

RESOLUTION NO. 8838

RESOLUTION TO REPEAL AND REPLACE RESOLUTION NO. 6377 BY CHANGING THE NUMBER OF BUILDING ENTERPRISE FUND ADVISORY COMMITTEE MEMBERS TO UP TO SEVEN, CHANGING THE TERM LIMITS TO ALLOW A MEMBER TO SERVE FOR FOUR YEARS OR UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED, CHANGING THE QUORUM DEFINITION TO BE A MAJORITY OF THE APPOINTED MEMBERS, CHANGING THE AUTOMATIC RESIGNATION LANGUAGE TO APPLY ONLY FOR UNEXCUSED ABSENCES AND GENERAL CLEAN UP OF REDUNDANT LANGUAGE TO CONFORM WITH THE BUILDING ENTERPRISE FUND ADVISORY COMMITTEE BY-LAWS.

WHEREAS, the Reno City Council approved Resolution No. 6140 on February 18, 2003, creating the Building Enterprise Fund Advisory Committee; and

WHEREAS, the Reno City Council amended Resolution No. 6140 with Resolution No. 6377 on June 23, 2004, by changing the name of the Building Enterprise Fund Advisory Committee to the Planning and Building Enterprise Funds Advisory Committee and changing the number of members of the Committee from seven (7) to nine (9); and

WHEREAS, the City has created a Building Permit Enterprise Fund for the building permit process to provide user fees in the fiscal support of operations directly related to the building permit process; and

WHEREAS, the City has created an advisory committee to provide advice and counsel on the policies and management of the Building Permit Enterprise Fund.

NOW, THEREFORE, BE IT RESOLVED by the Reno City Council:

That Resolution No. 6377 is hereby repealed and replaced with the following:

Section 1. That the City shall appoint up to seven (7) members from the Reno community building industry representing a cross-section of the industry including residential, commercial and industrial. Members may also include a public officer or employee of the local government who manages the fiscal affairs of the local government and a public officer or employee of the local government who oversees directly the operation of the enterprise fund. Up to two members may be from the general public.

Section 2. The agenda will be prepared by the City of Reno Community Development Director, or designee. The Committee or its members may request topics be placed upon the agenda.

Section 3. The Committee will meet no less than four times a year at a time and date set by the committee members.

Section 4. A quorum shall be a minimum of the majority of appointed members.

Section 5. The meeting shall comply with the open meeting law and the Committee shall at its first meeting of even numbered year elect a Chair and Vice Chair. The Committee will also adopt bylaws.

Section 6. All members shall serve for a period of four (4) years, or until the member's successor is appointed. When a member is appointed to fill an unexpired term of a member who has resigned, the new

member shall serve the duration of the original term. City Council may reappoint a member for an additional term and may at any time remove a member without cause.

Section 7. If a vacancy occurs, the City Council may make an appointment to fill the vacancy.

Section 8. The Community Development Department shall provide staff for the Committee and shall be responsible for preparing agendas, minutes and communications for the Committee.

Section 9. Three unexcused consecutive meeting absences by a Committee member shall result in automatic resignation of that member. An absence shall be considered unexcused if the member fails to notify the Community Development Director by 5:00 p.m. on the day prior to the date of the meeting. Such a resignation may be appealed to the Reno City Council. Said appeal shall be initiated by the member and filed with the Reno City Clerk.

Section 10. The Mayor, City Manager, members, officers, employees and agents of the City are hereby authorized and directed, jointly and severally, to do any and all things as may be required and otherwise to give effect to, carry out and comply with the terms and intent of this Resolution, and to take all necessary and appropriate actions to effectuate the intent of this Resolution.

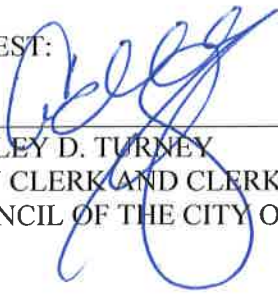
Section 11. This resolution shall take effect immediately upon its passage.

Upon motion of Council Member Duerr, seconded by Council Member Reese, the foregoing resolution was adopted this 26th day of August, 2020, by the following vote of the Council:

AYES:	<u>Duerr, Reese, Brekhus, Delgado, Weber, Jardon, Schieve</u>		
NAYS:	<u>None</u>		
ABSTAIN:	<u>None</u>	ABSENT:	<u>None</u>

APPROVED this 26th day of August, 2020.


 HILLARY L. SCHIEVE
 MAYOR OF THE CITY OF RENO

ATTEST:


 ASHLEY D. TURNEY
 CITY CLERK AND CLERK OF THE CITY
 COUNCIL OF THE CITY OF RENO, NEVADA



BY-LAWS OF THE CITY OF RENO
BUILDING ENTERPRISE FUND ADVISORY COMMITTEE

ARTICLE I - NAME

The name of the committee shall be the City of Reno Building Enterprise Fund Advisory Committee hereafter referred to as "the Committee."

ARTICLE II - AUTHORITY

The By-laws are authorized by Resolution No. 8838.

