

RESOLUTION NO. 4397  
(Amend the City Council Rules of Procedure)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON,  
NEVADA, AMENDING THE CITY COUNCIL RULES OF PROCEDURE.

WHEREAS, Section 2.060 of the Henderson City Charter states that the City Council may adopt rules for the government of its members and proceedings; and

WHEREAS, Chapter 2.04.080 of the City of Henderson Municipal Code establishes that the City Council shall adopt rules of procedure that shall apply to City Council meetings, and that amendments thereto shall be adopted by City Council resolution; and

WHEREAS, the City Council has determined that written rules and procedures of City Council would be beneficial for current and future Councilmembers; and

WHEREAS, such rules are not intended to legally bind the City Council and are proposed only for the benefit of the City Council and do not confer any rights upon any person; and

WHEREAS, the City Council adopted Rules of Procedure on July 19, 2011; and

WHEREAS, the City Council amended its Rules of Procedure on January 3, 2012;

WHEREAS, the City Council amended its Rules of Procedure on December 13, 2016; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Henderson, Nevada, that:

The Rules of Procedure be amended as follows:

The Henderson City Charter states in Section 2.060 that the City Council may adopt rules for the government of its members and its meetings. These Rules of Procedure shall be in effect upon their adoption by the City Council and until such time as they are amended or new rules adopted in the manner provided by these Rules of Procedure.

SECTION I – MEETINGS

REGULAR CITY COUNCIL MEETINGS: The City Council shall meet in regular session [at 6:00 p.m.] on the first and third Tuesday of each month at a time to be determined and published consistent with NRS chapter 241. The City Council may, as it deems necessary, schedule a regular meeting on a date other than the first or third Tuesday of each month, in accordance with Sections 2.040 – 2.060 of the Henderson City Charter and the provisions of Nevada Revised Statutes (“NRS”) chapter 241. (HMC 2.04.010)

PLACE OF MEETINGS: The City Council herewith designates as its Council Chambers, for the conduct of all regular meetings, the Council Chambers in City Hall located at 240 South Water Street, Henderson, Nevada, or such other place as the City Council may from time to time determine. (HMC 2.04.020)

SPECIAL MEETINGS: Special meetings of the City Council include any meeting other than its regular meetings of a quorum of the City Council not exempted from the requirements of NRS chapter 241. Special meetings of the City Council may be called by the Mayor or a majority of the City Council in compliance with Section 2.050 of the City of Henderson City Charter and the provisions of NRS chapter 241. The Mayor shall make any request for a special meeting to the City Clerk. A majority of the City Council shall make any request for a special meeting by approval of an agenda item during a regular or special City Council meeting pursuant to NRS chapter 241. Notice of any special meeting shall be made by agenda handled in the same manner as that of a regular meeting. (HMC 2.04.030)

ADJOURNED MEETINGS: Any meeting of the City Council may be continued or adjourned from day to day by a call of the Mayor/Chairman and in accordance with an agenda noticed pursuant to NRS chapter 241, but not beyond the next scheduled regular meeting.

EXECUTIVE SESSIONS: Executive sessions, closed meetings or non-public meetings may be held in accordance with the provisions of NRS chapters 241 and 288.220.

## SECTION II - CONDUCT OF BUSINESS

QUORUM: Three Councilmembers shall be in attendance to constitute a quorum, and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.

SECONDING OF MOTIONS NOT REQUIRED: No motion in the City Council shall require a second. The vote shall be called by the Mayor/Chairman.

RESTATEMENT OF MOTIONS: When a motion has been made and debate has concluded, the final motion shall be restated by the Mayor/Chairman to ensure an accurate and concise record prior to the vote. Staff may be requested to clarify specific language related to the motion.

DIVISION OF THE QUESTIONS: If the question contains two or more separate propositions, the Mayor/Chairman may, and upon request of a Councilmember shall, divide the same.

APPROVAL OF MOTIONS: All motions approved by the City Council require at least three (3) affirmative votes. *Agenda items requiring a super majority vote for a motion to carry, require at least four (4) affirmative votes.*

RECONSIDERATION: Any Councilmember who voted with the prevailing side of a final action may call the action up for reconsideration at the same or next succeeding regular meeting, or at another regular meeting within thirty (30) days of the City Council action if the next succeeding regular meeting is not possible due to compliance with NRS chapter 241. Any Councilmember who voted with the prevailing side of a final action who wishes to call the action up for reconsideration must do so by informing the City Clerk in writing no later than seven (7) days after the final action was taken. A motion to reconsider shall require at least three (3) affirmative votes. If the City Council votes to reconsider its prior final action, the action item being reconsidered shall be re-heard during the same meeting unless public notice requirements in the Henderson Municipal Code ("HMC") or the NRS require the item [to] be heard at a future meeting.

CONSENT AGENDA: The consent agenda contains items considered to be routine and recommended for approval by staff. Consent agenda items will be voted upon with one motion, accepting the recommendations as stated on the agenda item.

