

SENATE BILL NO. 184—SENATORS SPEARMAN AND FLORES

FEBRUARY 22, 2023

Referred to Committee on Government Affairs

SUMMARY—Revises the Charter of the City of North Las Vegas. (BDR S-5)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact. Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§ 3) (NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to the Charter of the City of North Las Vegas; increasing the number of wards in the City of North Las Vegas; increasing the number of Council Members of the City Council of the City of North Las Vegas; requiring the City Manager to conduct an annual diversity study and establish a supplier diversity program; setting forth residency requirements for certain city officers; revising the powers and duties of the City Attorney; requiring certain reports to the Legislature; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 The existing Charter of the City of North Las Vegas divides the City into four
2 wards, each of which is represented on the City Council by a Council Member.
3 (North Las Vegas City Charter §§ 1.045, 2.010) **Section 1** of this bill increases the
4 number of wards in the City of North Las Vegas from four to six. **Section 2** of this
5 bill provides that the City Council of the City consists of six Council Members and
6 a Mayor. **Section 8** of this bill requires that the seats for the City Council Members
7 be designated one through six. **Section 10** of this bill requires, between July 1,
8 2023, and December 31, 2023, the City Council to, by ordinance: (1) establish the
9 boundaries for the new fifth and sixth wards; and (2) change the boundaries of the
10 existing four wards so that the boundaries of all six wards are contiguous and as
11 nearly as equal in population as possible. **Sections 7 and 11** of this bill provide that
12 the Council Members who represent the fifth and sixth wards will be first elected at
13 the general municipal election held in November 2024, and the wards will not be
14 considered vacant before that election. **Section 12** of this bill requires the City
15 Manager to present a report to the Joint Interim Standing Committee on Legislative



16 Operations and Elections during the legislative interim regarding the redistricting of
17 the wards.

18 Existing law requires the City Council to appoint a City Manager who need not
19 be a resident of the City or the State of Nevada at the time of his or her
20 appointment, but he or she may reside outside the City while in office only with the
21 approval of the City Council. (North Las Vegas City Charter § 3.010) **Section 4** of
22 this bill requires that the City Manager become an actual resident of the City not
23 later than 6 months after the date of his or her appointment and remain a resident of
24 the City while in office. Similarly, **section 5** of this bill requires any appointed
25 administrative officer who is the chief financial officer, an assistant city manager or
26 assistant chief of staff to become an actual resident of the City not later than 6
27 months after the date of appointment and remain a resident of the City while in
28 office. **Section 13** of this bill provides that if the City Manager, chief financial
29 officer, assistant city manager or assistant chief of staff is not an actual resident of
30 the City on July 1, 2023, he or she must become an actual resident of the City not
31 later than December 31, 2023, and remain a resident while in office.

32 **Section 3** of this bill requires the City Manager to: (1) prepare an annual
33 diversity study to determine the number of city employees who are in managerial
34 positions and are women, veterans or members of a minority group; and (2)
35 establish a supplier diversity program.

36 **Section 6** of this bill provides that the City Attorney or an attorney with whom
37 the City Council enters into a contract to perform all or a portion of the duties of the
38 City Attorney may not opine or provide legal advice to the Mayor or a Council
39 Member on any issue or matter that does not directly relate to the official duties of
40 the Mayor or the Council Member.

41 **Section 9** of this bill requires the City Manager to submit a report to the Senate
42 Standing Committee on Government Affairs and the Assembly Standing
43 Committee on Government Affairs on vacant or leased space in the North Las
44 Vegas City Hall.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Section 1.045 of the Charter of the City of North
2 Las Vegas, being chapter 344, Statutes of Nevada 1999, at page
3 1413, is hereby amended to read as follows:

4 Sec. 1.045 Wards: Creation; Boundaries.

5 1. The City must be divided into ~~four~~ six wards which
6 must be as nearly equal in population as practicable, and each
7 of which must be composed entirely of contiguous territory.

