LOS ALAMOS COUNTY COUNCIL

PROCEDURAL RULES

November 12, 2019 UPDATE

PREAMBLE

The Council of the Incorporated County of Los Alamos is the governing body of Los Alamos County and was created by the Los Alamos County Charter. The Charter is relatively undemanding with respect to Council procedure, format, and operating methods, so the Council is, to a large extent, self-regulating. The following rules, therefore, are adopted as a set of operating procedures to which the Council voluntarily binds itself, except as otherwise provided herein. The current edition of Robert's Rules of Order apply only where Council rules are silent. If any of these rules are found to conflict with the Los Alamos County Charter, the Charter shall take precedence.

ETHICS

The Council adopts, by reference, the provisions of the Governmental Conduct Act, NMSA 1978 § 10-16-1 et seq. as well as Sections 30-1 thru 30-30 of the Code of Ordinances of the Incorporated County of Los Alamos, which is commonly referred to as the Code of Conduct, in their entirety and affirmatively supports Council's and individual Councilor's adherence to their provisions.

OFFICERS AND MEMBERS

Election. The Council shall elect a Chair and Vice-Chair from among its members at its first regular meeting after January 1 of each year. The Chair and Vice-Chair will serve at the pleasure of the Council and be eligible for election to subsequent terms.

Chair. The Chair shall preside at Council meetings and shall:

- Keep Councilors informed of events, meetings or other occasions where the Chair acted or will act as the official spokesperson for the Council. The Chair acknowledges that he or she does not have additional authorities above and beyond those identified in this document or the Charter. The Chair is not authorized to commit actions of the County or the Council without a full Council vote.

- Ensure that all other Councilors are informed, within a reasonable time, of significant communications directed to the Chair, in the Chair's official capacity representing the Council.

- When the Chair and Vice-Chair are on travel or otherwise unable to perform their duties, appoint a Councilor to serve as Chair.

- The Chair serves an important administrative function by overseeing the agendas for County Council Meetings and running Council Meetings. The Chair will manage the agendas for County Council Meetings with fair and equitable treatment of the agenda requests from all other Councilors. Every Councilor has the right to place items on Council Meeting agendas and expect that they will be assigned to a meeting within a reasonable time frame. If the

Chair is uncertain about the appropriate timing for placement of specific agenda items, he or she is to raise the issue in a timely manner with the Councilor who requested the item.

- The Chair will present the annual state of county message no later than before the end of the Chair's term.

- The Chair is responsible for applying the rules of parliamentary procedure during meetings. The Chair should be well versed in those rules, because the Chair, for all intents and purposes, makes the final ruling on the rules.

- All decisions by the Chair are final unless overruled by the majority of Council by a point of Order. The Chair has discretion, subject to override by Council, to deviate from the letter of these rules. The Chair may make or second motions and participate in discussion as any other Councilor. However, as a matter of decorum, the Chair should normally defer to another Councilor to make the motion.

Vice-Chair. The Vice-Chair shall assist the Chair in the performance of the duties of the Chair, and act in the Chair's place when the Chair is unable to perform the duties of the Chair.

Council Members. Councilors, including the Chair and Vice-Chair, have equal powers and duties except as otherwise specified in the Charter and these rules. In addition to their duties specified in the County Charter or Code or in other County ordinances, Councilors shall:

- Stay informed of County policies.

- In all communications regarding County business, Councilors should make clear, including in their role as Board Liaisons, that they speak for themselves, unless authorized by the Council to speak for the Council as a whole, or unless stating Council action in adopted Ordinances, Rules, Policies or other official Council action, such as action taken in an adopted motion at a Council meeting.

- When delegated by Council, represent the official policies or positions of the County Council to the best of their ability and report to Council in a timely manner on meetings or key discussions, actions, or intentions of the Board to which the Councilor is a delegate in order for Council to determine whether to take further action.

- Councilors should participate on standing and ad hoc committees as requested except upon showing of good cause.

- After each legislative activity, a report shall be provided to the rest of the Council with an update of all relevant information obtained from that activity.

