

CITY OF FERNLEY
RESOLUTION #20-004

A RESOLUTION ADOPTING THE INTERNAL CITY OF FERNLEY AGENDA
PROCESS.

WHEREAS, the City of Fernley, a political subdivision of the State of Nevada, organized pursuant to the provisions of NRS Chapter 266; and

WHEREAS, the Fernley City Council desires a Policy and Procedure for Agenda Item Requests; and

WHEREAS, the City of Fernley has determined that the following procedures should guide the City of Fernley in processing agenda item requests in a timely and efficient manner; and

WHEREAS, in order to ensure conformity,
the following procedure shall be adhered to:

- 1) Presentations: Non-Staff presentations at City Council are to be limited to 10 minutes unless longer is approved by the City Manager.
- 2) City Council Agenda Item Comments/Questions: Should City Council have any clerical, grammatical errors, or general language changes that are not focused on the overall philosophical policy issue, said Councilmember shall make reasonable efforts to meet with or contact staff prior to the Council meeting to address said recommended changes. Staff is not required to make changes but may consider the changes suggested.
- 3) Agenda Request Form: An item can be placed on the agenda by the approval of the City Manager. The Agenda Request Form must be submitted to the City Manager for review no later than noon on Wednesday *three weeks prior to the scheduled Council Meeting*. The city manager will determine if the item will be placed on the agenda.
- 4) Fiscal Impact Review:
 - a. Currently staff provides information in the staff report about the impact to the budget regarding the agenda item. All agenda items are to be reviewed by the City Treasurer for fiscal impact and fiscal conformance. The fiscal impact portion of the report shall include the following:
 - i. If funds are currently budgeted
 - ii. The exact account numbers to be charged (and project number if applicable)
 - iii. The available appropriation

- iv. If not budgeted, the source of funds and subject to future budget augmentation.
 - b. The City Treasurer has the authority to request additional information/financial justification and/or to recommend against the expenditure/appropriation.
 - a. Once the City Treasurer has review for fiscal conformance and the staff report meets the above criteria, the staff report is submitted to the City Attorney for legal review.
- 5) Legal Review: All projects, reports and actions, that ultimately are to be decided upon by the City Council shall be analyzed, reviewed and signed off by the City Attorney for compliance with laws and regulations and to avoid any potential negative legal impacts to the City Council. Legal review of staff reports also provides staff with an opportunity to take steps to mitigate any legal impacts.
 - a. Legal Review Time Lines:
 - i. Staff reports with a proposed agenda date must be submitted for legal review **three Mondays prior to the scheduled meeting by 1:00pm**. Any staff reports submitted after the date will be pulled from the agenda and re-agendized for the next meeting.
 - ii. Items requiring lengthy legal review will not be agendized on a specific date until approved by the City Attorney's Office.
 - 1. The City Attorney has the authority to request additional information, to recommend staff report include steps to mitigate potential impacts, and to recommend to the City Manager and City Council that the report/contract is not in the best interest of the City.
 - 2. The City Attorney will have reviewed staff reports to the Department Head **two Mondays before the scheduled meeting**.
- 6) City Manager Review: Once the staff report and/or legal documents are reviewed and signed off by both the City Treasurer and the City Attorney, the corrected and reviewed staff report is submitted to the City Manager for approval **by 1:00pm the Monday prior to posting**. The City Manager will review for compliance with established plans, policies and procedures.
- 7) City Clerk Distribution: To abide by Open Meeting Law, **all agenda reports must be finalized and ready for publication no later than 1:00 pm the Wednesday prior to the scheduled meeting**.
- 8) Monitoring Procedures: It is the responsibility of the Department Head to ensure this resolution is followed.