8 2. The boundaries of the wards must be established and
9 changed by ordinance. Except as otherwise provided in
10 subsection 3, the boundaries of the wards must be changed
11 whenever the population, as determined by the last preceding
12 national census of the Bureau of the Census of the United
13 States Department of Commerce, in any ward exceeds the
14 population in any other ward by more than 5 percent.

15 3. The boundaries of the wards must not be changed,
16 except to accommodate an annexation of territory to the City,



1 during the period beginning 30 days immediately preceding
2 the last day for filing a declaration of candidacy for a
3 municipal election and ending on the date of the election.

4 **Sec. 2.** Section 2.010 of the Charter of the City of North Las
5 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
6 by chapter 558, Statutes of Nevada 2019, at page 3561, is hereby
7 amended to read as follows:

8 Sec. 2.010 City Council: Qualifications; election; term
9 of office; salary.

10 1. The legislative power of the City is vested in a City
11 Council consisting of ~~four~~ six Council Members and a
12 Mayor.

13 2. The Mayor must be:

14 (a) A bona fide resident of the City for at least 6 months
15 immediately preceding his or her election.

16 (b) A qualified elector within the City.

17 3. Each Council Member:

18 (a) Must be a qualified elector who has resided in the
19 ward which he or she represents for at least 30 days
20 immediately preceding the last day for filing a declaration of
21 candidacy for his or her office.

22 (b) Must continue to live in the ward he or she represents,
23 except that changes in ward boundaries made pursuant to
24 section 1.045 will not affect the right of any elected Council
25 Member to continue in office for the term for which he or she
26 was elected.

27 4. At the time of filing, if so required by an ordinance
28 duly enacted, candidates for the office of Mayor and Council
29 Member shall produce evidence in satisfaction of any or all of
30 the qualifications provided in subsection 2 or 3, whichever is
31 applicable.

32 5. Each Council Member must be voted upon only by
33 the registered voters of the ward that he or she seeks to
34 represent, and except as otherwise provided in sections 5.010
35 and 5.100, his or her term of office is 4 years.

36 6. The Mayor must be voted upon by the registered
37 voters of the City at large, and except as otherwise provided
38 in sections 5.010 and 5.100, his or her term of office is 4
39 years.

40 7. The Mayor and Council Members are entitled to
41 receive a salary in an amount fixed by the City Council.

42 **Sec. 3.** The Charter of the City of North Las Vegas, being
43 chapter 573, Statutes of Nevada 1971, at page 1210, is hereby
44 amended by adding thereto new sections to be designated as section



1 3.022 and 3.023, respectively, immediately following section 3.020,
2 to read as follows:

3 *Sec. 3.022 Diversity Studies.*

4 *1. On or before December 31 of each year, the City*
5 *Manager shall prepare a diversity study to determine the*
6 *number of employees of each agency, bureau, board,*
7 *commission, department, division and other office of the*
8 *City who are in managerial positions and are women,*
9 *veterans or members of a minority group.*

10 *2. Each diversity study prepared pursuant to this*
11 *section must be posted in a prominent location on the*
12 *Internet website of the City.*

13 *3. The City Manager shall present the results of each*
14 *diversity study at a public meeting to the City Council and*
15 *the Charter Committee. The City Council and Charter*
16 *Committee shall consider the results of the diversity study in*
17 *determining whether to propose any amendment to this*
18 *Charter.*

19 *4. A diversity study prepared pursuant to this section*
20 *must not include any personally identifiable information of*
21 *any employee of the City.*

22 *5. The City Manager shall maintain the records,*
23 *documents and other materials used in the preparation of a*
24 *diversity study pursuant to this section in written or*
25 *electronic form for at least 10 years after the presentation of*
26 *the results of the diversity study pursuant to subsection 3.*

27 *6. As used in this section, "minority group" means:*

28 *(a) A racial or ethnic minority group;*

29 *(b) A group of persons with disabilities; or*

30 *(c) A group of persons who identify as LGBTQ. As used*
31 *in this paragraph, "LGBTQ" means lesbian, gay, bisexual,*
32 *transgender, queer, intersex or any other nonheterosexual*
33 *or noncisgender orientation or gender identity or*
34 *expression.*