- Serve as Council liaison to assigned advisory boards or commissions. Council liaison assignments to each of the boards or commissions will be made periodically by the Chair and the assigned Councilor will serve as the primary information liaison between the board or commission and Council, providing guidance and advice about the board or commission issues to bring to the attention of the Council for action or for information. The Councilor will, after consultation with the Chair of the board or commission attend regular meetings of the board or commission to participate in the board or commission as agreed and should meet periodically with the chair of the board or commission to determine the level of participation desired by the board or commission and issues in which the Council should be advised.

- Maintain the confidentiality of applicable County records and other information, as specifically required by law, policies, rules and regulations.

- Recognize the importance of County business being open to public scrutiny and that the business of the Council is generally public as required by law. However, the law also allows closed meetings when the public conduct of governmental business could put the public's interest at risk by jeopardizing sensitive negotiations or chilling the necessarily frank discussion needed to reach certain decisions. The Statutes provide carefully defined instances in which Council may conduct its business in closed session. In order to protect the information provided during closed sessions and to facilitate the collegiality in which the Council must function to do the best job it can for the public, individual councilors are expected to respect the confidential nature of information and discussions that are properly deemed confidential under the law.

- Evaluate the performance of the County Manager and the County Attorney according to the schedule and template adopted as shown in Attachment A.

- Hire the County Manager and County Attorney according to the process outlined in Attachment B.

- Provide input to the hiring of the Department of Public Utilities Manager as conducted by the Board of Public Utilities. Appointment shall only occur with formal approval of the Council in accordance with the County Code.

- Councilors will respond to emails, phone calls, and texts from other councilors within a reasonable time frame; ideally within 3 days.

- If requested, councilors will meet with any other Councilor, as appropriate under the Open Meetings Act, within a reasonable time frame; ideally within a week.

- Each Councilor shall submit at least annually, no later than January 15 of each year, a completed Disclosure of Outside Employment, Membership and Financial Interest form. Councilors shall also submit updated forms to include any changes that occur before the annual submission to ensure full and accurate disclosure. Councilor disclosure statements and any updates shall be kept on file in the County's Human Resources Department and shall be posted on the County's Sunshine web page. Each year, the Human Resources Department will remind Councilors to fill out these forms in a timely manner.

- The New Mexico Inspection of Public Records Act (Act), NMSA 1978, Sections 14-2-1, et seq., requires governmental agencies to make their records available to the public, with limited statutory exceptions. Councilors shall respond to the Records Custodian according to the timeline and instructions accompanying the request. Councilors shall immediately notify the Custodian if circumstances exist that could prevent timely compliance with the instructions or request.

COUNCILOR EMAIL COMMUNICATIONS

Councilors shall use a Los Alamos County provided email account for all Council business. If a Councilor receives any email communications regarding Council business in a non-County email account, the Councilor shall forward such email communications to his/her County email account and only respond to, reply or forward such email communications from his/her County email account.

COUNCIL MEETINGS

Regular Meetings. Regular meetings of Council will be set under the requirements of the annual Opening Meetings Resolution adopted by Council.

Work Sessions. The Council may schedule work sessions on a regular basis under the requirements of the annual Open Meetings Resolution. Council meetings designated as work sessions shall be held for the primary purpose of discussing issues at length with staff in an informal setting without taking formal action except for required procedural actions such as approving minutes from a prior council meeting, or adopting a statement for inclusion in the minutes regarding a closed session. Public comment will generally be taken only at the beginning and ending.

Closed Meetings. The Chair may call a closed session to discuss issues (such as pending litigation, personnel matters, collective bargaining strategy) pursuant to NMSA 1978, 10-15-1 (H)(2,5 etc.). Following the closed session, the Chair will call for a motion that is substantially similar to the following:

"I move that Council approve the following statement for inclusion in the minutes: 'The matters discussed in the closed session held on (MONTH)(DAY)(YEAR) that began at (TIME) were limited only to those topics specified in the (NOTICE)(MOTION) of the closed session, and no action was taken on any matter in that closed session."

This motion is a procedural motion, therefore only a show of hands is required rather than a roll call vote.

Special Meetings. The Chair, may call a special meeting, or the Council at an open meeting may set a special meeting for the purpose of conducting County business. Notice of a special meeting will follow the requirements of the annual Open Meetings Resolution.

Emergency Meetings. The Chair may call an emergency meeting in accordance with the annual Open Meetings Resolution.

