

NC 26, 1999

**RULES OF PRACTICE AND PROCEDURE
FOR
THE SOUTHERN NEVADA REGIONAL PLANNING COALITION**

1. Purpose of Rules of Practice and Procedure: To govern the affairs of the Southern Nevada Regional Planning Coalition ("Coalition") and the meetings of the Coalition Board; to define consensus; and to identify appropriate matters of consideration for which the Coalition Board should strive to achieve consensus.

2. General Provisions: Matters pertaining to governance of the affairs of the Coalition and the meetings of the Coalition Board not covered by these Rules of Practice and Procedure are covered by the Interlocal Agreement for the Formation of the Southern Nevada Regional Planning Coalition dated the 20th day of October, 1998 ("Interlocal Agreement") and as the Interlocal Agreement may be amended from time to time.

3. Attendance and Vacancies:
 - (a) A vacancy shall exist on the Governing Board whenever a member ceases to be able to fulfill the responsibilities of the Coalition Board which is defined as failure to attend, for whatever reason, three (3) consecutive meetings or five (5) meetings during a calendar year of the Coalition Board whether regular or special meetings. The forty-five (45) day period described in Section 4(d) of the Interlocal Agreement shall commence to run from the date of the third or fifth missed meeting of the Coalition Board.

 - (b) Each participating Public Entity may appoint one Alternate member from its Governing Board to the Coalition Board. Alternate members may attend all Coalition Board meetings when a Coalition Board member is unable to attend and will have the same powers and authority as a Coalition Board member.

4. Meetings of the Coalition Board:
 - (a) Regular Meeting: Regular meetings of the Coalition Board shall be held not less than once a month on the fourth Thursday of each month.

 - (b) Special Meetings: Special meetings of the Coalition Board shall be held whenever the Chair or Vice Chair (in the absence or refusal of the Chair to call a meeting) shall call a special meeting pursuant to the written request of any two (2) members of the Governing Board.

 - (c) Place of Meetings: All regular and special meetings of the Coalition Board shall be held at the time and place identified on the official meeting notice.

 - (d) Notice: Written notice of all regular and special meetings of the Coalition Board shall be given by or under the direction of the Chair or Vice Chair (in the absence or refusal of the Chair to give notice) as required by NRS Chapter 241 (Open Meeting

Law). A copy of all Coalition Board meeting notices shall be filed with the records of the Coalition.

(e) Meeting Agenda: A written agenda of matters to be discussed at each Coalition Board meeting along with, to the extent feasible, all supporting documentation shall be delivered to members of the Coalition Board and Technical Committee five days prior to a Coalition meeting. The Coalition secretary must be notified of all matters to be listed on the agenda and given all supporting documentation for distribution ten days prior to the Coalition meeting. Matters shall be placed on the agenda by direction of the Coalition Board, Technical Committee, Sub-Committee, or by an individual member of the Coalition Board. Each agenda shall clearly specify all matters to be acted upon and pertinent voting method (i.e. administrative, consensus, etc.).

(f) Minutes of Coalition Board Meetings: Accurate minutes of the proceedings of all Coalition Board meetings shall be prepared by the Secretary of the Coalition and shall be filed with the records of the Coalition.

(g) Records: All records of the Coalition, its sub-committees and the Technical Committee, as well as current Rules of Practice and Procedure, shall be housed in a central records depository and shall be available for inspection during normal business hours.

(h) Quorum: A majority of the full membership of the Coalition or subcommittee shall constitute a quorum for the transaction of business or duties of the Coalition. All other conditions, guidelines, and stipulations regarding quorum requirements as specified by Nevada Open Meeting Law shall apply.

5. Officers:

(a) The Board shall annually elect a Chair and Vice Chair at the first meeting of each calendar year. The Chair shall rotate alphabetically by participating entity name on an annual basis. The Chair shall preside at all meetings of the Coalition Board and shall have such duties and powers as may be prescribed in the Rules of Practice and Procedure, the Interlocal Agreement, and as may be determined from time to time by the Coalition Board.

