

ORDINANCE NO. 1268

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI (BOARDS AND COMMISSIONS); CHAPTER 12, ARTICLE II, DIVISION 2 (CEMETERY BOARD); CHAPTER 16, ARTICLE II, DIVISION 2 (INCENTIVE REVIEW COMMITTEE); CHAPTER 26, ARTICLE II, (LIBRARY BOARD); CHAPTER 30, ARTICLE II (MUSEUM BOARD); CHAPTER 36, ARTICLE III (PARKS AND RECREATION BOARD); CHAPTER 36, ARTICLE IV (GOLF COURSE BOARD), OF THE TOWN OF SILVER CITY MUNICIPAL CODE, RELATING TO ADVISORY BOARDS, COMMITTEES AND COMMISSIONS OF THE TOWN OF SILVER CITY

Sponsored by: Councilor Lynda D. Aiman-Smith

WHEREAS, the Town of Silver City Municipal Code has provisions for the establishment of various advisory boards, committees and commissions whose duties include providing public input of advice and making recommendations through the Town Manager to the Town Council; and

WHEREAS, in furtherance of the Town Council's desire to provide for the increased efficiency, convenience, and an improved clarification of duties, the Town Council finds that the following amendments to the Town's Municipal Code are necessary and appropriate; and

WHEREAS, the Town Council of the Town of Silver City finds that the amendments to the Town's Municipal Code as made herein are likely to increase effective and satisfying public participation in the named boards, committees and commissions; and

WHEREAS, the Town Council finds that the proposed amendments herein are necessary for the health, safety and welfare of the Town and its inhabitants, and will promote better and more efficient governing;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SILVER CITY, GRANT COUNTY, NEW MEXICO, that:

Chapter 2, Article VI. (BOARDS AND COMMISSIONS) and the sections thereunder are deleted in their entirety.

Chapter 12, Section 12-42 is modified by deleting the phrase in the second sentence which reads “The Board shall meet at least monthly...” and replacing it with the phrase “The Board shall meet at least quarterly and at other times at the call of the chairperson...”

Chapter 12, Section 12-43 is deleted in its entirety and replaced with:

Sec. 12-43. Removal and vacancy.

The Cemetery Board is a working board and absences are discouraged. After three unexcused absences, a Board member will be presumed to have resigned and the chairperson will consult with the Mayor regarding a replacement who shall serve out the term of the resigning member.

Chapter 16, Division 2, Section 16-43 is deleted in its entirety and replaced with:

Section 16-43. Appointments by Mayor.

The Incentive Review Committee is not a standing committee, but will be constituted as needed. The members thereof shall be appointed by the Mayor with the advice and consent of the Council.

Chapter 16, Division 2, Section 16-44 is deleted in its entirety and replaced with:

Sec. 16-44. Terms of office.

Appointments to the Committee shall be made upon the submission of an application for public assistance for an economic development project and shall continue for the duration of the matter presented to it for its consideration and action. Upon completion of the particular matter under consideration, the Committee members shall be discharged upon written notification from the Town Manager. There shall be no limitation upon the number of appointments for which an individual may serve.

Chapter 16, Division 2, Section 16-45 is deleted in its entirety and replaced with:

Sec. 16-45. Election of officers; public records.

The Committee shall elect a chairperson and vice chairperson who shall serve for the duration of the matter under consideration. The Committee shall also designate a secretary who shall keep notes of the meetings of the committee, which shall be public records.

Chapter 16, Division 2, Section 16-46 is deleted in its entirety and replaced with:

Section 16-46. Meetings; removal; quorum.

For the duration of its tenure, the Committee shall hold at least one regular meeting each calendar month, and more frequently at the call of the chairperson once a project participation agreement has been submitted for consideration. The Committee shall adopt rules of procedure for the transaction of its business and keep a record of its resolutions, transactions, findings and determinations. The Committee is a working committee and absences are discouraged. After three unexcused absences, a Committee member will be presumed to have resigned and the chairperson will consult with the Mayor regarding a replacement to serve out the balance of the resigning member's term. Three members will constitute a quorum.

Chapter 26, Article II title is changed from "Library Board" to "Municipal Library Community Advisory Group".

Chapter 26, Article II, Section 26-20 is deleted in its entirety and replaced with the following:

Section 26-20 Created.

There is hereby created a Municipal Library Community Advisory Group.

Chapter 26, Article II, Section 26-21 is hereby deleted and replaced with the following:

Sec. 26-21. Composition and qualifications.

The Municipal Library Community Advisory Group shall be composed of five members who shall be residents of the county, and a majority of the members must be residents of the

town, all of whom shall be appointed by the Mayor with the advice and consent of the Council. Additionally, the Mayor shall appoint one Town Councilor as a non-voting ex-officio representative and the Library Foundation may appoint one member as a non-voting ex-officio representative to the Municipal Library Community Advisory Group.

