

Memorandum

City of Las Vegas Planning & Development

To: Chairman Byron Goynes
Vice-Chairman Glenn E. Trowbridge
Commissioner Richard Truesdell
Commissioner Steven Evans
Commissioner David W. Steinman
Commissioner Sam C. Dunham, P.E.
Commissioner Vicki Quinn
Bryan Scott, Assistant City Attorney

From: M. Margo Wheeler, Director of Planning & Development

Date: January 22, 2008

Re: PC By-law Proposed Changes

Existed By-laws were adopted on June 8, 1989.

Please note sources on proposed New Sections:

II	B & C	from Reno
IV	B & C	from Reno
X		from Sparks
XI	A & C	from Reno
XII		from Reno
XIII		from Reno

Attachment

**CITY OF LAS VEGAS
PLANNING COMMISSION**

RULES AND REGULATIONS

I. NAME:

In accordance with the provisions of Nevada Revised Statutes 278.030 and 278.040, and ~~in accordance with~~ Title II, Chapter 2, Section ~~4 44~~ of the Las Vegas ~~City~~ Municipal Code, the name of this Commission shall be the City Planning Commission of the City of Las Vegas, Nevada (hereinafter the Planning Commission).

II. MEMBERSHIP:

- A. In accordance with the provisions of Title II, Chapter 2, Section 4 44 of the Las Vegas City Municipal Code, the City Planning Commission shall consist of seven (7) members appointed by the Mayor with the approval of the governing body, one recommended by each member of the City Council and approved by the City Council.
- B. The term of each Planning Commission member shall be four years or until his/her successor takes office, running concurrent with the term of the elected official recommending their appointment, and any vacancy occurring otherwise than through the expiration of the term must be filled for the unexpired term. All members must be City residents.
- C. No incumbent Planning Commission member, or former Planning Commission member who has served at least two consecutive full four-year terms shall be eligible for appointment to a further term until at least two years have elapsed since the expiration of his/her current term or the most recent term, as the case may be.
- D. Members of the Planning Commission may be removed after a public hearing, by a majority vote of the City Council, for inefficiency, neglect of duty, or malfeasance in office.
- E. A member of the Commission desiring to resign shall submit in writing a letter of resignation to the City Clerk's Office with copies to the City Council, the Chair, and the Planning & Development Department Director. The resignation shall be effective upon receipt by the City Clerk's Office.
- F. Planning Commissioners shall comply with Code of Ethical Standards as set forth in NRS 281.481 et seq. as applicable and amended.

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III. OFFICERS:

The duly elected or appointed officers of ~~this~~ the Planning Commission shall be as follows: Chairman, Vice-Chairman, and Secretary.

IV. ELECTION OF OFFICERS:

A. The Chairman and the Vice-Chairman shall be elected annually, at the first regular meeting in January. The Chairman and the Vice-Chairman shall be elected by a majority vote of the entire Planning Commission.

B. The term of the Chair and Vice-Chair is one year.

C. No Planning Commissioner may serve more than two full consecutive terms as Chair or Vice-Chair.

V. DUTIES OF OFFICERS:

A. Chairman:

It shall be the duty of the Chairman to act as the presiding officer at all regular and special Planning Commission meetings unless he/she is incapacitated or unable to attend a meeting for any other reason. The Chairman may appoint subcommittees as deemed necessary.

B. Vice Chairman:

It shall be the duty of the Vice-Chairman to ~~preside~~ act as presiding officer at any regular or special meeting of the Planning Commission in the absence of the Chairman.

C. Secretary:

The Director of the Department of ~~Community~~ Planning and Development, as appointed by the City Manager, shall serve as Secretary of the Planning Commission, and as such shall be responsible for the administration of the affairs of the Planning Commission. The Secretary shall be the custodian of all official records of the Planning Commission. In the event that both the Chairman and Vice-Chairman ~~shall be~~ are incapacitated or otherwise unable to attend any regular or special meeting, the Secretary shall appoint another member to act as Chair for that particular meeting. In the absence of the Vice Chair, the most senior member of the Commission shall act in that capacity. If multiple members have the same term, the Secretary shall appoint.

VI. MEETINGS:

A. Regular:

The Commission shall hold regular meetings on the second Thursday and fourth ~~Tuesday~~ Thursday of every month at 7 ~~6~~:00 P.M. in the City Hall, or other times and locations as the Planning Commission, by majority vote at a regular meeting, shall designate. Whenever this regular meeting date is in conflict with an official holiday, the regular meeting shall be convened on a different meeting day as designated by a majority vote of the Planning Commission at a previously convened regular meeting. A calendar of all meetings for the year shall be placed on the agenda the first meeting of November for approval by the Planning Commission. ~~The Commission may, by a majority vote at a regular meeting, waive the provision calling for the second regular meeting in any month.~~

B. Special:

Special meetings shall be held on the call of the ~~Chairman~~ with three (3) working days notice to all Planning Commission members as required under the Open Meeting Law. Upon petition of three (3) members, the ~~Chairman~~ shall be required to call a special meeting. In the event a special meeting is officially called by the ~~Chairman~~, the Secretary shall use all reasonable means at his/her disposal to make certain that all members of the Planning Commission are notified of the date, hour, and place of the special meeting and the specific purpose for which it is called.

VII. QUORUM:

The attendance by four (4) members of the Planning Commission ~~shall~~ constitutes a quorum at any regular or special meeting, for purposes of convening a meeting.

