

## AGENDA AS MEETING NOTICE

Town Advisory Board (TAB) and Citizens Advisory Council (CAC) agendas are *official documents* that serve as the meeting notice, the format for public meetings, and also become a part of the County's official records. Notification of public meetings is regulated by the Nevada Open Meeting Law, which states specific requirements for an agenda.

Meeting notices (agendas) must be *posted* at the location of the meeting and at least three other separate, prominent locations accessible to the public within the jurisdiction. The posting locations must be included in the meeting notice.

Meeting notices must be noticed and posted *by 9 a.m. three full working days* before the scheduled meeting, not including the meeting day. Notices requiring mailing must be at the U.S. Post Office no later than 9 a.m. three working days prior to the meeting. Agendas must be forwarded to Administrative Services, with a copy of the "Affidavit of Posting" at the same time.

**Meeting notices must also be emailed to the designated TAB/CAC Web liaison no later than Wednesday, 12 noon of the week prior to the TAB/CAC meeting. This is a statutory requirement and failure to meet this deadline may result in cancellation of the TAB/CAC meeting.**

In order to ensure that the community and proper agencies are informed of board/council activities and that boards/councils are in compliance with the Nevada Open Meeting Law, the following *guidelines* are provided. In addition, a *sample agenda* appears immediately following this section.

### **Heading**

The agenda (meeting notice) should be placed on official Advisory Board/Council letterhead stationery and must contain the date, time and place of the meeting. It must also state the posting locations.

### **Call to Order**

The Opening Ceremonies include the call to order, invocation, pledge of allegiance and introduction of the board/council members. These items, other than the call to order, are optional and may be omitted by board/council recommendation.

### **Organizational Items: Approval of the Agenda, Minutes & Secretary's Log**

The board/council must approve the agenda in order to proceed with the meeting. Please note that any items, including zoning applications, deleted at the beginning of the agenda cannot be re-added later during the meeting, nor discussed during the public comment session. The item must be placed on a future agenda for discussion and/or action. If an applicant requests his item be deleted, the

Chair, before deciding to delete the item may inquire whether there are any members in the audience who came to speak on behalf of the item. If there are people in the audience wishing to speak on the item, the item should not be deleted giving everyone present an opportunity to speak.

If an applicant requests that the TAB or CAC hold an item, it is up to the TAB/CAC whether to grant that hold or take other action. A TAB/CAC may hold the item as requested, may hold it to a date other than requested, or may act on it if they determine action is appropriate. It is important to note that per NRS 278.050 and 278.3195, the approval authority (Planning Commission or Board of County Commissioners) shall not grant more than 2 continuances on the same matter unless additional circumstances are warranted by the determination of good cause shown by the applicant.

The *minutes* from previous meeting(s) may be discussed and corrected, if necessary, and approved as written or amended.

### **Specific Agenda Items**

All agenda items should be sufficiently detailed in the agenda (meeting notice) to allow the general public to understand what issues will be discussed at the meeting. As outlined in the previous section, it is a violation of the Nevada Open Meeting Law for a public body to take action on any issue, which has not been legally posted on the official meeting notice (agenda). ***Only the items listed on the legally posted agenda may be considered for action. All items that the Board or Council will take action on must be followed by the term “for possible action” in parenthesis.***

Some TABs/CACs have chosen to place a “***Community Concerns***” section immediately ***before*** the “Planning and Zoning” section. This encourages citizen involvement in neighborhood issues, as many citizens will not sit through several hours of zoning items in order to voice their concerns. TABs/CACs are encouraged to consider the early, “citizen-friendly” placement of this item. A sample of this agenda item is presented below. Please note, this item does not remove the need for the “Public Comment” section.

#### **EXAMPLE:**

Receive comments from the public on neighborhood issues or problems and direct appropriate county staff or Neighborhood Action Committees to investigate and report back. (for possible action)

“***Planning and Zoning***” items should be listed by application number. The minimum information should include sufficient information to determine the applicant, general location of the property affected and the nature of the request.

