

**ORDINANCE NO. 01-1**  
(Repealing Ordinance No. 1252-85-1)

AN ORDINANCE ESTABLISHING AN EMERGENCY PREPAREDNESS ORGANIZATION FOR THE CITY OF CLOVIS AND THE COUNTY OF CURRY, WITH A COORDINATOR AND STAFF; DEFINING THE PURPOSE OF THE ORGANIZATION; CONFERRING CERTAIN POWERS AND AUTHORITY UPON THE COORDINATOR; AND PROVIDING FOR FINANCING THE ORGANIZATION.

BE IT ORDAINED by the City of Clovis and the County of Curry.

Section 1. There is hereby established under the executive branch of the government of the City of Clovis and the County of Curry, in accordance with the state Civil Emergency Preparedness Act, §12-10-1 through §12-10-10, NMSA 1978 (herein "the Act), an Office of Emergency Preparedness, which shall consist of:

- A. A Coordinator of Emergency Preparedness who shall be appointed by the Mayor of the City of Clovis with the concurrence of the City Commission and Curry County Commission and subject to approval by the State Director.
- B. An Emergency Management Advisory Board to be composed of not more than eleven (11) members. Subject to the approval of the City Commission, six (6) members shall be appointed by the Mayor of the City of Clovis and shall include one (1) City Commissioner. Subject to the approval of the County Commission, five (5) members shall be appointed by the Chairman of the Curry County Commission and shall include one (1) County Commissioner. The Chairman and Vice Chairman of the Board shall be elected from the membership in January of each year. Each member shall serve at the pleasure of the appointing authority or until repeal of this Ordinance. Any member of the Advisory Board may be removed by the Mayor, with the consent of the City Commission or the Chairman of the County Commission, with the consent of the County Commission depending on the appointing authority after due notice that such member has missed three (3) consecutive meetings or has been absent at fifty percent (50%) of the meetings held during any twelve (12) month period.
- C. Such additional professional and administrative staff personnel as may be required to effectively carry out the Emergency Management Program.
- D. All other City and County officers and employees, together with those volunteer forces enrolled to aid them during periods of emergency, shall be considered as part of the Emergency Management Organization of the City of Clovis and County of Curry.

Section 2. The purpose of the Emergency Management Organization is to develop and execute the City and County Emergency Management Program and to coordinate the efforts of all City and County agencies and employees and non-governmental agencies to prepare for and function in the event of emergencies endangering the lives and property of the citizens of the City of Clovis and County of Curry. It shall be the duty of said Organization to coordinate the development of comprehensive Emergency Management Plans for the effective employment of the City and County resources to protect the lives and health of the citizens of Clovis and Curry County and the private and public property therein from the effects of natural or man-caused emergency events, including acts of war, and to coordinate the implementation of said plans during periods of emergency. Such Plans shall be coordinated with those of contiguous counties to Curry County and units of local government within Curry County and those counties contiguous to Curry County, and in consonance with New Mexico All Hazard Emergency Operation Plan. The Organization shall have all local civil emergency preparedness powers conferred by the Act.

Section 3.

A. The Emergency Management Coordinator shall be the executive head of the Office of Emergency Management and shall be responsible to the Mayor of the City of Clovis and Chairman of the Curry County Commission for the organization, administration and operations of the Emergency Management office staff and program for Clovis and Curry County. The Manager shall, acting for the Mayor and County Chairman, and in consonance with the Advisory Board, coordinate the Emergency Management activities of all City and County departments and agencies and non-governmental agencies, and shall maintain liaison with and cooperate with the Emergency Management Agencies of the Federal Government, military departments, the State of New Mexico and other political subdivisions therein.

B. The Manager shall have all necessary authority to act for the government of the City of Clovis and County of Curry in all matters relating to Emergency Management including the obligation of such City and County funds and State and Federal funds made available and as may be appropriated for Emergency Management purposes. The Manager, in consonance with the Advisory Board, shall develop an organizational structure for the Office, subject to the approval of the City Commission and County

Commission, and is authorized to make appointments to fill the positions established therein.

