



Open Meeting Law Training

By Brian Sooudi, Deputy City Attorney

Open Meeting Law NRS Ch. 241

- Intent
 - All public bodies exist to aid in the conduct of the people’s business, and public bodies’ actions be taken openly and that their deliberations be conducted openly. NRS 241.010
- Teleconference or videoconference “was/is” permissible, public body shall ensure that all the members of the public body and the members of the public who are present at the meeting can hear or observe and participate in the meeting. NRS 241.023
 - Declaration of Emergency Directive 006 (temporarily removing physical location requirement)

Agenda

- Staff will prepare agendas for the meeting.
- Action may only be taken on an agenda item that is designated as “For Possible Action.”
- Discussion should be limited to the scope of the agenda item.
- There will be an agenda item entitled, “Identify Agenda Items for Future Meetings.”

Taking Action on an Item

- To take formal action (to recommend or deny), a quorum must be present at meeting.
- Quorum is a majority of the membership of a public body or another proportion established by law.
- The action passes when a majority of the members present vote in favor.

Public Comment

- It will be on the agenda at the beginning of the meeting, and at the end. Required by law – NRS 241.020(3)(d)(3).
- Any restrictions on public comment must be reasonable and may restrict the time, place and manner of the comments, but *may not restrict comments based upon viewpoint*. NRS 241.020(3)(d)(7)
 - i.e. interrupting speaker and ending speaker’s public comment prior to the end of allotted time due to disagreement of opinion.

Other OML Provisions

- Agenda must be posted by 9 am. of the third working day before the meeting. Once this time has passed, no items on the agenda may be added.
- Items may be taken off the agenda once it is posted.
- Minutes of the meetings are public records, and are subject to inspection by any member of the public.

Effects of Covid

- Suspension of physical location requirement (1st slide)
- Opportunity for public comment
- Agendas posted on Nevada's notice website and public body's website
- Opportunity for parties to appear by remote means

Questions

- Any questions?
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