VIII. ACTIONS:

All determinations by the Planning Commission shall be made on the basis of a majority vote of the members present and voting except as specifically noted elsewhere in these ~~Rules~~. The adoption of the Master Plan or of any amendment, extension or addition thereof, shall be ~~by resolution of the Commission~~ carried by the affirmative votes of not less than two-thirds of the total membership of the Commission pursuant to NRS 278.210. Decisions on public hearing items shall be determined by a roll call vote or through use of an electronic voting device. ~~Any~~ A tie vote shall constitute ~~no action~~ failure of a motion and a new motion ~~may~~ shall be made on the question at the same meeting. A tie vote after the second motion shall constitute no recommendation of the agenda item by the Planning Commission. A second to a motion duly made is not required and all motions shall be voted upon. Robert's Rules of Orders shall prevail in all cases that are not otherwise provided for in these By-Laws.

IX. VOTING PRIVILEGES:

All members of the Planning Commission shall be entitled to vote on all motions or resolutions presented before the Commission except as specifically noted in these Rules. Any member shall have the right to make a motion except the Chairman. ~~Any member who shall feel that he has a conflict of interest on any matter on the agenda shall refrain from taking part in the discussion and voting on the matter.~~

X. CONFLICTS OF INTEREST:

A. A member of the Commission shall not approve, disapprove, vote, or otherwise act upon any matter regarding which he has accepted a gift, loan, or other financial interest as defined in NRS 281.501, as applicable and amended, which would reasonably be affected by his commitment in a private capacity to the interest of others, or in which he has a pecuniary interest, without disclosing the nature and extent of the gift, loan, commitment or interest at the time the matter is considered.

A member of the Commission shall consider refraining from approving, disapproving, voting, or otherwise acting upon any matter regarding which a member of his immediate family or a relative has accepted a gift, loan or other financial interest as defined in NRS 281.501, as applicable and amended without disclosing the full nature and extent of the gift, loan, commitment or interest at the time the matter is considered.

B. Testimony by Planning Commission member: After declaring a conflict of interest at the time the matter is considered, a Planning Commission member who wishes to submit testimony related to his interest may vacate his seat and present testimony in the usual manner.

C. Abstentions: A member who decides to abstain whether because of a conflict of interest or otherwise must state his/her reasons for doing so on the record at the time the matter is considered and before the vote is taken. Unless testifying as provided in Section B, the abstaining member must absent himself from the presence of non-abstaining members during the Commission's consideration of the matter in question.

XI. ATTENDANCE:

A. Each Commissioner who will be unable to attend a meeting of the Commission shall notify the Secretary at the earliest opportunity but not later than 5:00 p.m. on the day prior to the date of the meeting. The Secretary shall notify the Chair if the projected absence(s) will produce a lack of quorum.

B. If a member of the Planning Commission receives notice of meetings and without excuse fails to attend at least 75% of the meetings held within the previous ~~24~~ 12 months

or misses three consecutive meetings, the member shall be subject to removal from office at the discretion of the ~~Board of City Commissioners~~ Council.

C. Planning Commissioners, who were unable to attend a meeting at which an agenda item was heard but no substantive action was taken, may become informed about the agenda item by reviewing all submissions and either the video or audio tape of the proceedings, if any. After a full review of the materials related to the agenda item, and if otherwise, eligible to vote, the Planning Commissioners may vote on the agenda item simultaneously with the other Planning Commissioners.

XII. ADDRESSING THE COMMISSION:

A. Every Planning Commissioner desiring to speak shall address the Chair and, upon recognition by the Chair, shall confine himself or herself to the question under debate, avoiding all personalities and indecorous language.

B. A Planning Commissioner, once recognized, shall not be interrupted when speaking unless it is to call the Planning Commissioner to order. If a Planning Commissioner, who is speaking, is called to order, the Planning Commissioner shall cease speaking until the question of order is determined, and if in order, shall be permitted to proceed.

C. Any person wishing to address the Planning Commission shall first secure permission of the Chair to do so.

D. Oral presentations given during the Citizens' Participation portion of the agenda or any other agenda item should not be repetitious and shall be confined to three minutes maximum duration, unless the Chair or quorum of the Commission grants additional time. No action shall be taken on issues raised under the Citizens' Participation portion of the agenda.

XIII. USE OF CITY STAFF:

A. Planning Commissioners should always feel free to go to the Planning Director. Commissioners will provide ongoing feedback, information, and perceptions to the Planning Director. When a Commissioner has a concern with the Planning & Development Department, the concern should be discussed with the Planning Director.

B. Planning Commissioners shall make all requests for staff time to the Planning Director, who is authorized to approve or deny such requests.

C. Planning Commissioners may and should seek clarifying information from the Planning Director. Direct communication with employees of the Planning & Development Department is allowed at the discretion of the Director.

D. Planning Commissioners shall address legal questions regarding matters before the Commission to the City Attorney's Office through the Planning Director.

XIV. ADOPTION AND AMENDMENTS:

A. Adoption:

These ~~¶~~Rules shall be adopted by a majority vote of the entire Planning Commission.

B. Amendments:

These ~~¶~~Rules may be amended ~~at any~~ from time to time by a majority vote of the entire Planning Commission provided such Amendments are not inconsistent with or in conflict with the City Charter or any Ordinance of the City of Las Vegas or the Nevada Revised Statutes and provided further that any proposal to amend the Rules shall be presented to the Planning Commission at a regular meeting, discussed and tabled, and be included on the Agenda for action by the Planning Commission at the next regular meeting.

BYRON GOYNES, CHAIR
PLANNING COMMISSION

DATE: _____

ATTEST:

M. MARGO WHEELER, AICP, SECRETARY

APPROVED AS TO FORM:

BRAD JERBIC, CITY ATTORNEY