ARTICLE III - PURPOSE

To provide advice and counsel to the City Council on the policies and management of the Building Enterprise Fund. The Committee may also make recommendations to the City Council regarding Community Development Department services, including service levels, fees, the annual budget, capital expenditures and staffing needs as such recommendations relate to the Building Enterprise Fund. At the request of City Council, the Committee may provide comments to the City Council regarding Community Development Department activities.

ARTICLE IV - MEMBERSHIP

Section 1: The Mayor and City Council shall appoint up to seven (7) members to the Committee representing a cross-section of the City of Reno development community. Membership must include:

- a. A representative of the residential construction industry;
- b. A representative of the commercial development industry; and
- c. A representative of the construction industry; and

Membership may include:

- a. A public officer or employee of the local government who manages the fiscal affairs of the local government;
- b. A public officer or employee of the local government who oversees directly the operation of the enterprise fund; and
- c. Up to two members from the general public.

Section 2: Members of the Committee shall reside or have their primary business activities within the Reno City limits.

Section 3: All members shall serve for a period of four (4) years, or until the member's successor is appointed. When a member is appointed to fill an unexpired term of a member who has resigned, the new member shall serve the duration of the original term. City Council may reappoint a member for additional terms and may at any time remove a member without cause.

Section 4: Resignations:

- a. Committee members desiring to resign shall submit in writing a resignation to the City Clerk's Office, copies to the City Council, the Chair, and Community Development Director. The resignation shall be effective upon receipt by the City Clerk's Office.
- b. Resignation of the Chairperson is followed by the Vice Chairperson becoming Chairperson and serving the unexpired term of the vacated office. A new Vice Chairperson shall be elected at the regular Committee meeting.
- c. Automatic Resignation:
 - i. Three unexcused consecutive meeting absences by a Committee member shall result in automatic resignation of that member. An absence shall be considered unexcused if the member fails to notify the Community Development Director by 5:00 p.m. on the day prior to the date of the meeting. Such a resignation may be appealed to the Reno City Council. Said appeal shall be initiated by the member and filed with the Reno City Clerk.
 - ii. Automatic resignation also applies if a member is not, or ceases to be, a City resident or have their primary business activities within the Reno City limits.
 - iii. A Committee member may be removed from office by a majority vote of the Committee or City Council for inefficiency, neglect of duty, or malfeasance of office.

Section 5: Members of the Committee shall serve without compensation.

Section 6: Committee members shall have one vote each on each agenda item to be cast during attendance at any meeting.

Section 7: Committee members shall comply with Code of Ethical Standards as set forth in NRS 281A.400 through NRS 281A.550, inclusive, and as may be amended from time to time, and Chapter 2.20 of the Reno Municipal Code as applicable and amended.

ARTICLE V - OFFICERS

Section 1: The Committee at its first regular meeting of every even numbered year shall elect a Chair and Vice Chair from among the Committee members. In the event of a vacancy in the position of Chair or Vice Chair, the Committee members shall elect an officer from its members to fill such vacancy pending the biennial election of officers.

Section 2: The term of the Chair and Vice Chair is two (2) years.

Section 3: No Committee member may serve more than one consecutive two year term as Chair.

Section 4: The Chair shall preside at all Committee meetings, call special meetings in accordance with the By-laws, see that the Committee's actions are properly taken, and make or second motions.

Section 5: The Vice Chair shall assist the Chair in all of his/her duties and functions and shall serve as the Chair in the absence of the Chair. In the absence of both the Chair and

the Vice Chair, the Committee members shall elect a temporary Chair to carry out the duties of the Chair.

Section 6: Committee members who change their addresses shall notify the Chair, the City Clerk's Office, and the Community Development Director in writing.

Section 7: Secretarial services and staff assistance shall be provided by the City's Community Development Department staff. The Community Development Director, or designee, shall provide an accurate record of all proceedings including the taking of minutes.

Section 8: Committee members shall become familiar with and abide by City of Reno Management Policies and Procedures.

ARTICLE VI - MEETINGS

Section 1: The Committee shall meet no less than four times a year at a time, date, and place to be determined by the Committee for regular meetings.

Section 2: Additional meetings may be held at any time upon the call of the Chairperson, by a majority of the voting members, or upon the request of the City Council or the Community Development Director.

Section 3: Meetings shall be in compliance with the Nevada Open Meeting Law (NRS Chapter 241).

Section 4: A quorum shall be a minimum of the majority of appointed members.

Section 5: Special meetings may be held at the call of the Chair, a majority of the Committee members, or by request of the City Council or the Community Development Director. A special meeting is held at a time different from a regular meeting and is convened to address important matters that may arise between regular meetings that require discussion or action. Special meetings must comply with the Open Meeting Law.

Section 6: Notice of regular and special meetings will include the time, place, and agenda. The agenda will be posted in accordance with the applicable Open Meeting Laws.

Section 7: The agenda will be prepared by the City of Reno Community Development Director, or designee. The Committee or its members may request topics be placed upon the agenda.

