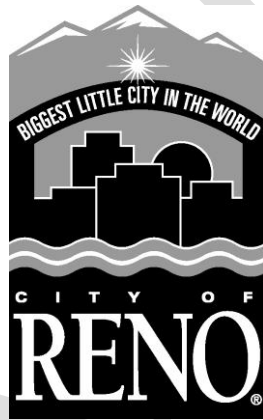


RULES OF THE RENO CITY COUNCIL



City Council Resolution No. ____
Adopted on _____

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1.0 AUTHORITY

These rules and regulations are adopted pursuant to the authority set forth in the Reno City Charter to assist the city council in the orderly conduct of city business consistent with applicable law. [Reno City Charter, Article II § 2.060]

2.0 PRESIDING OFFICER AND DUTIES

2.1 Duties of mayor.

The mayor shall have all powers and duties of office set forth in the Reno City Charter and the laws of the State of Nevada. [Reno City Charter, Article III § 3.010]

2.2 Duties of vice mayor.

The vice mayor shall have all powers and duties of office set forth in the Reno City Charter and the laws of the State of Nevada. City council shall select the vice mayor from members of the city council at the first regular meeting of city council in November of each year. The vice mayor will hold the office, at no additional compensation, for one year unless removed for cause by a six-sevenths vote of city council. The vice mayor shall perform the duties of mayor during an absence, disability, or vacancy of the mayor. [Reno City Charter, Article III § 3.010]

2.3 Presiding officer.

The mayor, if present, shall preside as chair at all meetings of the city council. In the absence of the mayor, the vice mayor shall preside. In the absence of both the mayor and vice mayor, the council shall elect a presiding officer. If the mayor vacates the chair during a meeting, and the vice mayor is not available, the mayor may appoint a temporary presiding officer. The first adjournment puts an end to this appointment. [Reno City Charter, Article III § 3.010]

2.4 Call to order.

The meetings of the city council shall be called to order by the mayor or, in the mayor's absence, by the vice mayor. In the absence of the mayor and vice mayor, the meeting shall be called to order by the city clerk.

2.5 Preservation of order.

The presiding officer, or his or her designee, shall preserve order and decorum to enforce compliance with the rules, and confine members in debate to the question under discussion. The presiding officer or any council member shall take notice of any point of order. The presiding officer shall rule on any point of order, and any ruling of the presiding officer may be appealed to the council as a whole by request of any member.

3.0 DUTIES AND PRIVILEGES OF MEMBERS.

3.1 Agenda items

All matters to be considered by the council at any regular meeting shall be submitted to the city manager so that he or she may calendar the item for consideration in conformance with the procedures established by the Nevada Open Meeting Law and the administrative guideline prepared on the subject. Council member requested items shall be handled in the following manner:

3.1.1 Prior to placing a council member requested agenda item before the council for action, an item to discuss the council member request must first be placed on a regularly scheduled council meeting agenda. The purpose of the discussion item is to provide other council members with an opportunity to consider the request and potential costs associated with the proposal, and share their thoughts on the proposed item before proceeding with an item to brought back to the council for action at a later date.

3.2 *Seating arrangement.*

City council members shall occupy the seats in the city council chamber assigned to them by the mayor, but any two or more members may exchange seats.

3.3 *Right of floor.*

A city council member who desires to speak must be recognized by the presiding officer. No member shall address the presiding officer or demand the floor while a vote is being taken.

3.4 *Conflicts of interest.*

A member prevented from voting by a conflict of interest shall disclose the conflict of interest on the record, and if necessary, leave the city council meeting during the consideration of the item, in compliance with state law and city ordinances concerning conflicts of interest. [Nevada Revised Statutes Chapter 281A]

3.5 *Right of appeal.*

Any member may appeal to the city council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly explain the ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "Aye," the ruling of the chair is sustained; otherwise, it is overruled.