Meeting Agendas. The Chair and Vice-Chair will, in consultation with the County Manager, develop the Council meeting agenda. The Chair will schedule another Councilor to participate in each agenda development meeting. A list of proposed agenda items will be provided to Council at each Council meeting and may be reviewed during Council Business at a Council meeting.

Any Councilor may request to have an item placed on a future Council meeting agenda. The item will be placed on the agenda as soon as practicable.

The agenda for any regular meeting may include a consent calendar. The purpose of the consent calendar is to expedite Council consideration and approval of routine, ordinary, or other items that do not require discussion and for which a public hearing is not required by law. Any item on the consent calendar that a Councilor asks to be considered separately will be pulled from the consent calendar for separate consideration Consent calendar items that have been pulled shall be considered in the Business section of the agenda, or tabled by motion. The public will be offered an opportunity to make comment on the items on the consent calendar right after the public comment section at the beginning of the meeting.

Citizen Petitions. When a subject appears on an agenda as a result of a properly presented citizen petition, the Council may:

- Acknowledge receipt of the petition and take no further action; or

- Acknowledge receipt of the petition and take the requested action or a different action addressing the subject; or

- Refer the matter to an appropriate Board or Commission or Council Subcommittee; or

- Decide to investigate the subject and discuss further, in which case a future date may be set for the presentation of additional information, Council discussion and possible action.

VACANCIES

Elected Officials. Should a vacancy arise in the office of an elected official, Council shall appoint a successor in accordance with appropriate New Mexico statutes. Council will utilize the procedure specified in Attachment C for selecting among candidates to fill the vacancy.

Utility Board Members. Pursuant to § 501 of the Charter, Council selects members of the Board of Public Utilities. New members shall be appointed according to the procedure specified in Attachment D.

BASIC FORMAT FOR AN AGENDA ITEM DISCUSSION

Council meetings have a written, published agenda. Each agenda item can be handled by the Chair in the following basic format.

First, the Chair should clearly announce the agenda item number and clearly state what the subject is.

*Should the item be one which could generate a concern about the Code of Conduct or a real or perceived conflict of interest, the affected Councilor should make inquiry about the existence of a conflict at this point.

Second, the Chair should invite the appropriate individuals or parties to report on the item.

Third, the Chair should ask Councilors if they have any technical questions for clarification. At this point, Councilors may ask clarifying questions to the parties or individuals who reported on the item, and they should be given time to respond.

Fourth, the Chair should invite public comments. If numerous members of the public indicate a desire to speak to the subject, the Chair may limit the time of each public speaker. At the conclusion of the public comments, the Chair should announce that the public input has concluded. For quasi-judicial proceedings, the Chair will be provided with detailed instructions designed solely for the conduct of that type of meeting.

Fifth, the Chair should invite a motion from a member of Council. The Chair should announce the name of the Councilor who makes the motion.

Sixth, the Chair should determine if any Councilor wishes to second the motion. The Chair should announce the name of the Councilor who seconds the motion. It is compulsory practice for a motion to require a second before proceeding with it, to ensure that it is not just one Councilor who is interested in a particular approach.

Seventh, the Chair shall ensure the motion is clearly understood before the discussion or vote. This can be done in one of three ways:

The Chair can ask the maker of the motion to repeat it; or

The Chair can repeat the motion; or

The Chair can ask the clerk to repeat the motion.

Eighth, the Chair shall invite discussion of the motion by the members of Council. If there has been no discussion or a very brief discussion, the Chair will announce that a vote will proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

If a substitute motion or a motion to amend changes the motion before Council, the Chair may, in his or her discretion, reopen the floor to public comment on the substituted or amended motion.

If the issue is one that is likely to engender a great deal of Councilor comment, the Chair may limit each Councilor's comments to an agreed-upon number of minutes. As a matter of courtesy and fairness, Councilors are expected to terminate their comments immediately after being advised that their time has expired.

Ninth, the Chair takes a vote by asking the clerk to call the roll of Councilors present. A majority of at least four Councilors determines whether the motion passes or is defeated.

Tenth, the Chair should announce the result of the vote and should announce what action (if any) the Council has taken. In announcing the result, the Chair should indicate the names of the Councilors, if any, who voted in the minority on the motion. This announcement may take the following form: "The motion passes by a vote of 4-2, with Councilors Smith and Jones dissenting. We have passed a motion requiring 10 days' notice for all future meetings of the Los Alamos County Council."