Section 8: Teleconferencing attendance at meetings by members of the Committee will be permitted without further approval when a Committee member is unable to attend the meeting and desires to participate via the use of teleconferencing and/or videoconferencing if the technology is available. If more than one Committee member requests use of the teleconferencing for a particular meeting, it will require the approval of the Chair to do so. When teleconferencing is used, facilities will be utilized which permit the public to hear and/or observe all telephonic and/or video conferencing.

Section 9: Each Committee member who will be unable to attend a meeting of the Committee shall notify the Community Development Director at the earliest opportunity but not later than 5:00 p.m. on the day prior to the date of the meeting. The Community Development

Director shall notify the Chair if the projected absence(s) will produce a lack of quorum.

Section 10: Voting will be public with the Chair voting last.

Section 11: The Committee will take action by motion.

Section 12: A tie vote will result in a denial of the motion. If a motion is denied, another motion may be made.

Section 13: Committee members, who were unable to attend a meeting at which an agenda item was heard but no action was taken, may become informed about the agenda item by reviewing all submissions and either the video- or audio tape. After a full review of the materials related to the agenda item, and if otherwise, eligible to vote, the Committee members may vote on the agenda item simultaneously with the other Committee members.

ARTICLE VII - CONSIDERATION OF AGENDA ITEMS

Section 1: The Committee may re-arrange the order of consideration of items if necessary for the expeditious conduct of business.

Section 2: The presentation of agenda items during the action items shall be generally as follows:

- a. Chair opens the action item;
- b. City of Reno staff presents item and makes recommendation;
- c. Committee members may question the staff or solicit and consider comments from the public on the specific agenda item;
- d. Chair closes the action item discussion;
- e. Chair or any voting Committee member may make or second a motion;
- f. Committee publicly discusses the item at the table and may elicit additional information through questions from those present; the Chair, even though the items closed, may recognize a person in the audience who wishes to speak; and
- g. Committee votes on the motion, if there is a second.

Section 3: Every Committee member desiring to speak shall address the Chair and, upon recognition by the presiding officer, shall confine himself or herself to the question under debate, avoiding all personalities and indecorous language.

Section 4: A Committee member, once recognized, shall not be interrupted when speaking unless it is to call the Committee member to order. If a Committee member, who is speaking, is called to order, the Committee member shall cease speaking until the question of order is determined, and if in order, shall be permitted to proceed.

Section 5: Any person wishing to address the Committee shall first secure permission of the presiding officer to do so.

Section 6: Interested parties, or their authorized representative(s), may address the Committee by written communication in regards to matters under discussion. A copy of any written communication shall also be provided to the Community Development Director.

Section 7: During the proper time on the agenda, members of the public may address the Committee on any matter concerning the Committee's business or any matter over which the Committee has control. Other communications, comments, or suggestions from the public which are not related to an item included in the agenda elsewhere shall be heard by the Committee under Public Comment.

Section 8: Oral presentations given during the Public Comment section of the agenda or any other agenda item shall not be repetitious and shall be confined to three minutes maximum duration, unless the Chair or quorum of the Committee grants additional time. No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

SECTION VIII - USE OF STAFF

Section 1: Committee members will make all requests for staff time to the Community Development Director, who is authorized to approve or deny such requests.

Section 2: Committee members may and should seek clarifying information from the Community Development Director. An informal system of direct communication with employees of the Community Development is discouraged and should be used with discretion.

Section 3: Committee members shall address legal questions regarding matters before the Committee to the City Attorney's Office.

ARTICLE IX - DECORUM

Section 1: Roberts Rules of Order are hereby adopted for the governing of the Committee in all cases not otherwise provided in these bylaws.

Section 2: By Committee members: While the Committee is in session, the Committee members shall preserve order and decorum. A Committee member shall not unreasonably, by conversation, whispering, or otherwise, delay or interrupt the proceedings or the peace of the Committee nor disturb any Committee member while speaking nor refuse to obey the orders of the Committee or its presiding officer, except as otherwise herein provided.

Section 3: By staff members: Employees of the City of Reno shall observe the same rules of order and decorum as those which apply to Committee members.

Section 4: By the public: Each person who addresses the Committee shall do so in an orderly manner and shall not make personal, impertinent, slanderous, or profane remarks to any Committee member, staff, or public. Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of any committee meeting shall, at the discretion of the presiding officer or a majority of the Committee, be barred from further audience before the Committee during that meeting.

No person in the audience at a Committee meeting shall engage in disorderly or boisterous conduct, including utterance of loud, threatening, or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Committee meeting. Any person who conducts himself in the aforementioned manner shall, at the discretion of the presiding officer or majority of the Committee, be barred from further audience before the Committee during that meeting.

ARTICLE X - CONFLICTS OF INTEREST

Conflict of interest is governed by the Code of Ethical Standards in NRS 281A.400 through NRS 281 A550, inclusive, and as may be amended from time to time and Chapter 2.20 of the Reno Municipal Code, as applicable and amended.

ARTICLE XII - AMENDMENT OF BY-LAWS

These rules may be amended at any meeting by a vote of the majority of the entire membership of the Committee provided ten days written notice has been given to each Committee member. The amended bylaws shall become effective upon approval by the City Council.