Chapter 26, Article II, Section 26-22 and its subsections are modified by deleting the phrase “Municipal Library Board” wherever found with the phrase “Municipal Library Community Advisory Group”. Further, subparagraph (2) is amended by deleting the word “public”, with the remaining language unchanged.

Chapter 26, Article II, Section 26-23 is deleted in its entirety, and the successive sections shall be renumbered.

Chapter 26, Article II, Section 26-24 is renumbered to be Section 26-23 and modified by deleting the phrase “Municipal Library Board” wherever found with the phrase “Municipal Library Community Advisory Group”.

Chapter 26, Article II, Section 26-25. is deleted, renumbered as Section 26-24, and replaced with the following:

Sec. 26-24. Meetings; removal; quorum.

The Municipal Library Community Advisory Group shall meet at least quarterly and upon call of the chair at an hour determined by the Group. The Municipal Library Community Advisory Group is a working entity and absences are discouraged. After three unexcused absences, a Group- member will be presumed to have resigned and the chairperson will consult with the Mayor regarding a replacement to serve out the balance of the resigning member’s term. Public notice of meetings shall be in compliance with the New Mexico Open Meetings Act, and its records shall be considered public records under the New Mexico Inspection of Public

Records Act. The Municipal Library Community Advisory Group shall adopt rules of procedure, but no by-laws or other substantive rules shall be permitted. Three voting members shall constitute a quorum.

Chapter 26, Article II, Section 26-26. is deleted in its entirety and following sections are to be renumbered.

Chapter 26, Article II, Section 26-27. is deleted, renumbered and replaced with the following;

Sec. 26-25. Purpose and duties.

The Municipal Library Community Advisory Group shall make itself knowledgeable on matters generally affecting public libraries, and shall be available to respond to the Director with information, analysis, insights and general recommendations designed for the benefit of the municipal library and its community.

Chapter 26, Article II, Section 26-28. is deleted in its entirety.

Chapter 26, Article II, Section 26-29. is deleted in its entirety.

Chapter 30, Article II title is changed from “Museum Board” to “Municipal Museum Community Advisory Group”.

Chapter 30, Article II, Sec. 30-20. is modified as follows:

Sec. 30-20 Created.

There is hereby created in and for the town a Municipal Museum Community Advisory Group.

Chapter 30, Article II, Sec. 30-21 is deleted in its entirety and replaced with:

Sec. 30-21. Purpose and duties.

The Municipal Museum Community Advisory Group shall make itself knowledgeable on matters generally affecting public museums, and shall be available to respond to the Director

with information, analysis, insights and general recommendations designed for the benefit of the municipal museum and its community.

Chapter 30, Article II, Sec. 30-22 is deleted in its entirety and replaced with:

Sec. 30-22. Composition; terms

The Municipal Museum Community Advisory Group shall consist of five members appointed by the Mayor with the Town Council's consent. All the members shall reside in the county, and a majority of the members must be residents of the town. The Mayor shall designate and appoint one member of the Town Council as a non-voting ex-officio representative to the Municipal Museum Community Advisory Group. The chairperson of the Museum Society may designate a member thereof as a non-voting ex-officio representative. Terms of office for Group members shall be three years.

Chapter 30, Article II, Sec. 30-23 is deleted in its entirety and the subsequent sections shall be renumbered.

Chapter 30, Article II, Sec. 30-24 is deleted in its entirety and replaced with:

Sec. 30-23 Election of officers; Rules of procedure.

The Municipal Museum Community Advisory Group shall annually elect a chairperson, vice chairperson and secretary. The Municipal Museum Community Advisory Group shall adopt rules of procedure, but no by-laws or other substantive rules shall be permitted.

Chapter 30, Article II, Sec. 30-25 is deleted in its entirety. (Note to Code Editor: the following amended section will then need to be renumbered as the new Sec. 25.)

Chapter 30, Article II, Sec. 30-26 is deleted in its entirety and replaced and renumbered :

Sec. 30-24. Meetings; removal; quorum.

The Municipal Museum Community Advisory Group shall meet at least quarterly and

upon call of the chair at an hour determined by the Group. The Municipal Museum Community Advisory Group is a working entity and absences are discouraged. After three unexcused absences, a Group member will be presumed to have resigned and the chairperson will consult with the Mayor regarding a replacement to serve out the balance of the resigning member's term. Public notice of meetings shall be in compliance with the New Mexico Open Meetings Act, and its records shall be considered public records under the New Mexico Inspection of Public Records Act. A quorum of the Group shall be three voting members.

Chapter 36, Article III. (PARKS AND RECREATION BOARD) and all the sections thereunder are deleted in their entirety.

Chapter 36, Article IV. GOLF COURSE BOARD. and all the sections thereunder are deleted in their entirety.

PASSED, ADOPTED AND APPROVED by vote of the Council of the Town of Silver City, Grant County, New Mexico, this 14th day of August, 2018.

(Seal)

TOWN OF SILVER CITY

/s/ _____
Ken Ladner, Mayor

Attest:

/s/ _____
Ann L. Mackie, Town Clerk