C. The Advisory Board shall be charged with the duty of supporting the Emergency Management Coordinator and Staff in all Emergency Management activities for the City and County. It shall:

1. Make recommendations, from time to time, for improvements in handling the Emergency Management posture of the City and County.
2. Conduct studies regarding Emergency Management posture of the City and County and non-governmental agencies with Emergency roles, to the end that the overall Emergency Preparedness levels may be increased.
3. Perform such other advisory functions as may be requested by the City or County Commissions or other agencies or departments of local, state or federal government.
4. Work to assure coordination of the activities of City, County and private agencies as those activities of the City, County and private agencies as those activities relate to Emergency Preparedness.
5. The Emergency Manager shall have the responsibility of directing the functions of the Advisory Board. In the absence or unavailability of the Emergency Manager, the Advisory Board Chairman shall succeed the Emergency Manager in directing the functions of the Advisory Board. In the absence or unavailability of the Advisory Board Chairman, the Advisory Board Vice Chairman shall succeed the Chairman in directing the functions of the Advisory Board.

Section 4.

A. Funds for necessary and appropriate expenses and functions of the Office of Emergency Management, including salaries for approved paid positions, shall be made available through appropriations by the City Commission and County Commission.

B. The Manager, in consonance with the Advisory Board, shall prepare and submit to the City Commission and County Commission for their separate approval an annual proposed budget for Emergency Management expenditures and functions and shall

indicate therein those amounts eligible for matching funds under the Federal Emergency Preparedness Assistance Program.

C. Emergency Management funds may be obligated by the Manager only in the amounts appropriated and for the purposes authorized by the City Commission or County Commission.

D. Upon approval of the County Commission's budget for each fiscal year subsequent to the adoption of this Ordinance, the County Commission shall appropriate and pay to the City Commission the amount budgeted for support of the Emergency Management Organization for each such fiscal year. The total amounts budgeted and appropriated by both the City Commission and the County Commission shall be expended pursuant to the normal fiscal procedures established by the City Commission, solely for the expenses of the Emergency Management Organization, as authorized by the City Commission and the County Commission. All expenditures shall be subject to normal accounting procedures established by the City Commission from time to time, and shall be subject to the annual audit requirement imposed by law.

Section 5. The City Commission and the County Commission hereby declare that this ordinance shall constitute a mutual aid agreement as authorized by §12-10-6 of the Act. This ordinance shall not take effect until it has been adopted by both the City Commission and the County Commission, and no amendments to this ordinance shall be valid until approved by both the City Commission and the County Commission. Neither the City Commission nor the County Commission shall have the authority to repeal this ordinance without concurrent action by the other Commission.

Section 6. The following existing City and County Ordinances and Resolutions are hereby repealed:

Curry County Ordinance 1252-85-1

Section 7. Effective Date – Amendment. The City Commission and the County Commission hereby declare that this ordinance shall constitute a mutual aid agreement as authorized by Section 12-10-6 of the Act. This ordinance shall not take effect until it has been adopted by both the City Commission and the County Commission, and no amendments to this ordinance shall be valid until approved by both the City Commission and the County

Commission. Neither the City Commission nor the County Commission shall have the authority to repeal this ordinance without concurrent action by the other Commission.

Section 8. If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

PASSED, APPROVED AND ADOPTED by the Board of County Commissioners of Curry County, New Mexico, this 10th day of March, 2001.



*[Signature]*  
County Clerk

*[Signature]*  
Commission Chairman

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Clovis, New Mexico, this 6th day of April, 2001.



*[Signature]*  
City Clerk

*[Signature]*  
Mayor

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**Legal Notices**  
Legal 6860  
February 2, 2001  
**NOTICE OF INTRODUC-**

Pursuant to the requirements of Section 4-37-7, New Mexico Status Annotated, public notice is hereby given that modifications to an ordinance entitled "AN ORDINANCE ESTABLISHING AN EMERGENCY PREPAREDNESS ORGANIZATION FOR THE CITY OF CLOVIS AND THE COUNTY OF CURRY WITH A COORDINATOR AND STAFF; DEFINING THE PURPOSE OF THE ORGANIZATION; CONFERRING CERTAIN POWERS AND AUTHORITY UPON THE COORDINATOR; AND PROVIDING FOR FINANCING THE ORGANIZATION"

(Curry County Ordinance No. 1252-85-1) have been proposed by the Curry County Commission at its regular meeting held on January 16, 2001, which would change reference of "Emergency Preparedness" to "Emergency Management" and modify provisions pertaining to the Emergency Management Advisory Board. The public hearing

concerning adoption of the proposed modifications to Ordinance No. 1252-85-1 will be held on February 20, 2001, at 10:00 a.m. The hearing will be held in the commission room at the Curry County Courthouse. Person interest in presenting their views may do so at this hearing. Copying of the proposed ordinance are available for review by any interested person during regular office hours in the Curry County Clerk's Office, 700 N. Main, Ste. 7, Clovis, NM 88101