MOTIONS IN GENERAL

Motions are vehicles for decision-making. It is usually best to have a motion before the Council prior to starting discussions. A motion helps focus the discussion.

As noted, the Chair has every right as a member of Council to make a motion, but normally should do so only if he or she wishes a motion be made but no other Councilor seems willing to do so.

THE THREE COMMON MOTIONS

Three motions are the most common:

- **The main motion.** The main motion is the one that puts forward a decision for consideration. A main motion might be: "I move that Council create a five-member committee to plan and put on an annual fundraiser."

- **The motion to amend.** A motion to amend seeks to retain the basic motion on the floor, but to modify it in some way. A vote on a motion to amend should occur before the vote on the main motion. If the motion to amend passes then the vote should be taken on the main motion as amended. If the motion to amend does not pass, then the un-amended main motion as originally stated remains before Council. If a Councilor wants to change the main motion that is under discussion, he or she should move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee."

In regard to "friendly amendments" Robert's Rules of Order provides:

> The term "friendly amendment" is often used to describe an amendment offered by someone who is in sympathy with the purposes of the main motion, in the belief that the amendment will either improve the statement or effect of the main motion, presumably to the satisfaction of its maker, or will increase the chances of the main motion's adoption. Regardless, of whether or not the maker of the motion "accepts" the amendment, it must be opened to [Council] debate and voted on formally...and is handled under the same rules as amendments generally.

In short, a "friendly amendment" is nothing more than a motion to amend proposed by ally of the main motion that is before Council. As such, the procedure for the adoption of a "friendly amendment" is the same for a motion to amend.

- **The substitute motion.** A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. A vote on a motion to substitute should occur before the vote on the main motion. If the motion to substitute passes then, and only then, should a vote be taken on the substance of the substitute motion. If the motion to substitute does not pass, then the main motion as originally stated remains before Council. If a Councilor wants to completely do away with the main motion under discussion and put a new motion before Council, he or she would make a substitute motion. A substitute motion might be: "I move to substitute the main motion before Council with a motion to cancel the annual fundraiser this year."

Motions to amend and substitute motions essentially serve the same purpose which is to change the main motion that is before the Council. A majority vote of the Council is required to change the main motion that is before the Council regardless of whether the motion is to amend or substitute. As these motions are procedural motions, a roll call vote of the entire Council is not required for their passage.

TO DEBATE OR NOT DEBATE

The basic rule of motions is that they are subject to debate and discussion. Accordingly, basic motions, motions to suspend the rules, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the Council. The debate can continue as long as Councilors wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Council to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the Council without debate on the motion):

- **A motion to adjourn.** The Chair may announce the adjournment of a meeting unless a Councilor objects, in which case a motion to adjourn must be passed before the meeting is adjourned. Once passed, this motion requires the Council to immediately adjourn to its next regularly scheduled meeting.

- **A motion to recess.** This motion, if passed, requires the Council to immediately take a recess. Normally, the Chair determines and states the time or date at which the meeting will reconvene.

- **A motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn the meeting at midnight."

- **A motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on hold. The motion may contain a specific time in which the item can come back to Council. Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to Council will have to be taken at a future meeting.

- **A motion to limit debate.** The most common form of this motion is to say: "I move the previous question" or "I call for the question." When a Councilor makes such a motion, the Councilor is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the Chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." A similar motion is a *motion to object to consideration of an item.* This motion is not debatable, and if passed, precludes the Council from even considering an item on the agenda.

- **A motion to close nominations.** When choosing officers of the Council, such as the Chair and Vice-Chair, nominations are in order from the floor of the Council. A motion to close nominations effectively cuts off the right of Councilors to nominate others for consideration.

- **A motion to suspend the rules**. This motion suspends a particular adopted procedural rule, or, if the parliamentary procedural rule is not specifically addressed in the adopted procedural rules, then the motion can be deployed to suspend a particular rule from Robert's Rules of Order. This motion should be deployed sparingly in the rare circumstance when the aforementioned rules of parliamentary procedure unduly burden the substantive work at hand. Robert's Rules of Order provides that this motion requires a TWO-THIRDS majority; the motion is neither debatable nor subject to a motion to reconsider.