(b) In the absence or disability of the Chair, the Vice Chair shall perform all the duties of the Chair. A determination of disability of the Chair shall be made by the Coalition Board. In addition, the Vice Chair shall have such other duties and powers as may be prescribed in the Rules of Practice and Procedure, the Interlocal Agreement, and as may be determined from time to time by the Coalition Board.

(c) Any officer may be removed from his or her position as Chair or Vice Chair with or without cause at any time by the Coalition Board. The vacancy created by removal shall be filled by the Coalition Board for the unexpired portion of the term of the person removed.

6. Staff:

(a) The Coalition shall have a Secretary and such other support staff as may be designated from time to time by the Coalition Board.

(b) All staff will perform their duties under the direction of the Technical Committee and the Technical Committee Chair.

(c) The Secretary shall be responsible for all correspondence, notices, agendas, minutes, administrative support of the Coalition, and other duties as assigned; shall be responsible for all referrals described in Section 11(a) of the Interlocal Agreement; and shall be responsible for all records of the Coalition.

(d) The Coalition may enter into agreements with any participating public entity to provide the necessary support services necessary to employ said staff.

7. Committees:

(a) Technical Committee: The Technical Committee shall advise the Coalition Board regarding growth and related issues in the Las Vegas Metropolitan Planning Area; shall prepare, review, and finalize the Coalition Board agenda items; and compile the official agenda. The Technical Committee shall provide the technical resources to accomplish the Coalition's business. Direction to the Technical Committee shall come from the Coalition Board or its standing sub-committees.

The Technical Committee shall prepare for approval by the Coalition Board an annual work program that outlines the major responsibilities and activities of the Coalition. The Technical Committee will assign work plan tasks to Participating Entity staff as appropriate. All Participating Entities will contribute to the achievement of work plan tasks in a collaborative fashion through informed and participatory processes.

(b) Federal Lands Disposal Sub-Committee: The Federal Lands Disposal Sub-Committee shall have the power and authority to work directly with the Bureau of Land Management and to make final decisions in furtherance of its activities described in the Interlocal Agreement.

(c) The Clark County Clearinghouse Council Sub-Committee: The Clark County Clearinghouse Council Sub-Committee is responsible for the administration of efforts necessary for the review, comments, and recommendations required for compliance with Presidential Executive Order 12372 and subsequent Governor's Executive Order, State of Nevada relative to applications for Project Notification and Review System, Direct Federal Development, State Plans, and Coordination of Planning in Multijurisdictional Areas.

One member representing each participating Public Entity shall be designated as its representative to this sub-committee, and the Chair shall be responsible for notifying the City of Mesquite of its obligation to provide a representative to this sub-committee.

The Clark County Clearinghouse Council Sub-Committee shall have and be supported by a Technical Committee consisting of one staff member appointed by each Public Entity member of the sub-committee. In addition, there may be one staff member appointed by the governing body of any political subdivision of the State of Nevada desiring membership on the Technical Committee upon submittal of a written request from such political subdivision to the sub-committee. Such appointments are as nonparty members, and nonparty members shall not be entitled to vote or hold office.

(d) Creation of Additional Sub-Committees: The Coalition Board may create additional sub-committees to exercise its powers and accomplish its duties as outlined in statute or designated in the Interlocal Agreement. The purpose, deadlines, and membership of the sub-committee must be indicated at the time of its creation. Except for the Technical Committee, not less than two members of the Coalition Board must participate in any sub-committee.

(e) All such sub-committees shall follow the same consensus-based decision-making process as the Coalition Board unless otherwise indicated to meet applicable federal or state regulations.

(f) The Technical Committee may direct staff to support the sub-committees, but those staff shall not be voting members of the sub-committees.

(g) All sub-committees and the Technical Committee shall keep accurate records and minutes of their respective actions and proceedings, including notices of meetings, and shall monthly deliver such records, minutes, and notices to the Secretary for filing with the records of the Coalition. All sub-committees must comply with the provisions and requirements of Nevada Open Meeting Law.