3.6 *Voting.*

Every member present when a question is called shall vote either "Aye" or "No" except on matters involving conflicts of interest or the consideration of the member's own official conduct. The presiding officer shall always vote last on a roll call vote. [Reno City Charter, Article III § 3.010(1)(e)]

3.7 *Demand for roll call.*

Upon demand of any member for roll call vote, made before the result is announced, the roll shall be called for "Aye" and "No" votes upon any question before the city council. It shall not be in order for members to explain their vote during the roll call.

3.8 *Personal privilege.*

The right of a member to address the city council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are assailed, questioned, or impugned.

3.9 *Attendance.*

City council members are expected to attend meetings and stay in attendance during each meeting.

3.10 *Remote participation.*

To the extent practicable, council members will be permitted to participate in meetings via the use of tele- and videoconferencing facilities without further approval. Tele- and videoconferencing facilities, however, must comply with the legal requirements set forth in NRS Chapter 241. [Nevada Revised Statutes Chapter 241]

3.11 *Punctuality and breaks.*

City council members shall arrive at city council and committee meetings at or before the scheduled time for the meeting to begin. City council members will advise the presiding officer in advance when they cannot physically attend a meeting. If a quorum of a city council committee has not arrived at a committee meeting within 20 minutes after the scheduled starting time of the meeting, the chair may cancel the meeting. The presiding officer shall announce the schedule for breaks and lunch to be taken during the meeting.

4.0 MEETINGS

The city council may fix the time and place of its meetings. [Reno City Charter, Article II § 2.060]

4.1 *Regular meetings.*

The city council shall hold not less than two regular meetings each month, and the times and dates of regular meetings must be established by resolution. [Reno City Charter, Article II § 2.040(1)]

4.2 *Special meetings.*

Special meetings may be called by the mayor. [Reno City Charter, Article II § 2.040(2)]

4.3 *Public notice.*

The agenda for all regular meetings and the notice listing items to be considered shall be posted by the city manager or designee in accordance with the Nevada Open Meetings Law. [Nevada Revised Statutes Chapter 241]

4.4 *Quorum.*

Except as otherwise provided by law, a majority of all the members of the city council constitutes a quorum to do business, but a lesser number may meet and recess from time to time, and compel the attendance of the absent members. [Reno City Charter, Article II § 2.040(3); Nevada Revised Statutes Chapter 241]

4.5 *City manager participation.*

The city manager, or designee, shall attend all meetings of the city council. The city manager may make recommendations to the city council and shall have the right to take part in all discussions, but shall have no vote.

4.6 *City attorney participation.*

The city attorney, or designee, shall attend all meetings of the city council and shall, upon request, give an opinion, either written or oral, on questions of law. The city attorney shall act as the city council's parliamentarian. [Reno City Charter, Article III § 3.060]

4.7 *City clerk participation.*

The city clerk, or designee, shall attend all meetings of the city council and shall keep accurate records of all meetings and proceedings of the city council, including a record of all ordinances, bylaws, and resolutions passed or adopted by it. After approval at each meeting of the city council, the city clerk shall attest the journal in accordance with the Reno City Charter. [Reno City Charter, Article III § 3.040]

4.8 *Closed meetings, exempt meetings, and non-meetings.*

Closed meetings, exempt meetings, and non-meetings shall be conducted in accordance with the Nevada Open Meeting Law or other applicable law. [Nevada Revised Statutes Chapter 241; Nevada Revised Statutes Chapter 288]

4.9 *Time certain agenda items.*

Other than public hearings, there shall be no other agenda items set as time certain items on agendas when they are posted. During the "Approval of Agenda" item near the beginning of each meeting, the City Manager, the Mayor or any Council Member may request that an item be set for a time certain at that meeting and such request must be approved by the City Council as part of the normal agenda approval process.

5.0 CONDUCT OF MEETING

5.1 *Rules of order.*

On all questions of practice or procedure not provided for by these rules or any other applicable law, the practice and procedure set forth in *Robert's Rules of Order*, latest edition, shall prevail.

