

BILL NO. 2023-7

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC CHAPTER 2.52 TO GENERALLY PROVIDE THAT MEMBERS OF CITY BOARDS, COMMISSIONS AND COMMITTEES SERVE AT THE PLEASURE OF THE CITY COUNCIL, MAKE PARALLEL CHANGES TO PROVISIONS IN OTHER CHAPTERS REGARDING PARTICULAR BOARDS AND COMMISSIONS, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Bryan K. Scott, City Attorney

Summary: Amends LVMC Chapter 2.52 to generally provide that members of City boards, commissions and committees serve at the pleasure of the City Council, and makes parallel changes to provisions in other chapters regarding particular boards and commissions.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 2, Chapter 52, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.52.010: [As used in this Chapter, “commission or board” means any administrative commission or board established by the City Council and described in Title 2 of this Code. However, in the event of any conflict or inconsistency between the provisions of this Chapter and any provision of State law or of this Code that applies to a particular board or commission, the provision of State law or the more specific Code provision shall apply.]

(A) Except as otherwise provided in Subsection (B), each member of a board, commission or committee created by City Council action serves at the pleasure of the City Council.

(B) The provisions of Subsection (A) do not apply to a board, commission or committee if those provisions are inconsistent with Federal or State law, or any ordinance, resolution, or other City Council action creating or governing that board, commission or committee. Nothing in this Subsection (B) precludes action to amend any of the provisions referenced in this Subsection so as to be consistent with Subsection (A).

SECTION 2: Title 2, Chapter 52, Sections 20 and 30, of the Municipal Code of the City

1 of Las Vegas, Nevada, 1983 Edition, are hereby repealed in their entirety.

2 SECTION 3: Title 2, Chapter 34, Section 60, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **2.34.060:** (A) Any member may discontinue his or her membership by resignation, [and may be
5 removed after a public hearing upon a showing of good cause, by the majority vote] Members appointed
6 pursuant to Subsections (A) and (B) of Section 2.34.030 serve at the pleasure of the City Council.

7 (B) If any position becomes vacant, the Mayor, City Councilman or Arts Commission,
8 as the case may be, who appointed the former holder of such position shall appoint a member to serve the
9 balance of the unexpired term.

10 SECTION 4: Title 2, Chapter 42, Section 20, of the Municipal Code of the City of Las
11 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **2.42.020:** The Parks and Recreation Advisory Commission shall be appointed as follows:

13 (A) All members shall be appointed by the City Council. The Mayor shall have the right to
14 nominate three persons to serve on the Commission. Each of the remaining members of the City Council
15 shall have the right to nominate two persons to serve on the Commission.

16 (B) Members of the Commission shall serve for a period of three years.

17 (C) Vacancies in the Commission, occurring for reasons other than the expiration of a term, shall
18 be filled by appointment by the City Council for the remainder of the term. The Parks and Recreation
19 Advisory Commission may submit to the Council its recommendations for appointments and reappointments
20 to the Advisory Commission.

21 (D) Members serve at the pleasure of the City Council.

22 SECTION 5: Title 2, Chapter 42, Section 80, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **2.42.080:** The duties of the Parks and Recreation Advisory Commission shall be:

25 (A) To make recommendations, in cooperation with the Director of Parks, [and Recreation,]
26 Recreation and Cultural Affairs, to the City Council on matters pertaining to public parks and public

1 recreation and to cooperate with other governmental agencies and civic groups to facilitate sound park and
2 recreation planning;

3 (B) To aid in coordinating the parks and recreation services with other governmental agencies
4 and other voluntary organizations;

5 (C) To advise the Department of Parks, [and Recreation] Recreation and Cultural Affairs
6 regarding departmental functions which involve or affect the public; and

7 (D) To make recommendations to the City Council on matters pertaining to golf courses that
8 may be owned and operated by the City.

9 SECTION 6: Title 2, Chapter 46, Section 20, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **2.46.020:** (A) The Advisory Board shall consist of eight members who are appointed by the City
12 Council.

13 (B) Each member of the Council other than the Mayor is entitled to nominate one person
14 appointment to the Advisory Board. Each person so nominated must be a resident of the ward represented by
15 the Council member making the nomination.

16 (C) The Mayor is entitled to nominate two persons for appointment. The persons so
17 nominated must reside in two different wards, but otherwise may be residents of any of the wards of the City.

18 (D) The term of each member of the Advisory Board is coterminous with the term of the
19 member of the City Council who nominated the Advisory Board member for appointment, except that a
20 member may continue to serve until a successor is appointed.

21 (E) No member of the Advisory Board may:

22 (1) Serve for an uninterrupted period longer than eight years;

23 (2) Continue to serve after ceasing to reside in the ward from which he or she
24 was appointed, unless that event occurs by reason of the realignment of ward boundaries; or

25 (3) Serve concurrently on any other board or commission which is established
26 by resolution or ordinance, other than one which may be established on a temporary basis only.

1 (F) Members of the Advisory Board serve at the pleasure of the City Council.

2 SECTION 7: Title 2, Chapter 48, Section 30, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **2.48.030:** Members [may be removed after public hearing, by a majority vote of the City Council, for
5 inefficiency, neglect of duty or malfeasance of office.] of the Commission serve at the pleasure of the City
6 Council.

7 SECTION 8: Title 3, Chapter 4, Section 20, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **3.04.020:** No incumbent or former member of the Board of Civil Service Trustees who has served at
10 least two consecutive full terms shall be eligible for appointment to a further term until at least two years
11 have elapsed since the expiration of his or her current term or most recent term, as the case may be. Members
12 of the Board serve at the pleasure of the City Council.

13 SECTION 9: If any section, subsection, subdivision, paragraph, sentence, clause or phrase
14 in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by
15 any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the
16 remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby
17 declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase
18 thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,
19 sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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1 SECTION 10: All ordinances or parts of ordinances or sections, subsections, phrases,
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
3 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this ____ day of _____, 2023.

5 APPROVED:

6 By _____
7 CAROLYN G. GOODMAN, Mayor

8 ATTEST:

9 _____
10 LUANN D. HOLMES, MMC
City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 1-31-23
13 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the ____ day
2 of _____, 2023, and referred to a committee for recommendation, the committee being
3 composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2023, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:
15 _____
16 LUANN D. HOLMES, MMC
City Clerk

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