An item may be pulled from the consent agenda by the Mayor/Chairman upon the request of a member of the public, Councilmember, a staff member, or at the Mayor/Chairman's own discretion. The Mayor/Chairman will identify whether the item is being pulled for discussion or for consideration at a later date. If a consent agenda item is pulled for discussion, it will be voted upon as a separate item.

PUBLIC HEARINGS: Items specifically designated as public hearing items by law and other items directly associated with these items, *typically accompanying Resolutions,* are placed in the Public Hearing section of the agenda. These items are considered open upon introduction, staff will make comments, the applicant and the appellant, if applicable, will give testimony, members of the public will be invited to give testimony, and the City Council will then deliberate and vote. The item is considered closed when voted on by City Council.

**UNFINISHED BUSINESS:** Items continued from previous meetings with the exception of Public Hearing items and their accompanying items are placed in the Unfinished Business section of the agenda. [This section also includes consideration of ordinances for adoption that are referred from the Committee meeting.]

**BILLS REFERRED FROM COMMITTEE FOR ADOPTION AS ORDINANCE:** *Bills referred for adoption from the City Council Committee Meeting, preceding the same dates City Council Meeting, as provided in the Henderson City Charter, Section 2.100.*

**BILLS TO BE READ IN TITLE:** Bills that are being read by title, to be referred to the next City Council Committee meeting for discussion, are placed in the Bills to be Read in Title section of the agenda. Bills read in title are referred to the next City Council Committee Meeting.

**NEW BUSINESS:** Non-routine items that require discussion by the City Council and/or staff, and resolutions for adoption, with the exception of resolutions that accompany Public Hearing items, are placed in the New Business section of the agenda.

**PUBLIC COMMENT:** Any person may speak on any item on the agenda upon recognition by the Mayor/Chairman. An individual desiring to speak on a specific agenda item shall fill out a comment card prior to the meeting indicating the agenda item he/she wishes to address. Additionally, a period of time will also be set aside at each meeting for persons to address the City Council on any topic of their choosing. Comments made cannot be acted upon during this time, but may be placed on a future meeting agenda for consideration by the City Council.

All speaker comments shall be limited to three (3) minutes unless waived by the Mayor/Chairman. Spokespersons representing a group of citizens shall be limited to ten (10) minutes. The Mayor/Chairman reserves the right to curtail abusive, offensive, inflammatory or repetitive comments.

**MAYOR/COUNCILMEMBER COMMENTS:** The Mayor and Councilmembers may speak on any item under this section of the agenda. Mayor and Councilmembers may comment on matters including, without limitation, future agenda items, upcoming meeting dates and meeting procedures.

Comments made cannot be acted or deliberated during this time, but may be placed on a future meeting agenda for consideration by the City Council.

REMOTE PARTICIPATION: A Councilmember may participate in a meeting by way of teleconference or similar communications equipment that allows all Councilmembers participating in the meeting to simultaneously hear each other. A Councilmember participating in a meeting by such means shall be considered present. Any Councilmember participating remotely shall be audible to the public for all discussions and votes.

PARLIAMENTARY AUTHORITY: City Council meetings are held in accordance with NRS, the Nevada Open Meeting Law, the Henderson City Charter, the HMC and previously adopted rules of the City Council. Robert's Rules of Order may be utilized as a guide by the City Council as long as the Robert's Rules of Order do not conflict with NRS, the Henderson City Charter, the HMC, or adopted rules of the City Council.

### SECTION III - CHAIRMAN DUTIES AND MEETING DECORUM

CHAIRMAN (Presiding Officer): The Mayor, when present, shall preside as Chairman at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside; in the absence of the Mayor and Mayor Pro Tem, the most senior Councilmember shall preside. The Chairman of any meeting of the City Council shall have the same right as any other member of the City Council to initiate a motion, question, or debate. The Chairman shall preserve order and decorum, and confine Councilmembers in debate to the question under discussion. The Chairman shall determine all points of order.

COUNCIL VOTE: Unless a roll call vote is requested or necessitated due to a malfunction of the electronic vote system, the vote on any motion, resolution or ordinance shall be cast electronically and displayed for public view.

DECORUM OF THE DAIS: During meetings, all persons present shall assist in preserving order and decorum by limiting conversation and the use of cellular devices that may delay or interrupt the proceedings.

#### SECTION IV - GENERAL RULES AND AGENDA PROCESS

AGENDA ITEMS: Matters to be considered by the City Council and included on a specific meeting agenda will adhere to the City Clerk's Office deadlines to ensure compliance with NRS, the Henderson City Charter and the HMC, and to provide public access to all information coming before the City Council. All items to appear on a City Council agenda must first be reviewed by the City Manager, the City Clerk, and the City Attorney, or their designees before being placed on a meeting agenda.

Councilmembers may request certain agenda items by either making a request during the Mayor/Councilmember Comment section of a City Council meeting agenda, or by making request to the City Manager, the City Attorney, or the City Clerk. Councilmembers shall make requests for the preparation of proposed ordinances to the City Attorney.