5.2 *Order of business.*

The presiding officer shall determine the order of the agenda and determine all questions of procedure at a meeting pursuant to these rules. The presiding officer on his or her own initiative, or the city council by majority vote, may consider items out of sequence from the printed agenda. Designated times to hear particular items may be set at the time the agenda is posted or on the day of the meeting upon request of the city manager, mayor, or council members. Item designated as time certain will be heard at or after the time set but may not be heard earlier than the time set.

5.3 *Consent agenda.*

The consent agenda contains items considered to be routine and recommended for approval by staff. Consent agenda items will be voted upon with one motion, accepting the recommendations as stated on the agenda item. An item may be pulled from the consent agenda by the presiding officer upon his or her own discretion, upon the request of a council member, or

upon the request of a staff member. The presiding officer will identify whether the item is being pulled for discussion or for consideration at a later date. If a consent agenda item is pulled for discussion, it will be voted upon as a separate item.

5.4 *Getting the floor.*

Every council member desiring to speak shall address the presiding officer and, upon recognition by the presiding officer, shall confine himself or herself to the question under debate.

5.5 *Speaking to motion.*

No member of the city council shall speak more than twice on an actionable item before a motion is made and no more than twice after a motion is made except by consent of the majority of the council members present at the time the motion is before the city council.

5.6 *Interruptions.*

No member of the council shall interrupt or argue with any other member while such member has the floor. A council member, once recognized, shall be permitted to speak unless a question of order needs to be determined by the presiding officer. If a council member that has the floor is called to order, the council member shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed.

5.7 *Privilege of closing debate.*

The council member moving for the adoption of an ordinance, resolution, or other action shall have the privilege of requesting the presiding officer close the debate.

6.0 CODE OF CONDUCT

6.1 *City council members.*

6.1.1 During city council meetings, city council members shall assist in preserving order and decorum and shall neither, by conversation or otherwise, delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of the city council.

6.1.2 A city council member desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine discussion to the question under debate, avoid discussion of personalities and indecorous language, and refrain from personal attacks and verbal abuse.

6.1.3 A city council member desiring to question city staff shall address questions to the city manager who shall be entitled either to answer the inquiries or to designate some member of city staff for that purpose. City council members shall not berate nor admonish staff members.

6.1.4 A city council member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, unless a point of order is raised by another member, or unless the speaker chooses to yield to questions from another member. If a city council member is called to order while speaking, that member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall remain silent or make

additional remarks so as to comply with rules of the city council.

6.1.5 City council members shall confine their questions to the particular matters before the city council, and in debate shall confine their remarks to the issues before the city council.

6.2 *City staff.*

6.2.1 City staff shall observe the same rules of procedures and decorum applicable to members of the city council.

6.2.2 Although the presiding officer has the authority to preserve decorum in meetings, the city manager also is responsible for the orderly conduct and decorum of all city employees under the city manager's direction and control.

6.2.3 All persons addressing the city council, including the city manager, other staff members, or members of the public shall be recognized by the presiding officer and shall limit their remarks to the matter under discussion.

6.2.4 No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the presiding officer.

6.3 *Members of the public.*

6.3.1 Members of the public are welcome to attend all public meetings of the city council and will be admitted to the city council chamber or other room in which the city council is meeting up to the fire safety capacity of the room.

6.3.2 Members of the public attending the meeting will refrain from private conversations while the city council is in session.

6.3.3 Members of the public attending city council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the city council.

6.3.4 Members of the public wishing to address the council shall first secure permission of the presiding officer to do so. The council may limit the length of time that a person is permitted to address the council in accordance with NRS Chapter 241. Each person desiring to address the council shall submit a "Request to Speak" form to the city clerk and shall identify him or herself when addressing the council.

6.3.5 Comments made during public comment shall be confined to three minutes maximum duration, unless the presiding officer grants additional time. Unused time may not be reserved by the speaker, nor allocated to another speaker.

6.3.6 The presiding officer may permit the public to address the council on individual agenda items. If granted, public comment given on an agenda item shall be confined to three minutes.

6.3.7 The presiding officer, at his or her own discretion, may recognize a person as a spokesperson representing a group of citizens.

