

**ORDINANCE NO. 2018-04**

**AN ORDINANCE CREATING CHAPTER 2.14 IN THE BELEN MUNICIPAL CODE WITH THE PURPOSE OF DEFINING THE OFFICE OF CLERK AND TREASURER WITH A FINANCE OFFICER POSITION FOR THE CITY OF BELEN.**

**WHEREAS**, the Governing Body of the City of Belen has appointed and confirmed a Clerk/Treasurer;

**WHEREAS**, the Belen City Council has provided for the position of Financial Officer/Manager;

**WHEREAS**, NMSA Chapter 3, Section 37 requires a municipality to authorize the Financial Officer of the municipality to conduct the required financial duties by ordinance; and

**WHEREAS**, the Governing Body of the City of Belen finds it necessary to create such ordinance for future use.

**NOW THEREFORE BE IT ORDAINED:**

1. The City of Belen hereby ADOPTS the following ordinance:

**Chapter 2.14**

**OFFICE OF THE CITY CLERK AND TREASURER WITH A FINANCE OFFICER**

**Sections:**

- 2.14.010 Office of the Clerk Created**
- 2.14.020 Office of the Treasurer Created**
- 2.14.030 Office of the Clerk/Treasurer Combined**
- 2.14.040 Creation and Duties of the Finance Officer/Manager**

**2.14.010 Office of the Clerk Created**

The Office of the Clerk is created by the City of Belen Governing Body. The salary of the Clerk will be determined by the Governing Body upon appointment through contract with the City of Belen. The Clerk shall be employed upon appointment by the Mayor, subject to confirmation by the City Council for a contractual term or until a vacancy is created in this office by death, resignation or removal in the manner provided for removal of City employees. The Clerk shall be appointed solely on the basis of administrative qualifications and their selection shall not be limited by reason of former residence.

**A. The Clerk Shall:**

- a. perform the required duties as defined in New Mexico State Statute (NMSA) Chapter 3
- b. perform any other duties requested by the mayor, city council or manager.

#### **2.14.020 Office of the Treasurer Created**

The Office of the Treasurer is created by the City of Belen Governing Body. The salary of the Treasurer will be determined by the Governing Body upon appointment through contract with the City of Belen. The Treasurer shall be employed upon appointment by the Mayor, subject to confirmation by the City Council for a contractual term or until a vacancy is created in this office by death, resignation or removal in the manner provided for removal of City employees. The Treasurer shall be appointed solely on the basis of administrative qualifications and their selection shall not be limited by reason of former residence.

A. The Treasurer Shall:

- a. perform the required duties as defined in New Mexico State Statute (NMSA) Chapter 3
- b. perform any other duties requested by the mayor, city council or manager.

#### **2.14.030 Office of the Clerk/Treasurer Combined**

The Office of the Clerk and Office of the Treasurer may be combined upon appointment by the Mayor, subject to confirmation by the City Council for a contractual term or until a vacancy is created in this office by death, resignation or removal in the manner provided for removal of City employees. The Clerk/Treasurer will perform the same duties as presented in section 10 and section 020 of chapter 2.14 in the Belen Municipal Code.

#### **2.14.40 Creation and Duties of the Financial Officer/Manager**

The position of Financial Officer/Manager may be created and provided for by the City of Belen Governing Body and when provided for shall act as the city's statutory financial officer as defined in NMSA Chapter 3 Section 37. The salary of the Financial Officer/Manager shall be determined by the City Manager.

A. The Financial Manager shall:

- a. perform the required duties as defined in New Mexico State Statute (NMSA) Chapter 3
- b. become the City's procurement officer, supervising the process of all request for proposals;
- c. report all financial matters to the appointed treasurer;
- d. act as the deputy treasurer in the absence of the appointed treasurer; and
- e. other duties as specified in the positions job description.


(Ord. No. 2018-04)

2. This ordinance shall take effect five (5) days after publication of the notice of adoption.

**ORDAINED, ADOPTED AND APPROVED this 16<sup>th</sup> day of April, 2018.**

  
\_\_\_\_\_  
**Jerah Cordova, Mayor**

***Attest:***

  
\_\_\_\_\_  
**Brian McBain, City Clerk/Treasurer**