

**THIRD AMENDMENT TO  
CITY OF HENDERSON  
SELF-INSURANCE HEALTH PLAN COMMITTEE  
BY-LAWS**

This Third Amendment to the Self-Insurance Committee Bylaws does hereby supersede and replace all prior amendments or versions of the operating bylaws for the Committee effective upon the approval of the Committee and the City Manager.

**PURPOSE OF COMMITTEE:** The Self-Insurance Committee (“the Committee”) was established to administer the City of Henderson Employee Self-Funded Health Insurance Plan (“the Plan”) adopted by the City Council and made effective July 1, 1992.

**GUIDING PRINCIPALS:**

1. Committee members (“members”) will act as fiduciaries for the Plan and always work in the best interests of the beneficiaries (employees and their families) of this Plan.
2. Members acknowledge their obligation to continued education and training in the issues associated with these complex benefit plans and will participate in annual training that will complement their ability to act in the best interest of all participants in the Plan. The cost of such training is an appropriate and important expense that will be borne by the Plan and paid from its resources.
3. Open communication and dialogue among the members is critical to effective decision-making. Each member is obligated to understand the fundamental nuances of these plans and is empowered to ask for clarification and understanding before voting on any issue before the Committee. Members commit to active listening and respectful, robust debate to facilitate the overall effectiveness of the Plan.

**MEMBERSHIP:**

The Committee shall consist of eight voting (8) members. Two (2) members shall represent the interests of the membership of the Henderson Police Officers Association (HPOA). One (1) member shall represent the interests of the membership of the Henderson Police Supervisors Association (HPSA) and one member shall represent the interests of the membership of the Henderson Fire Employee Union. The Executive Board of each union shall appoint their representative. The remaining four (4) members shall be appointed by the City Manager from employees or retirees who are enrolled in the Self-Insured Health Plan, one of which shall be the Director of Human Resources.

Members, other than the Director of Human Resources, shall serve for a term of four (4) years and may be appointed to additional terms. Upon approval of these by-laws, two (2) members will serve an initial term of two (2) years; three (3) members will serve an initial term of three (3) years; and two (2) members shall serve an initial term of four (4) years in order to create a staggered schedule for term expiration.

Any member of the Committee except the Director of Human Resources may be removed upon the recommendation of the Committee at large upon the occurrence of three (3) unexcused absences in

any calendar year or unexcused absences from two (2) consecutive Committee meetings. Excused absences may be granted by the Chairperson with five (5) calendar days notice prior to a scheduled Committee meeting. Unexcused absences can be appealed by the member and excused by a majority vote of those members present.

A member may resign upon thirty (30) days written notice to the Committee Chairman or shall automatically lose their ability to serve on the Committee due to termination of employment or voluntarily ceasing to participate in the Self-Insurance Health Plan.

The City Manager and each public safety labor group may appoint one (1) alternate per regular member. Grounds for seating of an alternate may be personal or family illness, vacation, training or work assignment that makes the attendance by a regular member at Committee meetings impossible.

The Director of Human Resources shall serve as the permanent Chairperson of the Committee.

**OFFICERS AND DUTIES:**

The Chairperson shall be a permanent appointment. Elections shall be held annually at the first regular meeting of the calendar year for the position of Vice-Chairperson. The newly elected Vice-Chairperson shall take office at the next meeting following their election.

The Vice-Chairperson will serve for a one (1) year term and may be re-elected to additional terms.

The Chairperson shall preside at all Committee meetings, be responsible for calling and setting meeting dates and times, review and approve the agenda for meetings, and present all reports concerning the financial condition and status of the insurance program to the City Manager and City Council.

The Vice-Chairperson shall act as Chairperson and perform those duties in the absence of the Chairperson.

The City Manager and/or City Attorney shall name a staff person from the City Attorney's Office to act as legal counsel and the Director of Human Resources shall name a staff person from the Human Resources Department to act as Recording Secretary to the Committee.

Recording Secretary shall maintain the minutes of Committee meetings as directed by the Chairperson and in compliance with Nevada Revised Statutes (NRS) Chapter 241, concerning open meetings of public agencies.

The Chairperson, at their discretion, may designate additional city staff to provide support services to the Committee.

**MEETING REQUIREMENTS:** Committee meetings will be held at least quarterly or on a more frequent basis at the discretion of the Committee Chairperson.

Special meetings may be called upon the written request of two (2) or more Committee members submitted to the Chairperson.

All meetings will be held at the Henderson City Hall, 240 Water Street, Henderson, Nevada 89015 or such other appropriate location as specified by the Chairperson and noticed in accordance with NRS Chapter 241.

All meetings shall be properly noticed and posted in accordance with NRS Chapter 241 and all Committee members shall be individually notified of all meetings either by facsimile, email, telephone or by United States Postal Delivery.

The presence of five (5) members of the Committee shall constitute a quorum to conduct business.

Motions and resolutions require a majority vote of the members present, including the Chairperson. All agenda items shall be acted on by motion. A second to the motion, however, will not be required. The Chairperson can make motions and also vote. A motion that receives an equal number of votes will be considered tabled and may be re-opened for discussion at a later date.

In accordance with NRS Chapter 241, the Committee will utilize a prepared agenda. Any items which will be discussed during the meeting must be submitted to the Recording Secretary for inclusion in the agenda for the official meeting at least seven (7) calendar days prior to the meeting date. Appropriate backup materials should be submitted with the item if available.

**APPEALS PROCESS:**

Any employee or covered dependent who has a claim for benefits denied may appeal an adverse determination to the Plan Administrator in accordance with the Appeal process set forth in the current Summary Plan Description, as adopted by the City.

The decision of the Committee concerning an appeal of a claim is final.

The claim review meeting shall be a closed door meeting as permitted by NRS 241.030.

Every effort to insure the privacy and anonymity of the claimant will be made. The Committee will not be told the identity of the claimant to preserve its impartiality.

**AMENDMENTS:** Amendments to the by-laws of the Self-Insurance Health Plan Committee shall require a two-thirds (2/3) vote of the entire Committee membership.

Approved by the Committee: October 8, 2008

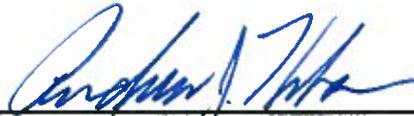
SELF-INSURANCE HEALTH PLAN COMMITTEE

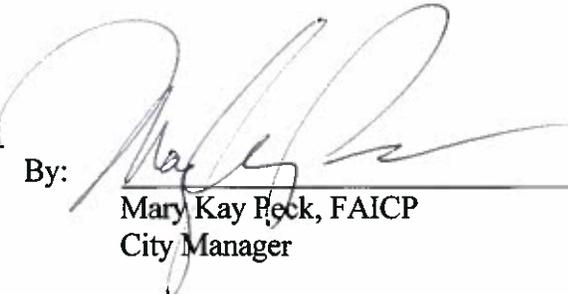
By:   
\_\_\_\_\_  
Fred Horvath  
Committee Chairperson

ATTEST:

By:   
\_\_\_\_\_  
Alysa Neilson  
Committee Secretary

APPROVED AS TO FORM:

By:   
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ANDREW J. URBAN, ESQ.  
Committee Legal Counsel

By:   
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Mary Kay Peck, FAICP  
City Manager