6.3.8 No question shall be asked of a member of city council except through the presiding officer. No action shall be taken on issues raised under the public comment section of the agenda unless the matter itself is specifically included as an action item on such agenda or included on a future agenda as designated as an item upon which action may be taken.

6.3.9 No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. No person shall address the city council after public comment is concluded without first securing the permission of the presiding officer to do so.

6.3.10 The presiding officer may prohibit comment if the content of that public comment is a topic that is not relevant to, or within the authority of, the city council, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Any person making willfully disruptive remarks while addressing the city council or while attending the city council meeting may be removed from the room if so directed by the presiding officer, and the person may be barred from further audience before the city council during that session of the city council. [Nevada Attorney General Opinion No. 00-047; Attorney General's Open Meeting Law Manual § 8.05]

6.3.11 Unauthorized remarks from the audience, stamping of feet, whistles, yells, heckling, name calling, use of profanity, personal attacks, physical intimidation, threatening use of physical force, assault, battery, or any other acts intended to impede the meeting or infringe on the rights of the city council, city staff or meeting participants shall not be permitted by the presiding officer, who may direct the removal of offenders from the room.

6.3.12 No placards, banners, props, or signs will be permitted in the city council chamber or in any other room in which the city council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the city council, however, are permitted.

6.3.13 Members of the public attending city council meetings shall not bring food or drink into the city council chamber or into any other room in which the city council is meeting.

6.3.14 Members of the public may address the council by written communications in regard to matters under discussion. It is recommended that written materials presented to the city council by the public should be submitted to the city clerk at least three working days prior to the council meeting at which they are to be considered.

6.4 *Enforcement.*

The city manager, or designee(s), shall act as sergeant-at-arms for the city council and shall furnish whatever assistance is needed to enforce the rules of the city council.

7.0 QUESTIONS, MOTIONS, DISCUSSION, AND VOTING

7.1 *Questions by city council.*

City council members may ask questions of city staff and members of the public prior to a motion. Each city council member shall limit his or her questions to three (3) minutes. If granted by the presiding officer, a city council member may have a second opportunity to ask questions limited to one (1) minute. The order of recognition of members of city council shall be determined by the presiding officer. The presiding officer shall endeavor to rotate the opportunity to ask questions among the members of city council members until each member has had the opportunity to be heard twice.

7.2 *Motion.*

Upon conclusion of questions by city council, the presiding officer shall request a motion from city council. When a matter pending before the city council pertains to a specific ward, the council member from that ward shall make the main motion regarding the disposition of the matter. If the council member from that ward is absent or must abstain as a result of a conflict of interest or the motion fails to carry, the council member at-large and then any other council member or mayor may make the motion.

7.3 *Discussion following motion.*

The order of recognition of council members desiring to speak during discussion following a motion shall be determined by the presiding officer. Each city council member shall limit his or her discussion to three (3) minutes. After all members desiring to speak on a motion have had an opportunity to be heard, a second opportunity to be heard may be granted by the presiding officer limited to one (1) minute. After all members have had an opportunity to be heard twice, debate is closed.

7.4 *Call for the vote.*

Once discussion on a motion is concluded, the presiding officer shall call for the vote on the motion. If the motion is not affirmatively voted upon for passage, the presiding officer shall determine if there is another motion and second in accordance with these rules.

7.5 *Voting required.*

Council members are required to vote on all issues placed before them unless excused because of a conflict of interest; provided, however, a council member not present at a prior meeting may abstain from voting on the minutes of that meeting.

7.6 *Roll call, lack of affirmative vote (no action) and negative motions.*

At the request of the presiding officer, roll call votes shall be taken by the city clerk. The city clerk shall endeavor to rotate the order of calling on members of city council on a roll call vote except that the mayor or presiding officer shall always vote last on a roll call vote. It shall not be in order for members to explain their vote during the roll call. The journal of the proceedings of the city council shall record each vote on all items. If an item is not affirmatively voted upon for passage or denial, this shall not constitute action of the city council and the item may be placed on a future agenda for consideration. A negative motion which fails to carry is not tantamount to approval and shall require the passage of an affirmative motion before approval.

