provided that the Executive Director shall be ultimately responsible for possessing the powers and performing the duties of the Executive Director.

ARTICLE III. Procedures and Order of Business

Section 1. GENERAL RULES. Any matter not covered by these rules shall be governed by Roberts' Rules of Order (latest edition), or, if not covered by Roberts' Rules of Order, by a decision of the Chairperson, subject to the right of appeal to the entire Board.

Section 2. AMENDMENT OF RULES. These rules or any part of these rules may be amended, repealed, altered or rescinded by the affirmative majority vote of all the Members and only after at least

ten (10) day's notice of an intended motion. Such notice shall be presented in writing at a regularly scheduled meeting of the Board.

Section 3. ORDER OF BUSINESS.

A. The Board shall consider business in the following order:

1. Call to Order;
2. Roll Call;
3. Approval of Minutes;
4. Public Comment;
5. Consent Agenda;
6. Resolutions and Communications;
7. Old Business;
8. New Business; and
9. Adjournment.

B. Public Comment: Each person desiring to speak before the Board must register in writing with the Secretary of the Board (or her designee) prior to the consideration of the agenda item. Comments at that point of the meeting must be germane to the agenda item. Commenters shall be limited to speaking once per agenda item. Commenters shall be limited to signing up to speak about no more than three agenda items per meeting. And persons who wish to speak during the general Public Comment period must sign up before the start of the Public Comment period of the meeting. Commenters shall be limited to speaking once during the general Public Comment period. Comments made during this period do not have to be germane to the meeting agenda items. The order of speaking shall follow the order in which each person registers to speak; the first person to register shall be the first person to speak. Each individual speaker may be limited to three (3) minutes to present comments, unless another speaker in line will yield the floor to them, to allow them more time to speak. A person signed up to speak may choose to yield the floor to allow a person ahead of them in line to continue to speak for an additional three (3) minutes, on their behalf, for a total of six (6) minutes. Then their speech may be extended a second time, for a grand total of nine (9) minutes, if an additional person who signed up to speak also decides to again yield all their time (3 minutes per person) to a person signed up to speak. The Board may choose to not engage any speaker in a two way dialog. Comments can also be submitted in writing to the Board at any time via the Secretary to the Board (or her designee). The Board may choose to reply or not reply to any written or verbal comments it receives, and at the time of its own choosing. Restrictions under this section do not apply to the Mayor, the Mayor's designated representative, persons invited by the Board, the Executive Director, or parties to a quasi-judicial hearing or their representatives.

C. The Board may, upon the affirmative majority vote of the Members present at a meeting of the Board, proceed out of order to any order of business or return to any prior order of business.

D. Any business may be placed on the Consent Agenda by the Chairperson if the Chairperson believes that no discussion or amendment is needed. At the beginning of the Consent Agenda, the Chairperson shall ask if Members wish to drop items from the Consent Agenda. Upon the request of any Member, any item shall be removed from the Consent Agenda and placed in its regular part of the agenda. Items remaining on the Consent Agenda shall be affirmatively acted on by one or more non-debatable motions. Items on the Consent Agenda may not be amended or substituted.

Section 4. RESOLUTIONS AND COMMUNICATIONS.

A. Proposed legislation shall be called resolutions.

1. The enacting clause of proposed resolutions shall be: "BE IT RESOLVED BY THE AHA BOARD".

2. Unless otherwise required by these rules or applicable law, if a majority of the Members present at a meeting of the Board vote in favor of adopting a resolution, it is adopted.

3. Any resolution which is not adopted by the Board within one (1) year from the date of its introduction shall be deemed "died on expiration," and no further action shall be taken by the Board on the resolution. Resolutions which are deemed to have "died on expiration" may be reintroduced under a new resolution number.

B. Reports, contracts, agreements and appointments shall be called communications.

1. Reports shall be received by the Board and accepted by a "receipt be noted" motion.

2. Contracts, agreements and appointments shall be adopted by a "be approved" motion.

3. Unless otherwise required by these rules or applicable law, if a majority of the Members present at a meeting of the Board vote in favor of a motion to receive or approve a communication, it is adopted.

4. Any communication which is not adopted by the Board within one (1) year from the date of its introduction shall be deemed "died on expiration," and no further action shall be taken by the Board on the communication.

Section 5. MOTIONS.

A. No motion shall be entertained or debated until announced by the Chairperson, and every motion shall be seconded to be considered for action. When a question is before the Board, only the following additional motions shall be entertained and such motions shall have precedence in the following order:

1. To adjourn;

2. To recess;

3. To reconsider;
4. To table;
5. To move the previous question;
6. To postpone to a certain time (to defer);
7. To amend or substitute; and
8. To postpone indefinitely.

