



December 9, 2004

# TRUCKEE MEADOWS REGIONAL PLANNING GOVERNING BOARD

## BYLAWS

Amended December 9, 2004

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BYLAWS OF THE  
REGIONAL PLANNING GOVERNING BOARD

RENO-SPARKS-WASHOE COUNTY  
NEVADA

Revised December 9, 2004

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**BYLAWS OF THE  
REGIONAL PLANNING GOVERNING BOARD**

**These bylaws have been reviewed  
and adopted by the RPG B on December 9, 2004.**

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**I. GENERAL**

The powers and obligations of the Governing Board and the requirements for its members are set forth in NRS 278 and are not repeated here.

**A. Duties and Responsibilities**

Members, including alternate members of the Board, shall inform themselves on and carry out the obligations in the Regional Planing provisions of state law and the plan.

**B. Conflicts of Interest and Ethics**

The members shall adhere to and be bound by the Code of Ethical Standards and requirements set forth in NRS 281.481 to 281.581, inclusive. When a Board member determines he or she has a conflict of interest, the member shall announce such conflict and refrain from discussing or voting upon the matter before the Board.

**C. Membership**

1. Appointments to the Board shall be made in the manner set forth by state law.  
Each local government may appoint alternates who can serve in the case of the absence of a member or if a member is unable to complete a term.
2. A resignation shall be submitted in writing to the Chair of the respective governing board. A resignation is effective upon delivery to the clerk of the respective governing board or upon the date set forth in the resignation, whichever is later.
3. A county member of the Board who is required to live in the unincorporated county ceases to be a member of the Board if he or she moves from the unincorporated area.

**D. Uses of Staff**

No Board member shall request from the Regional Planning Director any staff project that entails over two hours of staff work without seeking approval of the full Board.

**E. Enforcement, Suspension, and Amendment of Rules**

Enforcement of these rules shall be incumbent upon each member of the Board. These rules may be suspended or amended by majority vote of the Board members present.

**II. ATTENDANCE QUORUM AND VOTING**

**A. Attendance**

1. Members shall be prompt and diligent in attendance.
2. Excused absences shall be determined by the Chair. After four unexcused absences in a fiscal year, the Chair shall send a letter to that member's appointing body requesting reconsideration of the appointment.
3. Members shall give notice to the Chair of absence of a meeting or the need to arrive late or leave early.

**B. Number of Members Required to Conduct Business**

1. One more than half of the number of appointed members shall constitute a quorum necessary to conduct a meeting and take action on general matters of business.
2. The loss of a quorum constitutes an automatic recess or adjournment.

**C. Voting**

1. A simple majority vote of the total membership is required to approve any of the following matters (A motion is denied if it fails to receive a simple majority of the total membership):
  - a. Adoption of a resolution approving the Comprehensive Regional Plan, NRS 278.0276.

- b. Adoption of a resolution approving the Five-Year Major Plan Update, NRS 278.0276.
  - c. Adoption of a resolution approving an amendment to the Comprehensive Regional Plan, NRS 278.0276.
  - d. Adoption of a resolution approving a determination of conformance for a master plan, facilities plans or similar plan or an amendment thereto pursuant to NRS 278.0282.
2. An affirmative vote by a majority of the members present and constituting a quorum is required to approve all other matters.
  3. The chair is a voting member.
  4. The Chair may call for, or a member may request, a roll call vote on any issue.
  5. All votes shall be recorded by the Recording Secretary and shall indicate the members voting for, against, or abstaining from a matter. If an abstention is based upon a conflict of interest, the reasons for an abstention shall be reflected in the minutes.

**D. Procedures For Motions**

1. Roll Call:

Except where a roll call vote is required by statute or has been specifically requested by the chair or any members, all voting shall be by voice vote.

2. Precedence of Motions:

When a motion is before the Board, no motion shall be entertained except (1) to limit debate, (2) to adjourn, (3) to fix the hour of adjournment, (4) to lay on the table, (5) to call for the previous question, (6) to continue to a certain day, (7) to refer, (8) to amend, (9) to postpone indefinitely, or (10) to divide the question.

These motions shall have precedence in the order indicated.

3. Amendments:

No more than one amendment to an amendment is permitted. When an amendment is before the Board, the Board shall vote first on the amendment.

After the amendment has passed or failed, the Board shall vote on the main motion.

4. Motion to Table:

The purpose of this motion is to temporarily by-pass the subject. A motion to lay on the table is undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the matter may be "taken from the table" at any time prior to the end of the next regular meeting. A matter taken from the table cannot be acted upon if it does not appear on the published agenda.