THE MOTION TO RECONSIDER

A tenet of parliamentary procedure is bringing finality to an agenda item. After vigorous discussion, debate and vote, there must be closure to an agenda item. So, after a vote is taken, the agenda item is deemed closed. The agenda item can only be reconsidered if a proper motion for consideration is made and approved.

In regard to the timing of a motion for reconsideration, the motion can only be made at either the meeting where the agenda item was first voted upon, or at the next regular meeting after the agenda item was voted upon, otherwise the motion for reconsideration is untimely. However, if a Councilor wishes to revisit an agenda item from a past meeting where a motion for reconsideration would be untimely, a motion to suspend the rule regarding the timeliness of a motion for reconsideration can be made. If the motion to suspend the timeliness rule is approved by a two-thirds majority of Council, the Council can then proceed with a motion to reconsider a previous agenda item.

In applying this rule on timeliness, it is crucial to maintain the distinction between a particular agenda item, and the subject matter of a particular agenda item. A motion for reconsideration only applies to a particular agenda item, and not the subject matter of the agenda item. For example, if the Council approves Ordinance A that soon proves in need of revision or repeal, Council is free to bring forth Ordinance B repealing or modifying Ordinance A without the need

for a motion for reconsideration. Ordinance B addresses the same subject matter as Ordinance A but is a new agenda item. As such, a motion for reconsideration should be viewed merely as a tool to reconsider a recently voted upon particular agenda item.

In regard to who may make a motion for reconsideration, only a councilor who voted in the prevailing faction on the previously addressed agenda item may make a motion to reconsider the past particular agenda item. A corollary of this rule is that only a councilor who voted in the prevailing faction on the previously addressed agenda item may make a motion to suspend the rules so Council can entertain an otherwise untimely motion to reconsider a previously voted upon particular agenda item.

Once an appropriate motion for reconsideration is made and approved by a majority vote of Council, the previously addressed agenda item may be discussed and debated as if it were on the floor for the first time.

Certain motions are not subject to a motion for reconsideration. Typical motions not subject to a motion for reconsideration include, but are not limited to, motions to adjourn, to suspend the rules, to close nominations, for a point of order, to take from the table, to take up a question out of its proper order, to recess, and, of course, a motion for reconsideration is not subject to a motion for reconsideration.

COURTESY AND DECORUM

The rules of order are meant to create an atmosphere where members of the Council and members of the public can attend to business efficiently, fairly, and with full participation. And at the same time, it is up to the Chair and the Council to maintain common courtesy and decorum. Only one person can have the floor at a time; each speaker shall be first recognized by the Chair before speaking.

The Chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not the personalities of the Councilors, staff or the public. Debate on policy is healthy; debate on personalities is not. The Chair has the right to cut off discussion that is too personal, too loud, too unprofessional or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers. Can Councilors interrupt a speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

- **Privilege.** The proper interruption would be: "Point of Privilege." The Chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

- **Order.** The proper interruption would be "Point of Order." Again, the Chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting; for example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

- **Appeal.** If the Chair makes a ruling that a Councilor disagrees with, the Councilor may appeal the ruling of the Chair by motion. If the motion is seconded and after debate, it passes by a majority vote, then the ruling of the Chair is reversed.

- **Call for orders of the day.** This is simply another way of saying, "Let's return to the agenda." If a Councilor believes the Council has drifted from the agreed upon agenda,

such a call may be made. It does not require a vote, and when the Chair discovers the agenda has not been followed, the Chair simply reminds the Council to return to the agenda item before them. If the Chair fails to do so, the Chair's determination may be appealed by motion.

- **Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the Chair may ask the person who seconded the motion if he or she wishes to make the same motion, or any other Councilor may make the motion if properly recognized.

SPECIAL NOTES ABOUT PUBLIC INPUT

The rules outlined here help make meetings very public friendly. But in addition, and particularly for the Chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the Council will be doing.

Rule Two: Keep the public informed while the Council is doing their work.

Rule Three: When the Council has acted, tell the public exactly what the Council did.

Public input is essential to a healthy democracy, and community participation is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a Council meeting are offered as tools for effective leadership and as a means of developing sound policy.