35 *Sec. 3.023 Supplier Diversity Program.*

36 *1. The City Manager shall establish a supplier diversity*
37 *program to ensure that businesses located in the City that*
38 *are owned by women, veterans or a member of a minority*
39 *group are made aware of the City's advertisements for bids*
40 *or requests for proposals.*

41 *2. The City Manager shall ensure that information*
42 *about the supplier diversity program established pursuant to*
43 *this section is prominently displayed on the Internet website*
44 *of the City.*



1 3. *On or before January 1 of each year, the City*
2 *Manager shall prepare a report on the supplier diversity*
3 *program that includes, without limitation:*

4 (a) *The number of contracts awarded by the City for the*
5 *previous calendar year to businesses located in the City that*
6 *are owned by women, veterans or a member of a minority*
7 *group; and*

8 (b) *The amount of money paid to businesses located in*
9 *the City that are owned by women, veterans or a member of*
10 *a minority group pursuant to the contracts described in*
11 *paragraph (a).*

12 4. *Each report must be prominently displayed on the*
13 *Internet website of the City.*

14 5. *The City Manager shall present the report prepared*
15 *pursuant to this section at a public meeting to the City*
16 *Council and the Charter Committee. The City Council and*
17 *Charter Committee shall consider the results of the report in*
18 *determining whether to propose any amendment to this*
19 *Charter.*

20 6. *The City Manager shall maintain the records,*
21 *documents and other materials used in the preparation of a*
22 *report pursuant to this section in written or electronic form*
23 *for at least 10 years after the presentation of the report*
24 *pursuant to subsection 5.*

25 7. *As used in this section, "minority group" means:*

26 (a) *A racial or ethnic minority group;*

27 (b) *A group of persons with disabilities; or*

28 (c) *A group of persons who identify as LGBTQ. As used*
29 *in this paragraph, "LGBTQ" means lesbian, gay, bisexual,*
30 *transgender, queer, intersex or any other nonheterosexual*
31 *or noncisgender orientation or gender identity or*
32 *expression.*

33 **Sec. 4.** *Section 3.010 of the Charter of the City of North Las*
34 *Vegas, being chapter 573, Statutes of Nevada 1971, at page 1219, is*
35 *hereby amended to read as follows:*

36 Sec. 3.010 City Manager: Appointment and
37 qualifications; acting City Manager.

38 1. The City Council shall appoint a City Manager for an
39 indefinite term and fix his or her compensation. The City
40 Manager shall be appointed on the basis of his or her
41 administrative qualifications. The City Manager need not be a
42 resident of the City ~~[for the State of Nevada]~~ at the time of his
43 or her appointment . ~~[, but he or she may reside outside the~~
44 ~~City while in office only with the approval of the City~~
45 ~~Council.] The City Manager must become an actual resident~~



1 *of the City not later than 6 months after the date of his or*
2 *her appointment and remain a resident of the City while in*
3 *office.*

4 2. By letter filed with the City Clerk, the City Manager
5 shall designate, subject to the approval of the City Council, a
6 qualified city administrative officer to exercise the powers
7 and perform the duties of the City Manager during his or her
8 temporary absence or disability. The City Council may
9 revoke such designation at any time.

10 **Sec. 5.** Section 3.020 of the Charter of the City of North Las
11 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
12 by chapter 254, Statutes of Nevada 2021, at page 1330, is hereby
13 amended to read as follows:

14 Sec. 3.020 ~~City Manager:~~ Powers and duties ~~of~~ *of*
15 *City Manager; appointive administrative officers.*

16 1. The City Manager is the Chief Administrative Officer
17 of the City. He or she is responsible to the City Council for
18 the efficient and proper administration of all City affairs
19 placed in his or her charge by or under this Charter.