#### **EXAMPLE:**

**ZC-1221-04**: Fred and Wilma Public; zone change from R-U to R-2, five acres located at the northwest corner of Cottonwood and Flamingo. (For possible action) **PC 5/15/15**

**UC-0234-04:** John P. Citizen; use permit for mobile trailer as office, 5555 N. County Road.  
(For possible action) **PC 5/29/15**

Agenda items should *not* be labeled as "Old Business" or "New Business." Business items that have been tabled or held from prior meetings should be listed as specific agenda items for action and may include in the description the reason for being held over. If any business item is brought to the TABs/CAC's attention for action *during* a meeting and it is not listed as an item on the current agenda, that item must be placed on a *subsequent meeting's* agenda for action.

**"Correspondence"** may be a generic category for agenda items that the TAB/CAC may discuss and note for the record. If action is required on specific correspondence, the board/council must ask to have it placed on the next meeting's agenda for action.

**"Committee Reports"** may be a generic category for agenda items under which the TAB/CAC may receive reports from any committees. If committee reports require board action, the agenda item should clearly state what issue the board/council is taking action on. The item should read, "Accept committee report concerning (state entire issue being heard) and take action as deemed necessary."

**"Reports by Staff"** should be listed separately. Many times the Town Liaison, a County Department or another governmental agency may need to relay information to the board/council or seek input from the community. These "reports" should be placed on the agenda also. If the County Manager's Office is notified of the request, and the same report will be made at several different board/council meetings, a memo will be sent by our office asking the appropriate secretary/chair to include the item on the agenda.

EXAMPLE:

Receive a report from the Regional Flood Control District regarding the annual Master Plan Update and take any action deemed appropriate. (For possible action) **BCC 5/16/15**

**"Discussion Items"** should also be included on the agenda. Many times the Chair receives a memo where the Board of County Commissioners, a County Department, or another governmental agency is seeking the board/council's input. Staff will request these items be placed on the agenda for discussion. If it is unknown whether the board/council may or may not take action, the following phrase should be included in the recommendation, "take any action deemed appropriate."

EXAMPLE:

Discuss the proposed Clark County Telecommunication Policy and take any action deemed appropriate. (For possible action) **BCC 5/16/15**

By writing the item as stated above, the board/council now has *several options* they may take:

Direct staff to note the board/council's input and take back to the appropriate department / agency;

direct the secretary to draft a letter from the board/council with their recommendations;

direct staff to follow up on issues raised at the meeting;

choose to accept the Policy as is and take no action.

### **Public Comment**

The Nevada Open Meeting Law requires that all meetings of public bodies must have two opportunities for comment by the public at large. The first public comment needs to appear before any action is taken on specific items that appear on the agenda. This can be handled by putting a public comment section at the beginning of the agenda or taking specific public comment following every action item that appears on the agenda.

The second public comment section must be a general public comment section scheduled on the agenda prior to the Board's adjournment. This open forum allows any person to voice his/her opinion, concern, etc. but precludes the public body from taking any action. ***If action is requested*** by a member of the board/council, the issue must be placed on a subsequent meeting's agenda for deliberation. While public bodies (TABs/CACs) ***may listen*** to such items, the TAB/CAC ***members should not comment, discuss, indicate how they would vote on the issue, or take any action on issues discussed under this section.***

***If any item was deleted*** at the beginning of the meeting, the public may make comment on it, but TAB/CAC members ***may only listen and cannot comment, discuss, or take action*** during Public Comment. The previously deleted item must be placed on a future agenda before any discussion and/or action can be taken by TABs/CACs.

### **Set Date of Next Meeting**

Prior to adjournment, identify the date, time and location of the next regularly scheduled TAB/CAC meeting.

### **Adjournment**

Meeting adjournment is an action and requires an agenda item.

### **Distribution of Agenda & Affidavit of Posting**

In addition to ***posting*** the agenda in the proper locations and providing it to the designated County Web liaison, TAB/CAC secretaries are required to fill out an "***Affidavit of Posting***" (see ***Forms under References section***) and mail or fax it no later than three (3) working days prior to the meeting to Administrative Services.

***Mail or email*** the agendas to Administrative Services, Current Planning, any other designated County staff and all persons having made a written or email request to receive a copy of the agendas. Agendas need to be received by County staff well before the date of the meeting so any necessary information or staff support can be provided at the TAB/CAC meeting.