COUNCIL COMMITTEES

Council Standing Committees.

- **Existing and new standing committees.** Council may create a standing committee of its members at any time it determines that continuing advice or interaction is needed on a subject or range of subjects on an ongoing basis or that it needs representation of its adopted positions on County matters. A standing committee's term will continue indefinitely unless its term is changed by Council vote. The committee shall report periodically to Council on its advice and activities. A current list of the Council's standing committees is maintained by the County Manager.

- **Membership.** Appointments to standing committees will be made annually on a rotational basis, as described below, unless Council determines that there is good reason to select and appoint members on an alternative basis. Standing committees shall be comprised of no more than three Councilors. The committee may request that staff be assigned to assist the committee and may request the assistance of members of the community or other advisors or experts in supplying information or to act as a resource to the committee.

- **Councilor responsibilities.** Councilors appointed to standing committees shall make reasonable efforts to attend meetings of the standing committee and if the Councilor is unable to attend meetings on a regular basis, the Councilor shall notify the Council Chair and request another Councilor be appointed as a replacement or state good reasons for the Councilor's absence. It is the responsibility of each Councilor to assure that the

standing committee addresses and provides advice to Council on the issues assigned to the committee. Councilors other than the committee members may not attend committee meetings unless the non-member Councilor gives sufficient prior notice to the chair of the committee for compliance with the Open Meetings Act, if applicable.

Council Ad hoc Committees.

- **Establishment and expiration of ad hoc committees.** Council may establish an ad hoc council committee of no more than three Councilors at any time Council finds that there is a need for "one-time" advice to the Council to carry out a specified task. Ad hoc committees shall be created and Councilors shall be appointed by motion and vote of Council. At the time an ad hoc committee is created, the advice requested by the committee and the expected time of completion of its objective shall be clearly stated by Council. The committee may request that staff be assigned to assist the committee and may request the assistance of members of the community or other advisors or experts in supplying information or to act as a resource to the committee.

- **Councilor responsibilities.** Councilors appointed to ad hoc committees shall have the same responsibilities as Councilors appointed to a standing committee.

COUNCILOR EXPENSES

Expense reimbursement. A Councilor shall be reimbursed for expenses incurred for work and travel on County business and for participation with organizations or associations of which the County is a member, including special work assignments, under the following conditions:

- The travel participation in meetings or other work assignment has been approved by the Council in advance, or if advance approval was not possible, with permission of the Chair, followed by Council approval at the earliest possible time after the expense was incurred.

- The reimbursement for expenses complies with all applicable law, rules and regulations and policies.

- The Chair (or Vice-Chair for the Chair's expenses) acknowledges the application for reimbursement of Councilor expenses.

- Councilors are expected to respect budget limitations and will limit overall expenditures of public money to the extent practical.

Expense approval. Reimbursement for Councilor expenses not exceeding $250.00 in a calendar month made in accordance with these rules do not need specific Council action. The Council must approve reimbursement of Councilor expenses exceeding $250.00 in any calendar month.

ADOPTED this 12th day of November, 2019.

COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS

Sara C. Scott

Sara C. Scott
Council Chair

Attachment A

County Manager and County Attorney Performance Appraisal Process

Due Date*	Action	Comments
	Performance Period April 1-March 31	
Mid May	Employee self-assessment due to County Council, to include: • Current performance • Future performance objectives • Career Development Goals	Employee to use Contract Employee Performance Self-Evaluation Form. Identify 4-6 performance objectives for the County Manager from areas such as: Operational (1) Fiscal (1) Communication (1) Strategic (2-3) Identify 4-6 performance objectives for the County Attorney from areas such as: Office operations (1) Legal support (Council, Boards and Commission Members) (1) Reduction of legal vulnerability (1) Professional conduct (2-3)
End of May	Council closed session meeting with employee to discuss: • Performance • Future performance objectives • Career development goals	Each employee meeting anticipated to last ~45 minutes.
End of May	Council closed session to determine: • Final performance overall evaluation rating • Proposed salary adjustment • Support needed for achieving career development goals Each Councilor will provide written feedback for each performance objective using the Contract Employee Performance Council Evaluation Form; this feedback will be integrated by the Council Chair to prepare the written feedback for each performance objective. (The individual evaluation forms will be attached to the final integrated feedback.)	Final performance evaluation will include written feedback for each of the performance objectives and overall rating using the County-wide rating system of unsatisfactory, development needed, meets, exceeds, or far exceeds for each performance objective and overall rating. Performance rating and salary increase range (merit + CPI) for County-wide personnel will be used as parameters for salary adjustment in accordance with the applicable employment contract and other considerations as deemed necessary and agreed to by Council.
Mid June 15	Council closed session to provide final performance evaluation to employee	Each employee meeting anticipated to last ~ 15 minutes.