20 2. The City Manager : ~~shall:~~

21 (a) ~~Except~~ *Shall, except* as otherwise provided by law,
22 this Charter, or personnel rules adopted pursuant to this
23 Charter, appoint, and when he or she deems it necessary for
24 the good of the service, discharge or suspend all City
25 employees and appointed administrative officers provided for
26 by this Charter. ~~He or she may~~ *An appointed administrative*
27 *officer who is the chief financial officer, an assistant city*
28 *manager or assistant chief of staff need not be a resident of*
29 *the City at the time of his or her appointment, but he or she*
30 *must become an actual resident of the City not later than 6*
31 *months after the date of his or her appointment and remain*
32 *a resident of the City while in office.*

33 (b) *May* authorize any administrative officer who is
34 subject to his or her direction and supervision to exercise the
35 powers enumerated in ~~this~~ paragraph (a) with respect to
36 subordinates in that officer's department, office or agency.

37 ~~(b) Direct~~

38 (c) *Shall direct* and supervise the administration of all
39 departments, offices and agencies of the City, except:

40 (1) As otherwise provided by law; and

41 (2) For any department, office or agency whose head
42 is not appointed by the City Manager.

43 ~~(e) Attend~~



1 (d) *Shall attend* all City Council meetings and have the
2 right to take part in all discussions. The City Manager may
3 not vote.

4 ~~[(d) Be]~~

5 (e) *Shall be* responsible for the enforcement of all laws,
6 provisions of this Charter and acts of the City Council subject
7 to enforcement by the City Manager or by his or her officers
8 subject to his or her direction and supervision.

9 ~~[(e) Prepare]~~

10 (f) *Shall prepare* and submit the annual budget and
11 capital program to the City Council.

12 ~~[(f) Submit]~~

13 (g) *Shall submit* to the City Council and make available
14 to the public a complete report on the finances and
15 administrative activities of the City as of the end of each
16 fiscal year.

17 ~~[(g) Make]~~

18 (h) *Shall make* such other reports as the City Council
19 may require concerning the operations of City departments,
20 offices and agencies subject to his or her direction and
21 supervision.

22 ~~[(h) Keep]~~

23 (i) *Shall keep* the City Council fully advised as to the
24 financial condition and future needs of the City and make
25 such recommendations to the City Council concerning the
26 affairs as he or she deems desirable.

27 ~~[(i) Perform]~~

28 (j) *Shall perform* such other duties as are specified in this
29 Charter or which may be required by the City Council.

30 **Sec. 6.** Section 3.050 of the Charter of the City of North Las
31 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
32 by chapter 254, Statutes of Nevada 2021, at page 1332, is hereby
33 amended to read as follows:

34 Sec. 3.050 City Attorney: Appointment; salary;
35 qualifications; duties; removal; contract in lieu of or in
36 addition to appointment.

37 1. Except as otherwise provided in subsection 6, the City
38 Council shall appoint a City Attorney and fix his or her
39 salary.

40 2. The City Attorney and any attorney with whom the
41 City Council enters into a contract pursuant to subsection 6
42 must be a licensed member of the State Bar of Nevada.

43 3. ~~[(The)]~~ *Except as otherwise provided in subsection 8,*
44 *the* City Attorney is the Chief Legal Officer of the City and



1 shall perform such duties as may be designated by the City
2 Council or prescribed by ordinance.

3 4. The City Attorney is under the general direction and
4 supervision of the City Council.

5 5. The City Attorney serves at the pleasure of the City
6 Council and may be removed at any time in accordance with
7 the terms of the City Attorney's employment contract by an
8 affirmative vote of a majority of the entire membership of the
9 City Council.

10 6. In lieu of or in addition to appointing a City Attorney
11 pursuant to subsection 1, the City Council may enter into a
12 contract with one or more attorneys employed by or
13 associated with a professional corporation, partnership or
14 limited-liability company that engages in the practice of law
15 in this State to perform all or a portion of the duties of the
16 City Attorney. If the City Council enters into such a contract,
17 the City Council shall ensure that the contract specifies the
18 duties to be performed and the compensation payable for the
19 performance of those duties.