AGENDA PACKETS: No later than five (5) calendar days preceding a regular meeting of the City Council, the City Clerk shall distribute to the City Council an electronic agenda packet setting forth the matters to be considered at said meeting. The agenda packets shall be accompanied by complete, pertinent information relating to the agenda items, such as resolutions, ordinances, and background information. The agenda packet shall be available to the public in accordance with NRS chapter 241 in *the* following manner: on the City of Henderson website, [www.cityofhenderson.com](http://www.cityofhenderson.com), *the Nevada State website*, [www.notice.nv.gov](http://www.notice.nv.gov), *at the principal office of the public body located [and at the City Clerk's Office,] 240 South Water Street, Henderson, Nevada 89015, and three (3) other prominent places, which are located at the Multigenerational Center, 250 South Green Valley Parkway; Whitney Ranch Recreation Center, 1575 Galleria Drive; and Fire Station No. 86, 1996 East Galleria Drive.*

BILLS: All proposed ordinances shall be reviewed and approved by the City Attorney before they are placed on a City Council agenda in order to ensure compliance with state and federal laws and the Henderson City Charter. Ordinances are introduced as bills under the Bills to be Read in Title section of the agenda. The bill is read in title and referred to a Committee Meeting scheduled not less than 10 days from the date the bill is published by title in the *Las Vegas Review-Journal* to provide the public with notification that the City Council is considering the adoption of an ordinance.

Pursuant to the Henderson City Charter, consideration of a bill and discussion by the City Council will take place during the Committee Meeting. After deliberation, the City Council will take one of four actions. The bill may be withdrawn, referred to a regular meeting (generally later the same night) with a “do-pass” recommendation, amended and referred to a regular meeting with a “do-pass” recommendation, or continued to the next Committee Meeting. As described below, bills may only be continued one time due to the notice requirements found in the Henderson City Charter.

If referred to the Regular Meeting the bill will then be heard under the **[Unfinished Business]** *Bills Referred from Committee for Adoption as Ordinance* section of the agenda and voted upon by the City Council to accept the recommendation from the Committee Meeting, adopting the bill as an ordinance.

If the bill is continued at the Committee Meeting to the next Committee Meeting, the date of the next Committee Meeting must be within 30 days of the bill publication. A bill not finally adopted within 30 days must start the process over and be read in title under Bills to be Read in Title at a future City Council meeting. Once adopted, the ordinance is published in the *Las Vegas Review-Journal* and, unless otherwise designated in the ordinance, becomes effective upon publication.

**WITHDRAWALS AND CONTINUANCES:** Requests for the withdrawal or continuance of an agenda item received by the City Clerk’s Office prior to **[close of business on]** *the start of* a City Council meeting **[day]** will be listed and considered by City Council under *the* Acceptance of Agenda section of the agenda. After **[the close of business on]** *the start of* a City Council meeting **[day]**, requests for the withdrawal or continuance of an agenda item must be presented by the applicant or staff when that agenda item is called. Agenda items that are presented pursuant to Title 19 of the HMC must additionally comply with all Title 19 requirements relating to continuances.

APPEALS TO THE CITY COUNCIL: An appeal to the City Council made pursuant to the HMC shall be treated as a new matter and given de novo review unless specifically stated otherwise in the HMC. After the appeal item has been introduced by staff, the applicant will present its request to the City Council. After the applicant has presented its request, the appellant will then be given an opportunity to present its appeal to the City Council. The Mayor/Chairman of the meeting will then allow public comment pursuant to these Rules of Procedure. After public comment has concluded, the Mayor/Chairman may request that the applicant respond to any issues addressed by the appellant, by a member of the public during public comment, and any questions asked by Councilmembers.

SECTION V – ADDITIONAL RULES, MODIFICATION OF RULES

These Rules of Procedure may be added to, modified, amended, adopted, or temporarily suspended by the City Council by a majority vote at a duly noticed meeting. All permanent modifications or amendments to the Rules of Procedure should be made by the adoption of a resolution of the City Council.

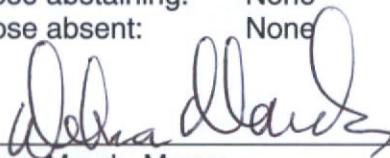
Adopted by Resolution No. 3994, July 19, 2011.  
Amended by Resolution No. 4019, January 3, 2012.  
Amended by Resolution No. 4241, December 13, 2016.  
Amended by Resolution No. \_\_\_\_\_, July 21, 2020.

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PASSED, ADOPTED, AND APPROVED THIS 21<sup>ST</sup> DAY OF JULY, 2020, BY THE FOLLOWING ROLL-CALL VOTE OF COUNCIL.

Those voting aye:  
Debra March, Mayor  
Councilmembers:  
John F. Marz  
Michelle Romero  
Dan K. Shaw  
Dan H. Stewart

Those voting nay: None  
Those abstaining: None  
Those absent: None

  
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Debra March, Mayor

ATTEST:

  
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Sabrina Mercadante, MMC, City Clerk