

ORDINANCE NO. 3368  
(Amend Henderson Municipal Code Chapter 2.04 - Council Meetings)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, TO AMEND CHAPTER 2.04 – COUNCIL MEETINGS - OF THE HENDERSON MUNICIPAL CODE.

WHEREAS, Ordinance 2961 was adopted by the City Council on April 3, 2012; and

WHEREAS, Ordinance 3174 was adopted by the City Council on June 17, 2014; and

WHEREAS, the following code chapter requires clarification and revision in order to more closely conform to the Henderson City Charter's grant of powers to the City Council regarding its meetings, and to include additional references to NRS Chapter 241, where applicable; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Chapter 2.04 Council Meetings is hereby amended as follows:

2.04.010 - Date and time of meetings.

The city council shall meet in regular session at 6:00 p.m., on the first and third Tuesday of each month. The city council may, as it deems necessary, schedule a regular meeting on a date other than the first or third Tuesday of each month, in accordance with Sections 2.040 – 2.060 of the City of Henderson city charter [provided that when either such days falls upon a legal holiday the council shall set an alternate date in accordance with] and the provisions of NRS chapter 241.

2.04.020 - Place of meetings.

The city council herewith designates as its council chambers, for the conduct of all regular meetings, the council chambers in city hall located at 240 Water Street, Henderson, Nevada, or such other place as the city council may from time to time determine.

2.04.030 - Special meetings.

Special meetings of the city council may be [held on a] called [of] by the mayor or a majority of the council in compliance with Section 2.050 of the City of Henderson city charter and the provisions of NRS chapter 241.

2.04.040 – Reserved.[Reconvening after recess.

A regular meeting or special meeting of the city council that has been recessed upon majority vote of the council, may be reconvened at any time and place designated by the mayor and approved by a majority of the council upon compliance with NRS chapter 241.]

2.04.050 – Reserved.[- Postponed meetings.

A postponed meeting of the city council shall be considered as a meeting not held, and the agenda prepared for such postponed meeting shall be carried over and presented at the next regular meeting of the council or at a special meeting called in the manner described in section 2.04.030.]

2.04.060 - Executive sessions and closed meetings.

Executive sessions, closed meetings or non-public meetings may be held in accordance with the provisions of [the] NRS chapters 241 and 288.220.

2.04.070 - Legal record of meeting.

The written minutes approved by the city council shall act as the permanent record of a city council meeting and shall be prepared and retained in accordance with the provisions of NRS chapter 241.

2.04.080 - City council rules of procedure.

Pursuant to section 2.060 of the City of Henderson charter, the city council shall adopt rules of procedure that shall apply to city council meetings. The city council rules of procedure and any amendments thereto, shall be adopted by city council resolution. A current copy of the city council rules of procedure shall be held by the city clerk's office.

2.04.090 - Recordings or transcripts of meetings held by order of city attorney.

Upon order of the city attorney, any audio or video recordings or transcripts of city council meetings [involved in] subject to a [litigation] legal hold shall be held until released by the city attorney, and then [disposed] held or destroyed in accordance with the City of Henderson Records Retention Schedule, provided that all retention requirements of NRS chapter 241 have been met.

2.04.100 - Recordings or transcripts of meetings [presently being held].

Any audio or video recordings or transcripts of city council meetings [presently being] held as records of the city[, which have been set into minute form and are of permanent record in the city,] may be destroyed in accordance with the City of Henderson Records Retention Schedule, provided that all retention requirements of NRS chapter 241 have been met.

SECTION 2. If any section, subsection, sentence, clause, phrase, provision or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.

Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is red and enclosed in [brackets], and language proposed to be added is in blue italics and underlined.

SECTION 4. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.

SECTION 5. A copy of this Ordinance shall be filed with the office of the City Clerk, and notice of such filing shall be published once by title in the Review Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance, and following approval shall be published by title (or in full if the Council by majority vote so orders) together with the names of the Councilmen voting for or against passage for at least one (1) publication before the Ordinance shall become effective. This Ordinance is scheduled for publication on November 4, 2016, in the Review Journal.

//

//

//

//

//

//

//

//

//

//

//

//

//

//

PASSED, ADOPTED, AND APPROVED THIS 1<sup>ST</sup> DAY OF NOVEMBER, 2016.



Andy Hafen, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk

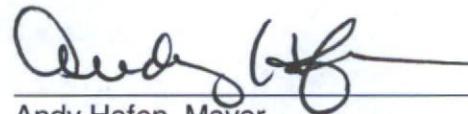
The above and foregoing Ordinance was first proposed and read in title to the City Council on October 18, 2016, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on November 1, 2016, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held November 1, 2016, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye: Andy Hafen, Mayor  
Councilmembers:  
Sam Bateman  
John F. Marz  
Gerri Schroder

Those voting nay: None  
Those abstaining: None  
Those absent: Debra March



Andy Hafen, Mayor

ATTEST:



Sabrina Mercadante, MMC, City Clerk