20 7. An attorney with whom the City Council enters into a
21 contract to perform all or a portion of the duties of the City
22 Attorney pursuant to subsection 6 has, for each of the duties
23 specified in the contract, all the powers and duties otherwise
24 conferred upon a City Attorney who is appointed pursuant to
25 subsection 1.

26 ***8. The City Attorney or an attorney with whom the City***
27 ***Council enters into a contract to perform all or a portion of***
28 ***the duties of the City Attorney pursuant to subsection 6 may***
29 ***not opine or provide legal advice to the Mayor or a Council***
30 ***Member on any issue or matter that does not directly relate***
31 ***to the official duties of the Mayor or the Council Member.***

32 **Sec. 7.** Section 5.010 of the Charter of the City of North Las
33 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
34 by chapter 558, Statutes of Nevada 2019, at page 3562, is hereby
35 amended to read as follows:

36 Sec. 5.010 General municipal elections.

37 1. On the second Tuesday after the first Monday in June
38 2019, there must be elected, at a general municipal election to
39 be held for that purpose, two Council Members, who shall
40 hold office until their successors have been elected and
41 qualified pursuant to subsection 4.

42 2. On the first Tuesday after the first Monday in
43 November 2022, and at each successive interval of 4 years
44 thereafter, there must be elected, at a general municipal
45 election to be held for that purpose, a Mayor and two Council



1 Members, who shall hold office for a period of 4 years and
2 until their successors have been elected and qualified.

3 3. On the first Tuesday after the first Monday in
4 November 2022, and at each successive interval of 6 years,
5 there must be elected, at a general municipal election to be
6 held for that purpose, a Municipal Judge who shall hold
7 office for a period of 6 years and until his or her successor
8 has been elected and qualified.

9 4. On the first Tuesday after the first Monday in
10 November 2024, and at each successive interval of 4 years
11 thereafter, there must be elected, at a general municipal
12 election to be held for that purpose, ~~two~~ *four* Council
13 Members who shall hold office for a period of 4 years and
14 until their successors have been elected and qualified.

15 5. In a general municipal election:

16 (a) A candidate for the office of City Council Member
17 must be elected only by the registered voters of the ward that
18 he or she seeks to represent.

19 (b) Candidates for all other elective offices must be
20 elected by the registered voters of the City at large.

21 **Sec. 8.** Section 5.020 of the Charter of the City of North Las
22 Vegas, being chapter 573, Statutes of Nevada 1971, as last amended
23 by chapter 558, Statutes of Nevada 2019, at page 3562, is hereby
24 amended to read as follows:

25 Sec. 5.020 Primary municipal elections; declaration of
26 candidacy.

27 1. The City Council shall provide by ordinance for
28 candidates for elective office to declare their candidacy and
29 file the necessary documents. The seats for City Council
30 Members must be designated by the numbers one through
31 ~~four~~ *six*, which numbers must correspond with the wards
32 the candidates for City Council Members will seek to
33 represent. A candidate for the office of City Council Member
34 shall include in his or her declaration of candidacy the
35 number of the ward which he or she seeks to represent. Each
36 candidate for City Council must be designated as a candidate
37 for the City Council seat that corresponds with the ward that
38 he or she seeks to represent.

39 2. A primary municipal election must be held:

40 (a) On the Tuesday following the first Monday in April
41 2019; and

42 (b) Beginning in 2022, on the second Tuesday in June of
43 each even-numbered year.

44 3. In the primary municipal election:



1 (a) A candidate for the office of City Council Member
2 must be voted upon only by the registered voters of the ward
3 that he or she seeks to represent.

4 (b) Candidates for all other elective offices must be voted
5 upon by the registered voters of the City at large.

6 4. Except as otherwise provided in subsection 5, after
7 the primary municipal election, the names of the two
8 candidates who receive the highest number of votes must be
9 placed on the ballot for the general municipal election.

10 5. If, regardless of the number of candidates for an
11 office, one candidate receives a majority of the total votes
12 cast for that office in the primary municipal election, he or
13 she must be declared elected to that office and no general
14 municipal election need be held for that office.