5. Motion to Continue:

The purpose of this motion is to delay consideration of a subject until a future time. A motion to continue shall include the specific date when the subject shall again be considered.

6. Motion for Previous Question:

The purpose of this motion is to close debate on the main motion. It is undebatable, and no further discussion shall be permitted until the motion is acted upon. If the motion fails, debate is reopened; if the motion passes, then the Board shall vote on the main motion.

7. Division of Question:

If the question contains two or more divisionable propositions, the Chairperson may, or upon successful motion of the Board shall divide the same.

8. Withdrawal of Motion:

When a motion is made and seconded, it shall be so stated by the Chairperson before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.

9. Alternative Board Members:

An alternative representative to the Regional Planning Governing Board is a member who has been duly appointed by the local governing body to act in the absence of a principal member. Alternate Governing Board members shall exercise the same voting rights, privileges and responsibilities as other members of the Governing Board.

10. Board Member Required to Vote:

Board members are required to vote on all issues placed before them unless excused by a conflict of interest. If a member abstains from voting, after stating

conflict of interest, the number of votes required for passage of a question is reduced accordingly,

11. Recording Votes; Tie Votes:

The record of the proceedings of the Board shall indicate each individual Board member's votes on all non-routine matters coming before the Board. In the case of a tie in votes on any motion, the motion shall be considered lost.

12. Motion to Reconsider:

A motion to reconsider any action taken by the Board may be made only on the day the action was taken or at the next scheduled meeting following the day when the action was taken. It may be made during the same session or at an adjourned session. A motion to reconsider must be made by one of the prevailing side, but may be seconded by any member. A question failing by virtue of a tie vote may be reconsidered by motion of any member of the Board. It shall be debatable. Nothing herein shall be construed to prevent any member of the Board from making or remaking the same or any other motion at a subsequent meeting of the Board, except that no action shall be taken on any subject not included in the published agenda.

**III. MEETINGS**

**A. General**

1. A copy of the public notice will be posted at the Truckee Meadows Regional Planning Agency and the office of the City of Reno, City of Sparks and Washoe

County. A supplemental copy of the public notice will be posted on the TMRPA Internet website. The public notice will contain a list of the locations where the notice has been posted.

2. A notice of meetings wherein the Regional Plan is developed, adopted or amended shall be published in a newspaper of general circulation not later than ten days before the meeting in accordance with 278.0272.
3. Written information and materials pertaining to Board meetings shall be submitted in advance of meetings and distributed according to the schedule set forth in Exhibit 1 (attached). Other than materials related to an emergency item, as defined by Bylaws, no documents, photographs, exhibits, facsimile transmittals or other written materials (with the exception of demonstration or presentation exhibits, such as charts or maps, that can be viewed by all present) shall be presented to or considered by the Board. Late-produced materials will not become part of the public record, and the Board reserves the right to consider a scheduled item without acknowledging late-produced materials.
4. The Board, may, however, after review of late-produced materials by the Chairperson and/or the Regional Planing Director, decide, by majority vote, to consider late-produced materials if the Board believes that said materials are too important to be ignored. In order for late-produced materials to be properly analyzed and understood by the Board and by the public, the Board reserves the right to reschedule the item to a later place on the agenda or to a subsequent

Board agenda, when the materials and an analysis thereof can be made available to the Board and to the public.

5. Except as otherwise provided herein, these Bylaws shall govern the Board meeting procedures. Exceptions may be made, upon an affirmative vote of a majority of the members present and constituting a quorum to modify the procedures set forth in these Bylaws.

**B. Regular Meetings**

1. The Board shall set regular meeting days and publish a schedule of regular meetings annually. Should a regular meeting day fall on a holiday, the meeting shall automatically be held on the next business day.
2. All regular meetings of the Board shall begin at the time appointed by the Board and shall be scheduled to last not more than three hours. At the end of the three-hour time limit, the meeting can be extended by a simple majority vote of the members present.

**C. Public Hearings for Approval of the Five-Year Major Plan Update to Regional Plan**

Before approving the Five-Year Major Plan Update, the Board must hold a public hearing on the proposed plan in each of the cities in the region and in the unincorporated area of the county.

**D. Special Meetings**

Special meetings may be held, as required, upon call of the Chair or Acting Chair, or upon a call of not less than four Board members.