(h) No member of a sub-committee or the Technical Committee shall receive compensation for serving on such committee. Coalition members or sub-committee members may be reimbursed for approved expenses related to Coalition duties (i.e., travel, etc.).

8. Decision-Making Process: Generally, the Coalition will use a consensus-based decision-making model. Administrative or policy items on which consensus cannot be reached may be acted upon by vote. No proxies will be permitted for deliberation and disposition of Coalition duties. The Technical Committee must, when compiling the agenda, indicate the type of action that may be taken on each item (i.e., administrative, consensus, etc.) as applicable. Generally, items outlined for policy development in the Coalition's annual work program, such as the Metropolitan Planning Policies, shall be decided by consensus. As specified in the Interlocal Agreement, a super majority (two-thirds) vote of the Coalition Board is necessary to pass an action related to either a budgetary matter or a matter which involves an expenditure of public money; or a contract or other instrument that creates a binding legal obligation on a public entity.

Administrative: Administrative items such as approval of the agenda, minutes, creation of sub-committees, and other such administrative matters may be approved by a simple majority of those Board members present as indicated in the Interlocal Agreement.

Consensus: The Interlocal Agreement stipulates that the "desired goal" of the Coalition is to "take action on matters before it by consensus where possible." "Consensus" refers to the decision-making actions of the Coalition Board.

(a) "Consensus" means that a deliberating body has arrived at a solution that all participants can accept with varying degrees of comfort or tolerable discomfort. In other words, although consensus has been achieved, persons within the group may have reservations or dissenting views or may not be in complete or absolute agreement. Nevertheless, "consensus" signals each member's commitment to accept and support

the consensus decision and to refrain from subverting or undermining that decision. Fairness and balance are two key goals of consensus. The consensus process is dependent on the willingness and cooperation of participants interested in finding joint solutions and collaboratively seeking outcomes that accommodate, rather than compromise, the interests of all concerned. "Consensus" does not mean unanimous agreement of all members.

(b) The Coalition Board shall strive for consensus whenever possible on all issues being deliberated by the Coalition Board, including but not limited to the following: (i) Development of Las Vegas Metropolitan Planning Area Policies; (ii) Managing and implementing the strategic plan and infrastructure finance recommendations adopted by the Southern Nevada Strategic Planning Authority; (iii) Coordination of a regional and local data base for the Las Vegas Metropolitan Planning Area, including GIS; (iv) Establishment of standardized population projections with respect to regional planning purposes; (v) Identification and recommendation of measures to the appropriate Public Entities which, if implemented, would increase the efficiency of providing governmental services and reduce the cost thereof; (vi) Consideration of issues between Public Entities concerning annexation, future land use, zoning and development of land adjacent to the boundaries of two (2) or more Public Entities and the establishment of methods for addressing such issues; (vii) Recommendations to the appropriate Public Entities of identified measures to coordinate development regulations and public improvement standards.

(c) For consensus-building purposes, the Chair shall act as the facilitator. If deemed beneficial toward achieving a consensus by a majority of Coalition Board members on the issue under consideration, the meeting may be recessed to reconvene at the earliest practicable date to allow time for the consensus-building process to develop.

(d) If consensus cannot be achieved for a particular issue or situation, minority viewpoints will be preserved. If an impasse exists and a consensus cannot be achieved, a decision may be made by a simple majority vote of the members present to declare an impasse and to consider the item by formal vote. Subsequent affirmative action on a motion regarding the measure declared at an impasse by a simple majority vote of the Coalition Board members present indicates passage of the measure.

9. Open and Participatory Citizen Involvement Process: The Interlocal Agreement requires development of the Las Vegas Metropolitan Planning Policies through an "open and participatory citizen involvement process." Such process shall include at a minimum the following:

(a) At a meeting of the Coalition Board considering development and adoption of Las Vegas Metropolitan Planning Area Policies, members of the public in attendance shall be allowed to speak on the proposed policy on a first come-first served basis for up to three (3) minutes per person and up to an aggregate time of ninety (90) minutes for all speakers. The Chair may increase the times set forth in this section at his or her discretion.