		Final integrated Council evaluation sent to HR with overall score along with the salary adjustment allocated as agreed to in an open meeting vote by Council.
Mid December	Interim performance discussion between Council and employee	Each employee discussion anticipated to last ~45 minutes. Significant comments will be documented and provided to the employee and available for the May year-end performance review as required and/or appropriate.

*It is understood that modifications to the timeline and process may need to be made based on competing County and/or Councilor commitments and County Calendar

County Manager and County Attorney Performance

Self-Evaluation Form

Name and Date:

Position:

Performance Objective #1:

Performance Objective #2:

Performance Objective #3:

Performance Objective #4:

Performance Objective #5:

Performance Objective #6:

Proposed Future Performance Objectives:

Proposed Career Development Goals:

Overall Assessment:

County Manager and County Attorney Performance

Council Evaluation Form

Councilor Name, and Date:

Employee Name and Position:

Performance Objective #1:

Performance Objective #2:

Performance Objective #3:

Performance Objective #4:

Performance Objective #5:

Performance Objective #6:

Proposed Future Performance Objectives:

Proposed Career Development Goals:

Overall Assessment:

Attachment B

Hiring Process for Los Alamos County Manager and County Attorney

1. The first step in the hiring process is development of a search committee comprised of up to three County Councilors, one of which to be the Chair and the other two to be appointed by the Chair, and possibly the outgoing incumbent. The search committee responsibilities include clarification of the job requirements, timeline, development of needed recruiting materials and development of job advertisements as well as communicating key elements to County Staff, Council, and the community as appropriate. The search committee will be led by the Human Resources Division.

2. The hiring process will include both local and national recruitment efforts for the position.

3. Once the job advertisement has been closed and the applications qualified by the Human Resources Division, the search committee will screen the applicants. If a down-select of the applicants is required, this will be performed by the search committee and noticed as a closed session as proscribed by the Open Meetings Act.

4. The candidate interview process will include mechanisms for obtaining input from including the County Manager's Office, the Department of Public Utilities, County Attorney's Office, County Council, Board of Public Utilities, County staff and the community. It will provide opportunities to evaluate leadership and management skills, communication skills (both within the County and with the public), fiscal management skills, and specific technical skills as applicable to the position.

5. The final selection of the Employee will be made by County Council. Final negotiations to conclude a contract with the employee will be led by the Human Resources Division working with the appropriate legal department representative and Council Chair. The final contract will be approved by full Council during a public meeting as proscribed by the Open Meetings Act.

Attachment C

Los Alamos County Council Appointment Process for

Selection of Elected Officials

6. When there is a vacancy in the office of an elected official, the County Council will solicit letters of interest and applications from the public.

7. When the recruiting process is complete, the County Council will appoint a committee to develop a set of interview questions specific to the elected office and that appropriately demonstrates the applicants' skills, knowledge and interest in the position; they may also address issues relevant to the Community. The draft set of interview questions will be reviewed, discussed and agreed on by Council in the public meeting prior to initiating the interview process.

8. The County Council will then schedule a public interview and decision process at an upcoming council meeting.

9. At the appointed Council meeting, the applicants will attend and present their application to the Council using the following process:
   -- Each applicant will make a three minute statement to share their interest and qualifications for the office.
   -- Applicants will then answer interview questions from the County Council. Each applicant will answer each question. Questions will be prepared in advance. Follow up questions are allowed if further clarification is needed.
   -- There will be an opportunity for public comment after applicants have made their statements and answered questions. Public comment is limited to three minutes per citizen.
   -- After public comment, the Council will take a roll call vote.
   -- The applicant with the most votes will be appointed to fill the vacancy.
   -- In order to be selected, an applicant must receive a minimum of 4 votes. If no applicant receives 4 votes after the first roll call vote, the applicant with the fewest votes will be eliminated and the Council will take additional roll call votes until a final selection is made.