**E. Emergencies**

1. An emergency meeting may be called or an emergency item may be added to any regular or special meeting when unforeseen circumstances require immediate action and include, but are not limited to:
  - a. Disasters caused by fire, flood, earthquake, or other natural causes; or
  - b. Any impairment of the health and safety of the public.
2. Before proceeding with any emergency meeting or considering any emergency item, the Board must, by the affirmative vote of a majority of the members present and constituting a quorum, find that an emergency exists and specify the conditions and circumstances constituting that emergency.

**F. Agendas**

The agenda shall be set by the Chair. Items may also be placed on the agenda of a future meeting by majority vote of the RPGb at a duly noticed meeting.

**G. Order of Business – The order of the following agenda items can be changed as necessary at the discretion of the Chair:**

1. Roll call and determination of a quorum.
2. Approval of agenda.
3. Review, amendment, and approval of minutes.
4. Public comment.
5. Business of the Day (public hearings, conformance reviews, etc.) Old business previously considered by the Board, will normally be considered before new. Public hearings will normally be scheduled before items that do not require a public hearing.
6. Administrative items.
7. Director's and members' reports. (These are non-action items unless listed on the agenda for action.)
8. Requests for and action on future agenda items.
9. Written communications. (These are non-action items unless listed on the agenda for action.)
10. Public comments. (These are non-action items and are optional).
11. Adjournment.

**H. Procedures for Agenda Items**

1. Procedures for the conduct of public hearings:
  - a. Chair may advise audience of general hearing procedures.
  - b. Chair may request a show of hands of those in attendance for the agenda item under consideration and who wish to provide testimony.

- c. Chair may call upon staff to introduce the agenda item.
- d. Staff may make a presentation.
- e. Board members may ask questions of staff for clarification.
- f. Chair opens the public hearing for the presentation of testimony on an agenda item. Speakers wishing to testify before the Board shall sign a Request to Speak slip and deliver the slip to the Recording Secretary. Speakers, other than staff, may present information to the Board with the consent of the Chair and shall limit their presentation to five minutes if representing a group and three minutes if speaking as an individual. Exceptions to this may be permitted if:
  - (1) the Chair establishes a different speaking time limit prior to opening a hearing to testimony; or
  - (2) An individual requests permission to speak longer than the above noted speaking limit and submits a written request to the Chair or Director at least 24 hours prior to the Board meeting. The Chair has the discretion to grant or deny such a request.
- g. Speakers will be permitted to testify in the following order:
  - (1) If the hearing is a conformance review, the project advocate (either the developer on a Project of Regional Significance or a city, county or affected entity for a master plan, facilities plan or similar plan) will speak first. Following this presentation, other speakers will be heard.

- (2) Initial speakers for the agenda item under consideration are requested to provide their name, address, and the agenda item.
  - (3) Subsequent speakers in favor are requested to provide their name, address and any new pertinent information not covered by previous speakers.
  - (4) Initial speakers opposed to the agenda item are requested to provide their name, address and testimony and information related to the agenda item.
  - (5) Subsequent speakers against the agenda item are requested to provide their name, address, and any new pertinent information not covered by previous speakers.
  - (6) Questions asked by speakers and dialogue addressed to staff members and individual members will be directed, and limited as necessary, by the Chair.
- h. RPGb Chair closes the public hearing to the presentation of testimony.
  - i. Members may ask questions of staff or members of the audience.
    - (1) at the discretion of the Chair, staff may be asked to comment on any factual or procedural issues discussed during the public hearing.
  - j. The Chair calls for Board discussion leading to a motion. If a motion is made and seconded, it shall be:
    - (1) In accordance with the staff's recommendations and proposed findings; or
    - (2) The motion may be an amendment of the staff's recommendations and proposed finding, with the changes called for in the amendment to be noted in the motion; or

(3) The motion may be different from staff's recommendations and proposed findings and the motion will state the recommendations and appropriate new findings.

2. Procedures for consent calendar items

- a. Director, upon request of the Chair, shall introduce the consent items.
- b. Chair shall ask if any member wishes to have a consent item removed from this portion of the agenda. A member of the audience may also request the Chair to remove an item from the consent calendar.
- c. If an item is removed from the consent portion of the agenda, the Chair shall at a time later in the meeting schedule the item for consideration.
- d. Chair shall call for one motion addressing the consent items.
- e. The approval of a consent agenda item shall be considered to be the approval of the recommendation made in the staff report for that item.