7.7 *Other motions.*

A guide providing a non-exhaustive list of the various types of motions that may be made at a city council meeting and when they are appropriate is incorporated into these rules and is included hereto as Exhibit A.

7.7.1 Motion to amend. When a motion to amend is before the council, the consent of the council members making and seconding the motion shall be obtained prior to the vote. To assist with maintaining accurate journals of city council, the motion as amended should be repeated prior to the vote.

7.7.2 Motion to continue. The purpose of a motion to continue is to delay consideration of an item until a future date. A motion to continue should specify the date and time when the item will again be considered. Unless otherwise specified by law, if a public hearing which has been noticed in a paper of general circulation or through direct mailing is continued, and more than sixty-five (65) days will elapse before the matter is heard, the item will be re-noticed.

7.7.3 Motion to close debate. The purpose of this motion is to close debate on the main motion. A motion to close debate is not debatable, amendable, or subject to discussion. For non-public hearing items, after all members desiring to speak on a motion have had an opportunity to be heard at least once for three (3) minutes and a second time, if granted by the presiding officer, for one (1) minute, any council member may motion to close debate. A motion to close debate is out of order when a council member has the floor. A motion to close debate must be seconded and requires a majority of all the members of the city council to pass. If the motion fails, debate continues; if motion passes, then city council shall vote on the main motion.

7.7.4 Withdrawal of motion. When a motion is made and seconded, it shall be so stated by the presiding officer before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.

7.7.5 Motion to reconsider. A motion to reconsider the passage of a main motion may be made on the day the action was taken, at a continued meeting, or at the next scheduled regular meeting of city council provided that such item is properly noticed for action on such future agenda. In the event a member of city council desires that a matter be reconsidered at the next regularly scheduled meeting, the reconsideration question may be added to the agenda at any time prior to final printing and posting of the agenda. A motion to reconsider must be made by a council member on the prevailing side of the question, but may be seconded by any member. A motion to reconsider, having been put and lost, shall not be renewed either by the mover or by any other member of the council. Any item failing in receiving an approval or denial by affirmative motion by virtue of tie vote can be withdrawn from consideration if allowed by law and applicable regulations or it will be placed on the next regular meeting of the city council for consideration.

8.0 PUBLIC HEARINGS AND APPEALS

Items specifically designated as public hearing items by law and other items directly associated with these items are placed in the “Public Hearing” section of the agenda. These items are considered open upon introduction. The item is considered closed when voted on by city council. The following shall be the procedure during public hearings and appeals:

8.1 *Written appeal.*

A written appeal from any proceeding entitled to be appealed to city council which is timely filed with the city clerk acknowledged and placed into the record.

8.2 *Opening of public hearing.*

At the time of the noticed public hearing, the presiding officer shall open the hearing on the record, request the city clerk confirm if proper notice to the public was provided and detail any correspondence received relating to such hearing.

8.3 *Disclosures.*

For items involving quasi-judicial hearings, a council member that receives information about a case outside of a public hearing shall disclose the communication to the entire city council at the beginning of the hearing. If the council member believes that the *ex parte* communication will not affect his or her ability to decide the case fairly, impartially and based solely on the evidence presented at the hearing, the member can participate in the hearing and vote on the item; otherwise, the member must abstain from the discussion and the vote.

8.4 *Staff report.*

City staff shall generally provide a staff report to city council. The staff report shall be heard first by the city council. If the city is the appellant, the staff presentation is limited to ten minutes or such time as determined by the presiding officer to be reasonably necessary to elicit testimony concerning the matter under consideration.

8.5 *Appellant(s).*

An aggrieved party that files an appeal is considered an “appellant.” Combined presentation/testimony by all appellants, explaining their position shall be next heard by city council and such presentation is limited to ten minutes or such time as determined by the presiding officer to be reasonably necessary to elicit testimony concerning the matter under consideration.