(b) At each meeting of the Coalition Board, appropriate time will be allotted for public comment.

10. Budget and Fiscal Matters:

(a) Annually, at the January regular meeting of the Coalition Board, a proposed budget for the next fiscal year shall be presented by the Chair to the members of the Coalition Board for their consideration. A final budget shall be adopted by the Coalition Board at its April meeting for the fiscal year commencing July 1. The final budget adopted shall contain each Public Entity's proportional share pursuant to the Interlocal Agreement. As specified in the Interlocal Agreement, a super majority (two-thirds) vote of the Coalition Board is necessary to pass an action related to either a budgetary matter or a matter which involves an expenditure of public money; or a contract or other instrument that creates a binding legal obligation on a public entity.

(b) Promptly on adoption of each budget, the Secretary shall forward by registered mail a copy of the approved budget to each Public Entity which shall show each Public Entity's share. Each Public Entity shall, upon receipt of the approved budget for the next fiscal year, remit to the Coalition the Public Entity's share of the approved budget for deposit into the Coalition's account(s) no later than July 31.

(c) The Technical Committee shall develop each proposed annual budget for submittal to the Coalition Board within the time set forth in this section.

(d) The Technical Committee may explore the availability of State, Federal, and other monies which, together with private donations, may assist in meeting the budgetary requirements of the Coalition.

(e) The Chair, Vice Chair, and members of the Coalition Board are authorized to seek donations from private sector donors provided that no such donations shall be accepted until there has been a full disclosure, as determined by Counsel for the Coalition, of all material aspects of the Coalition.

(f) Coalition funds may only be disbursed for budgeted or approved expenditures and may only be disbursed with any two (2) of the following signatures: (i) Technical Committee Chair, (ii) Technical Committee Vice Chair, or (iii) Clark County Treasurer. All accounts shall be held in the name of the Coalition. The Coalition Board shall utilize the offices of the Clark County Treasurer and the Clark County Comptroller for the purposes of administering the Coalition funds and maintaining the integrity of and auditing the accounts of the Board. The Coalition must follow any applicable state laws pertaining to the financial administration of a local government.

(g) The fiscal year for the Coalition shall be July 1 through June 30.

11. Miscellaneous Provisions:

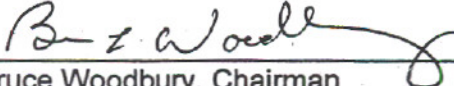
(a) Outside professional services may be employed by the Coalition Board from time to time as needed. All outside professional services shall be by contract approved by the Coalition Board and shall conform to the budget except in cases of emergencies as determined by the Coalition Board.

(b) Referrals described in Section 11(a) of the Interlocal Agreement shall be in writing and shall be sent by the Secretary by registered mail, return receipt requested, to the highest local official of the agency to which a matter is being referred.

(c) A recommendation or policy involving one or more Public Entities or governmental agencies, adopted by the Governing Board as described in Section 11(b) of the Interlocal Agreement, shall be promptly sent by the Secretary by registered mail, return receipt requested, to the City, County, or General Manager of the Public Entity involved or to the highest local official of the governmental agency involved. The date of the adoption of the recommendation or policy by the Coalition Board shall be clearly shown on the transmittal documents so the recipient can determine commencement of the forty-five (45) day period described in Section 11(b) of the Interlocal Agreement.

(d) Amendments to Bylaws: Amendments to the bylaws may be proposed at any regular meeting of the Coalition and scheduled for action at a subsequent Coalition meeting. The bylaws may be amended by a super majority affirmative vote of the Coalition members present.

Adopted by the Coalition Board on the 26th day of August 1999.



Bruce Woodbury, Chairman
Southern Nevada Regional Planning Coalition