3. Procedures for public comment on matters not specifically agendized:

Chair announces the opening of the public comment item for items not agendized. Speakers wishing to testify before the Board shall sign a Request to Speak slip and deliver the slip to the Recording Secretary. Speakers shall limit their presentation to three minutes. Exceptions to this may be permitted if:

- a. The chair establishes a different speaking time limit prior to opening a hearing to testimony; or
- b. An individual requests permission to speak longer than the above noted speaking limit and submits a written request to the Chair or Director at least

24 hours prior to the Board meeting. The Chair has the discretion to grant or deny such a request.

4. Procedures for items for reconsideration. A motion to reconsider any action taken by the Board may be made only on the day the action was taken or at the next scheduled meeting following the day when the action was taken. It may be made during the same session or at an adjourned session. A motion to reconsider must be made by one of the members voting on the prevailing side of the motion, but may be seconded by any member. A question failing by virtue of a tie vote may be reconsidered by motion of any member of the Board. It shall be debatable. Nothing herein shall be construed to prevent any member of the Board from making or remaking the same or any other motion at a subsequent meeting of the Board, except that no action shall be taken on any subject not included in the published agenda.

#### **I. Parliamentary Procedure**

1. Items Before the Board:

The Chairperson shall state the matter before the Board. Board members shall be allotted time to present their positions and concerns and ask questions of staff or others. The Board may vote to limit the amount of time allotted for discussion.

A motion and second on a debated issue will be allowed when in the opinion of the chairperson all interested parties have had an opportunity to express their views. Discussion may continue after the motion is made and seconded; however,

after a motion is on the floor, except for questions from the Board, discussion shall be restricted to Board members.

2. Presiding Officer May Debate and Vote, etc.:

While the primary role of the presiding officer is to facilitate deliberations, the Chairperson or member of the Board who is presiding may move, second, and debate from the chair, subject only to such limitations of debate as are imposed on all members. The presiding officer shall not be deprived of any of the rights and privileges of a Board member.

3. Getting the Floor – Improper References to be Avoided:

Every member desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine him or herself to the purpose for which he or she has been recognized, avoiding all personalities and indecorous language.

4. Interruptions:

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

5. Personal Privilege:

The right of a Board member to address the Board on a question of personal privilege shall be limited to cases in which the member's integrity, character or motives are questioned, or where the welfare of the Board is concerned. A Board

member may interrupt another speaker if the Chairperson recognizes the "privilege."

**J. DECORUM**

1. By Board Members:

While the Board is in session, the members must preserve order and decorum. A member shall neither by conversation or otherwise, delay nor interrupt the proceedings or the peace of the Board nor disturb any member while speaking or refuse to obey the orders of the Board or its presiding officer, except as otherwise provided.

2. By Persons:

Any persons making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the Board, or who interferes with the order of business before the Board, and who fails, upon request of the presiding officer to cease such activity, may be barred from the premises.

3. The Regional Planning Director or the Regional Planning Director's designee shall serve as sergeant-at-arms to carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Board meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to remove or cause the removal of any person who violates the order and decorum of the meeting.

#### **IV. OFFICERS OF THE BOARD**

##### **A. Titles**

The officers of the Board shall be:

1. Chair – who shall preside at all meetings, maintain order, call special meetings as they are needed, and recommend committees of the Board.
2. Vice-Chair – who shall serve in the absence of the Chair.
3. Secretary (non-voting) – who shall be the Director of the Regional Planning Agency or his/her designated representative, and who shall maintain the board records, bylaws, rules and procedures, and attachments. The secretary shall also serve as Parliamentarian and may confer with legal counsel before making a binding determination.

##### **B. Succession**

In the absence of the Chair and Vice-Chair, the member with the greatest tenure from the Chair's or Vice-Chair's jurisdiction will preside until the Chair or Vice-Chair returns. If the succession provisions of these bylaws fail to indicate which member is to serve as the presiding officer, the present members of the board shall select a presiding officer.

**C. Election of Officers**

The first meeting in July shall include the election of officers, and the election shall be the first order of business following determination of a quorum. Newly elected officers shall take office immediately at that meeting.

**D. Rotation of the Chair and Vice Chair**

The Chair and Vice Chair shall rotate annually among members appointed as Regional Planning Governing Board by the governing body of a county or city whose population is 40,000 or more. The schedule of annual rotation for the Chair among the jurisdictions shall be as follows:

<i>Chair</i>	<i>Vice Chair</i>
<i>Washoe County 2000-2001</i>	<i>Sparks 2000-2001</i>
<i>Sparks 2001-2002</i>	<i>Reno 2001-2002</i>
<i>Reno 2002-2003</i>	<i>Washoe County 2002-2003</i>

The rotation schedule shall then repeat. At the time any additional jurisdictions meet the above population standards, the rotation schedule will be amended after the next completed rotation. The Vice-Chair shall represent the jurisdiction whose turn for the rotation of the Chair comes in the following year.