8.6 *Respondent(s).*

Anyone that opposes the appeal is considered a “respondent.” Combined presentation/testimony by all respondents shall be heard following the appellant(s) and such presentation is limited to fifteen minutes or such time as determined by the presiding officer to be reasonably necessary to elicit testimony concerning the matter under consideration.

8.7 *Public comment.*

Any member of the public providing testimony or comment shall be limited to three minutes.

8.8 *Closing of public hearing.*

Once the respondent(s) have completed their presentation, appellant(s) shall be entitled to a closing statement if the appellant(s) reserved time from the original fifteen minutes.

8.9 *Questions by city council.*

City council members may ask questions of city staff, appellants, respondents, and members of the public prior to a motion. Each city council member shall limit his or her questions to three (3) minutes. If granted by the presiding officer, a city council member may have a second opportunity to ask questions limited to one (1) minute. The presiding officer shall endeavor to rotate the opportunity to ask questions among the members of city council members until there are no further questions. The order of recognition of members of city council shall be determined by the presiding officer.

8.10 *Main motion.*

The council member from the ward in which case originates shall make the main motion regarding the disposition of the matter. If the council member from that ward is absent or

must abstain from voting as a result of a conflict of interest or the motion fails to carry, the council member at-large and then any other council member may make the motion.

8.11 *Discussion following motion.*

The order of recognition of council members desiring to speak during discussion following a motion shall be determined by the presiding officer. Each city council member shall limit his or her discussion to three (3) minutes. After all members desiring to speak on a motion have had an opportunity to be heard, a second opportunity to be heard may be granted by the presiding officer limited to one (1) minute. After all members have had an opportunity to be heard twice, any council member may motion to close debate.

8.12 *Call for the vote.*

Once discussion on a motion is concluded, the presiding officer shall call for the vote on the motion. If the motion is not passed, the presiding officer shall determine, in accordance with these rules, if there is another motion and second. If there is no action on the item, the public hearing shall be placed on the next regular agenda of city council. City council shall have the ability to designate a different date than its next regular meeting if it obtains the concurrence of the appellant and respondent thereto.

9.0 CITY COUNCIL MEMBER LIAISON ROLES

Members of city council serving in a liaison relationship to an advisory board or commission shall communicate with said board or commission on a regular basis, but shall refrain from participation in or discussion of items pending before said board or commission for action, unless in response to questions from the board or commission members. The city council member liaison role is intended to provide a conduit to facilitate the exchange of information between the city council and its advisory boards and commissions. The council member liaison does not hold the authority of the city council as a whole as such is reserved to the body. City council member liaisons will attempt to attend meetings for which they are liaisons on a regular basis, but attendance is not mandatory.

Members of city council should always feel free to bring questions or items of interest forward to the city manager. The city council will provide ongoing feedback, information and perceptions to the city manager.

10.0 INTERFERENCE AND DIRECTION BY CITY COUNCIL

10.1 *Interference.*

Neither the mayor nor council members shall dictate the appointment, suspension or removal of any City employee, except as specifically authorized by the Charter. Any action directed by the city council in a public meeting shall be deemed to be direction to the city manager and not to any subordinate of the city manager. The city council or its members shall deal directly with the city manager and shall not give any order, publicly or privately, to any subordinate of the city manager. [Reno City Charter, Article III § 3.140]

10.2 *Staff projects.*

City council members will initiate any staff project through the city manager.

10.3 *Communication with staff.*

Members of city council may seek clarifying information from the City's Executive Team and City Attorney's Office; otherwise, requests should be directed to the city manager. An informal system of direct or indirect communication with staff should not be used by members of city council.-

11.0 ENFORCEMENT, SUSPENSION, AND AMENDMENT OF RULES

Enforcement of these rules shall be incumbent upon the city council of Reno. The rules may be suspended or amended by majority vote of a quorum of the city council members present. Any such suspension of rules shall not constitute suspension of any process or procedure required by Charter, Nevada Revised Statute, or other law.

DRAFT

EXHIBIT A

DRAFT