- 9) Requests for Agenda Items: The following process outlines how items are placed on the City Council Agenda:
- a. Public:
 - i. A member of the public does not have the authority to place an item on the agenda. A Citizen may fill out an Agenda Item Request Form and submit it to the City Manager for appropriate consideration and referral. If the City Manager determines that the Agenda Item Request Form has merit, it will be referred to the appropriate staff. If the City Manager determines that the item should not be referred, the office will inform the citizen in writing or by phone.
 - ii. A citizen may request a Council Member or the Mayor to sponsor his/her item at a future Council meeting. In such cases, the sponsoring Council Member shall follow the procedures for "Council Member request for future agenda items."
 - iii. The public does not have the authority to pull an item from consent. However, the public may request an item be pulled from the consent (prior to the meeting or during public input). It is within the discretion of the consent approval Motion Maker whether to accept the request and make the request part of the motion to approve the agenda.
 - b. City Council Members:
 - i. The intent of these guidelines is to provide an orderly means through which an individual Council Member can raise an issue for discussion and possible direction by the City Council.
 - 1. This enables Council Members to place a matter in front of the Council.
 - 2. This enables the Council to determine whether staff time should be spent on this issue.
 - ii. Council Members wishing to have a matter discussed by the Council may during a Council meeting, under "Future Agenda Items," request that a matter be placed on a future agenda item for discussion that will be placed on the next meeting.
 - 1. Once a future agenda item is approved by majority vote at the next meeting, the City Council member may state the date for the item to be agendaized and that date may be voted upon in collaboration with input from staff.
 - iii. Council Members wishing to have a matter discussed by the Council may in advance of a Council Meeting, contact the City Manager via e-mail, telephone, or in-person and convey the desired title of the agenda item and desired meeting date.
 - 1. The desired item must be conveyed at least ten (10) working days prior to the meeting. This will give the City Clerk's Office time to finalize the agenda and post it within the required timeframe in accordance with the Open Meeting

Law. Requests received after the deadline shall be placed on the agenda for the next regularly scheduled meeting.

2. It is a Council Member's option to prepare a one-page summary report for the City Clerk's Office to include in the Council agenda packets.
 - iv. When the item is called at the Council meeting, the Council Member who made the request will describe the item. The Council discussion will include the basis for the request and a determination as to whether staff time and City resources should be spent researching the particular agenda item and whether to direct staff to conduct further analysis on the item. Council will not take action other than to bring the item back with a staff report with a specific amount of staff time determined for the initial presentation to Council.
 - v. Consent that staff time and City resources will be devoted to the items does not signify approval of the item. It only indicates that the Council wishes to have it studied further. Additionally, the Council may, at any time, decide to drop the matter, even after the matter has been analyzed by staff.
- c. Mayor: The Mayor shall have the same rules as section (b) immediately preceding and may utilize the same as section d immediately following:
- d. City Manager: The City Manager has the authority to place an item on the agenda. The item will follow the agenda process above.
- e. Department Heads and Appointed Officials: All agenda items will follow the agenda process above, which includes the final review and approval of the City Manager for placement on the City Council agenda.

10)Emergency Items: Should an emergency exist; the above policy does not apply. An emergency shall be determined by the Mayor and/or the City Manager.

11)Public Input:

- a. Public input shall be held at the beginning (prior to any action item), and the end of the meeting (prior to adjournment), pursuant to Open Meeting Law.
- b. Any Council Member may request the Mayor to open an item for public input. The Mayor shall open the item for public input.
- c. The public may request a Council Member to open a matter for public input. The Council member may in turn (but is not required to) ask the Mayor to open an item for public input on any item. The Mayor shall open the item for public input.
- d. Public Input will be a minimum of three minutes. The Mayor has the discretion to extend Public Input to 5 minutes.

12)Time Certain: A matter may be made time certain with the approval of the Mayor.

NOW, THEREFORE, BE IT RESOLVED that the City of Fernley Internal Agenda Process is hereby approved and adopted on this date and shall enter into effect immediately.

PASSED, APPROVED, AND ADOPTED this 15th day of January 2020, by the following vote of the Council.

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

FERNLEY CITY COUNCIL

By: _____
Roy Edgington, Mayor

ATTEST:

Kimberly Swanson, City Clerk