**E. Authority to Sign**

The Secretary (Director of Regional Planning Agency) may sign such documents as may require certification on behalf of the Board. Transmittals of board action or

intent to the Regional Planning Governing Board will generally be the responsibility of the Secretary. The Chair shall sign resolutions and other documents reflecting official action of the Board.

**F. Delegation of Authority**

The Chair may designate a member, or the Secretary, to act for the Board in the conduct of administrative or fact finding activities. The board may delegate to members, when appropriate, such authority as may be necessary and as may be allowed by law.

**G. Committees**

1. The Board may establish such standing or advisory committees as deemed necessary to help conduct the business of the Regional Planning Governing Board in accordance with Mason's Manual of Legislative Procedures, and the advisory committee provisions of NRS 278.0268.
2. When the Board determines that a committee is needed to assist the Board in its work, the following procedures shall be used:
  - (a) The party proposing the creation of the committee will prepare a resolution defining the purposes, duties and objectives of the committee and whether it is to be an ad hoc or continuing committee. If proposed as an ad-hoc committee, the Board shall specify when the committee's work is to begin and to conclude.

- (b) That resolution will be submitted to the Regional Planning Directors for placement on an agenda for Board discussion.
- (c) The Board shall approve, modify or reject the resolution.
- (d) Terms of appointment to any standing committee shall not exceed five years. The Board may establish a limitation on the number of terms appointees may serve.

**V. RECORDS AND DOCUMENTS**

**A. Office Files**

All records and documents pertaining to the work of the Regional Planning Governing Board shall be kept in safe, orderly files maintained under the supervision of the Director of Regional Planning. Said records shall be open and accessible to the members of the board and the public during working hours, unless such records are declared by law to be confidential.

**B. Minutes**

1. Written minutes of each meeting shall be kept and are public records. Minutes of the Board meetings or electronic records of meetings will be made available within 30 working days after adjournment in accordance with NRS 24.035(2). This applies for all minutes of the Board except for minutes of a session closed pursuant to NRS 241.030. Minutes of closed sessions are governed by the provisions of NRS 241.035(2).

2. The Director of Regional Planning shall provide a Recording Secretary for each meeting who shall be responsible for a record of the meeting and for maintaining written minutes. Said minutes will bear the name of the Director attesting to their general accuracy.
3. Copies of the written minutes of the past regular meeting shall be furnished to the Board members within 30-days as a normal procedure and five (5) days in advance of the next regular meeting for review and approval. Upon correction and/or approval, the Secretary shall sign a master copy to be a permanent record, noting either:
  - (a) Approved by the Regional Planning Governing Board in session on \_\_\_\_\_, 2000; or
  - (b) Amended and Approved by the Regional Planning Governing Board in session on \_\_\_\_\_, 2000.
4. Approved written minutes are considered to be a summary of the proceedings and may be superseded by an electronic record.

## **VI. AMENDMENT OF BYLAWS**

### **A. Amendment of Bylaws**

The Bylaws of the Regional Planning Governing Board may be amended or added to by a notice of intent to amend or add to, approved by a majority vote of the Members present and constituting a quorum, and become effective at the next regular Board

meeting upon another vote of a majority of the members present and constituting a quorum.

**B. Failure to Follow**

Whenever the Board fails to follow one of its own rules or violates a rule, the action of the Board is not invalidated so long as the action is in compliance with all other laws.

**EXHIBIT 1**

**RPG B AGENDA SCHEDULE**

<b>ACTION</b>	<b>MINIMUM OF DAYS IN ADVANCE OF RPG B AGENDA DATE</b>
□ Application submitted/recommendation from RPC, if applicable.	29 (calendar) days
□ Meeting among regional staff/local staff/applicant to review: (a) processing schedule (b) potential regional issues; (c) completeness of materials	27 (calendar) days
□ Regional determination of completeness/letter to applicant confirming acceptance of application materials and confirming schedule	22 (calendar) days
□ Regional staff report prepared and circulated/public hearing items and advertised in newspapers	15 (calendar) days
□ Agenda materials and written correspondence distributed to RPG B members. Agenda materials received within seven days of the meeting will be considered “late-produced materials” and require approval from the Chairperson or TMRPA Director before distributing to RPG B members.	8 (calendar) days
□ RPG B Regular Monthly Meeting	--
□ RPG B Continuation Date, if necessary	+28 (calendar) days