Attachment D

Los Alamos County Council Appointment Process for

Selection of Board of Public Utilities Member

1. When there is a vacancy on the Board of Public Utilities (BPU), the County Council will solicit letters of interest and applications from the public.

2. When the recruiting process is complete, the County Council will appoint a screening committee to screen the applicants. Members of the screening committee will consist of two County Councilors, one of which shall be the Councilor liaison to the BPU, and the second appointed by the Council Chair, one BPU member, and the DPU Manager. The screening committee is to develop a set of interview questions specific to this board position and that appropriately demonstrates the applicants' skills, knowledge and interest in the position.

3. After the screening committee screens the applicants, in a public meeting as proscribed in the Open Meetings Act, it is to provide its recommendations of the best applicants for the position to the County Council in writing. The County Council will consider between two and six applicants.

4. The County Council will then schedule a public interview and decision process at an upcoming council meeting.

5. At the appointed Council meeting, the applicants will attend and present their application to the Council using the following process:
   -- Each applicant will make a three minute statement to share their interest and qualifications for the position.
   -- Applicants will then answer questions from the County Council. Each applicant will answer each question. Questions will be prepared in advance. Follow up questions are allowed if further clarification is needed.
   -- There will be an opportunity for public comment after applicants have made their statements and answered questions. -- After public comment, the Council will take a roll call vote.
   -- The applicant with the most votes will be appointed to the Board of Public Utilities.
   -- In order to be selected, an applicant must receive a minimum of 4 votes. If no applicant receives 4 votes after the first roll call vote, the applicant with the fewest votes will be eliminated and the Council will take additional roll call votes until a final selection is made.

Guidelines for the 2020-21 B&C Presentations
County Council Work Sessions

- Each B&C presentation will usually be scheduled on Council's agenda during a work session. The Council work sessions are now "streamed" and are often held in White Rock at Fire Station #3. You can check the County's web site (www.losalamosnm.us) or call the County Manager's Office at 663-1750 to verify the meeting location.

- Please limit your portion of the presentation to approximately 10-15 minutes. Council members will be allocated approximately 15 minutes to ask questions at the end of your presentation.

- See next page for a chart of dates and presentation assignments. Please notify Linda Matteson (linda.matteson@lacnm.us or 662-8086) or Barbara Lai (barbara.lai@lacnm.us) 663-3436) if you need to re-schedule your presentation date.

- Your Legistar Council Reports are due to be completed 12 working days prior to the Council Meeting. Notify Barbara Lai and Linda Matteson by email when the reports are completed.

- If you prepare a PowerPoint presentation, please provide an electronic copy of your material (5 days prior to the Council meeting) to Linda Matteson (linda.matteson@lacnm.us) and Jackie Salazar (Jacqueline.salazar@lacnm.us). Also, your B&C Staff Liaison will need to submit an LAC Information Management work order or contact the IM Service Desk at 662-8090 **at least 5 days** before the Council meeting to get your presentation loaded on a computer. IM can make arrangements to get a PowerPoint projector transported to the WR Fire Station. (Please note that you're not required to prepare PowerPoint slides. You're encouraged to simply do an oral presentation – it's your choice whether to prepare slides or not.)

- In general, hard copies of presentations are not provided to Council (they use tablets to view agenda items) but if you want, you can bring extra copies for the media and members of the public.

- Your board or commission's FY20 or FY21 Work Plan (depending on your presentation date) will usually be provided to Council as an attachment to the agenda documentation. Feel free to reference it, if you'd like.

- For the 2021 presentations, Council is asking each Board Chair to generally report on the following topics for their board during their presentations:

  ◊ General overview of your current Work Plan
  ◊ Top 1-3 Priority Projects/Objectives for your board for the next twelve months
  ◊ Imposing challenges that your board foresees to achieving the priority items
  ◊ Ways Council can help

- As noted above, Council will be allowed time to ask questions after your presentation. This will provide an opportunity for Councilors to ask clarifying questions about the issues, activities, and projects of importance to your B&C.