15 **Sec. 9.** On or before May 1, 2023, the City Manager of the
16 City of North Las Vegas shall submit a report to the Senate Standing
17 Committee on Government Affairs and the Assembly Standing
18 Committee on Government Affairs regarding any space in the North
19 Las Vegas City Hall that is vacant or leased. The report must
20 include:

21 1. An identification on the floor plan of the North Las Vegas
22 City Hall of each vacant or leased space.

23 2. The square footage of each such vacant or leased space.

24 3. For each such leased space, the dates of the commencement
25 and termination of the lease.

26 **Sec. 10.** Between July 1, 2023, and December 31, 2023, the
27 City Council must, by ordinance:

28 1. Establish the boundaries for the fifth and sixth wards created
29 by the provisions of section 1.045 of the Charter of the City of
30 North Las Vegas, as amended by section 1 of this act; and

31 2. Change the boundaries of the existing four wards so that the
32 boundaries of all six wards created pursuant to section 1.045 of the
33 Charter of the City of North Las Vegas, as amended by section 1 of
34 this act, are contiguous and as nearly as equal in population as
35 possible.

36 **Sec. 11.** The fifth and sixth wards created by the provisions of
37 section 1.045 of the Charter of the City of North Las Vegas, as
38 amended by section 1 of this act, must be filled initially at the
39 general municipal election held on the first Tuesday after the first
40 Monday in November 2024, provided for by section 5.010 of the
41 Charter of the City of North Las Vegas, as amended by section 7 of
42 this act, and shall not be deemed to be vacant before that time.

43 **Sec. 12.** 1. On or before June 1, 2024, the City Manager of
44 the City of North Las Vegas shall present a report to the Joint



1 Interim Standing Committee on Legislative Operations and
2 Elections regarding:

3 (a) Establishing the boundaries for the fifth and sixth wards
4 created by the provisions of section 1.045 of the Charter of the City
5 of North Las Vegas, as amended by section 1 of this act; and

6 (b) Changing the boundaries of the existing four wards so that
7 the boundaries of all six wards created pursuant to section 1.045 of
8 the Charter of the City of North Las Vegas, as amended by section 1
9 of this act, are contiguous and as nearly as equal in population as
10 possible.

11 2. The report presented pursuant to subsection 1 must include
12 the sources of funding used to pay for carrying out the provisions of
13 paragraphs (a) and (b) of subsection 1 and an itemization of the
14 expenditures made from that funding.

15 **Sec. 13.** Notwithstanding the provisions of sections 3.010 and
16 3.020 of the Charter of the City of North Las Vegas, as amended by
17 sections 4 and 5 of this act, respectively, if the City Manager, chief
18 financial officer, assistant city manager or assistant chief of staff is
19 not an actual resident of the City on July 1, 2023, he or she must
20 become an actual resident of the City not later than December 31,
21 2023, and remain a resident while in office.

22 **Sec. 14.** The provisions of NRS 354.599 do not apply to any
23 additional expenses of a local government that are related to the
24 provisions of this act.

25 **Sec. 15.** 1. This section and sections 9 and 14 of this act
26 become effective upon passage and approval.

27 2. Sections 1, 2, 7, 8, 10, 11 and 12 of this act become
28 effective:

29 (a) Upon passage and approval for the purpose of adopting
30 ordinances, establishing the boundaries of the additional wards
31 created by the provisions of section 1.045 of the Charter of the City
32 of North Las Vegas, as amended by section 1 of this act, changing
33 the boundaries of the first through fourth wards to comply with the
34 provisions of section 1.045 of the Charter of the City of North Las
35 Vegas, as amended by section 1 of this act, and performing any
36 preparatory administrative tasks that are necessary to carry out the
37 provisions of this act; and

38 (b) On January 1, 2024, for all other purposes.

39 3. Sections 3 to 6, inclusive, and 13 of this act become
40 effective on July 1, 2023.