B. A motion to adjourn, to recess or to table may be decided without debate.

C. A motion to adjourn, when no fixed time is set, shall mean an adjournment to the next regularly scheduled meeting of the Board.

D. Moving the previous question must be approved by the affirmative majority vote of Members present at a meeting of the Board, and shall apply to only the immediate pending question. If the Board moves the previous question, it shall be decided without debate and shall not be amended.

E. A motion to postpone to a certain time (to defer) shall be made for a period not to exceed three (3) months.

F. A motion to amend or substitute shall be clearly stated so Members understand the intent of the motion to amend or substitute.

Section 6. DEBATE.

A. Any Member wishing to speak, debate, make a motion, submit a report or conduct other business shall address the Chairperson and shall not proceed further until recognized by the Chairperson. If two or more Members seek recognition at the same time, the Chairperson shall name the one who shall speak first. The Member who sponsors a resolution or motion shall have the privilege of opening and closing debate upon the resolution or motion. A Member may direct an inquiry and receive a response without yielding the floor.

B. No Member shall be permitted to speak more than once on any matter until every Member desiring to be heard has been allowed to speak. No Member shall speak more than a total of five (5) minutes on any matter. No Member shall be interrupted when speaking, nor shall any motion be in order, until that Member has concluded.

Section 7. VOTING.

A. Except for the selection of the Chairperson, the Vice-Chairperson and the Executive Director, all of whom shall be voted on by name, voting shall be in the form of saying “yes”, “no” or “abstain”. Any Member or the Secretary of the Board may request a show of hands from each Member voting. Any action on a question is lost by a tie vote. A record of each Member’s vote shall be entered in the

minutes of each meeting. A Member shall be allowed to change the Member's vote, but only before the result has been announced. A Member may be permitted to explain the Member's vote, but only after the roll call has been completed and the result has been announced. A Member may request to attend a meeting of the Board and vote by telephone or other similar device when a medical or emergency situation exists and/or it is difficult or impossible for the Member to attend the meeting in person. Such voting privilege may take place only upon the approval of the Chairperson and provided that the Member who has been granted such voting privileges can be heard on a device which enables the Board and the public attending the meeting of the Board to determine when the Member is speaking and when the Member is casting a vote.

B. Every Member shall vote on each question, except that any Member who has a private, direct financial interest in any matter pending before the Board shall disclose such private interest and shall be disqualified from participating in any debate, decision or vote relating to the question. Such disclosure shall be entered in the minutes which shall show the Member making such a disclosure as having abstained from participating in any debate, decision or vote relating to the question. The Members shall comply with the City of Albuquerque's Code of Ethics, City Charter, Article XII, and the State of New Mexico's Government Conduct Act, §10-16-1 et seq. NMSA 1978.

Section 8. RECONSIDERATION. Any Member recorded as having voted with the prevailing side on any question may move at the same meeting of the Board to reconsider the question. A motion to reconsider shall require the affirmative majority vote of the Members present at the meeting of the Board.

Section 9. CORRECTIONS TO THE RECORD. Any error in the official record, either substantive or typographic, that is later found shall be corrected at the earliest possible time and returned for official action by the Board at the next regularly scheduled meeting.

Section 10. APPEAL. During a meeting of the Board, an appeal may be made on any decision of the Chairperson, in which event the Member appealing shall state the Member's reasons for the appeal, to which the Chairperson may respond. Such appeals shall be immediately acted upon by the Board and no motion other than a motion to adjourn shall be entertained until the question has been decided. The affirmative majority vote of all Members present at the meeting of the Board shall be required to sustain an appeal.

Section 11. PERSONAL PRIVILEGE. Any Member after recognition by the Chairperson may, as a matter of personal privilege, speak for not more than five (5) minutes upon matters, which may affect the Board, its rights, its dignity and the integrity of its proceedings.

Section 12. DECORUM. The Members or other speakers shall confine their remarks to the question under discussion or debate, avoiding personalities. No Member shall engage in private discourse or commit any other act tending to distract the attention of the Board from the business before the Board.

Section 13. MAINTAINING A QUORUM. If it is necessary for any Member to leave a meeting early, and the Member's departure will result in the Board not having a quorum, the Member shall make the Chairperson aware of such departure as early as possible.

Article IV. SEVERABILITY CLAUSE.

If any section, paragraph, sentence, clause, word or phrase of these Rules is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of these Rules. The AHA Board of Housing Commissioners hereby declares that it would have adopted these Rules and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

Certification: these Rules of Conduct were approved by the adoption of a Resolution by the AHA Board.

PASSED and ADOPTED this 20th day of November 2013.

BY A VOTE OF ___ FOR, AND ___ AGAINST.

Absent: _____

Members voting against: _____

Janet M. McHard, Chairperson
Board of Housing Commissioners

ATTEST:

Linda Bridge, Secretary to the Board
Executive Director