

Nevada Advisory Council on Federal Assistance By-Laws

ARTICLE I – NAME

Nevada’s state advisory council on federal assistance shall be the Nevada Advisory Council on Federal Assistance (NACFA), herein referred to as the Council.

ARTICLE II – CREATION & PURPOSE

Section 1. Creation

In compliance with the legislative session year 2015, Senate Bill (SB) 214, and Governor Brian Sandoval approval, the Council was created.

Section 2. Purpose

The Council shall advise and assist state and local agencies with respect to obtaining and maximizing federal assistance.

ARTICLE III – ROLES & RESPONSIBILITIES

Section 1. SB 214

SB 214 includes the Nevada Advisory Council on Federal Assistance responsibilities that the Council shall:

1. On or before December 31st of each year, prepare and submit a report outlining the activities and recommendations of the Council to: The Governor, and the Director of the Legislative Counsel Bureau for transmittal.
2. Within the scope of authority, advise and assist state and local agencies with respect to obtaining and maximizing federal assistance.
3. Address methods and models for identifying, procuring, utilizing and maintaining federal assistance, including, without limitation:
 - a. Streamlining regulatory, structural and other barriers to the acquisition of federal assistance that may exist at federal, state or local levels.
 - b. Develop or expand opportunities for obtaining matching funds for federal assistance.
 - c. Ensuring sufficient personnel and technical expertise in state and local government, and non-profit organizations.
 - d. Develop or expand opportunities to work with local government and non-profit organizations to achieve common goals.
 - e. Establish standards for balancing the costs to a state or local agency of maximizing eligibility for federal assistance relative to the ability of the agency to effectively utilize federal assistance.

4. Develop legislative and executive recommendations.

SB 214 includes the Council responsibilities that may:

1. Request information from state and local agencies for purposes of evaluating and monitoring the success of such agencies.
2. Appoint committees from its members.
3. Engage the services of volunteer workers and consultants without compensation.

ARTICLE IV – MEMBERSHIP & TERMS

Section 1. Membership

To the extent practical, persons appointed to the Council are representative of rural and urban areas of Nevada. As established in SB 214, the Council consists of seven (7) members; membership shall include:

Required Representative	Officer Designation	Term Expiration	Number of Terms
One (1) Senate member, appointed by the Majority Leader of the Senate	Senator Pete Goicoechea	10/2017	1
One (1) Assembly member, appointed by the Speaker of the Assembly	Assemblyman Derek Armstrong	10/2017	1
One (1) non-profit organization member providing grants in the state, appointed by the Governor	Zanny Marsh, Red Cross	10/2017	1
One (1) local government member, appointed by the Governor	Tim Burch, Clark County	10/2017	1
One (1) private business member, appointed by the Governor	John Ritter, FOCUS group	10/2017	1
The Director of the Governor’s Finance Office	James Wells	N/A	N/A
The Administrator of the Office of Grant Procurement, Coordination, and Management	Sheila Lambert	N/A	N/A

Section 2. Appointment

Officers and members of the Council shall be appointed by the Governor, excluding Senate and Assembly members. Nothing in this subsection shall be construed to limit the Governor’s authority to make a direct appointment to the Council without prior notification of the Council, or Council Chair. There shall be no compensation for service of Council membership service. While engaged in the business of the Council, each member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

Section 3. Subcommittees

- A. The Council shall have the ability to create no more than four (4) standing committees, to include: legislative; regulations; special projects; and communications.
- B. Each standing committee must include a minimum of two voting member(s) of the Council.
- C. Each standing committee shall have one (1) Chair who is a voting member of the Council.
- D. The Council Chair shall appoint the standing committee chairs from the Council, except for the Communications Chair which will be the Council Secretary.
- E. Each standing committee, through the standing committee Chair, may appoint additional non-voting members to their committee, as needed based on area of expertise and/or specific projects.

Section 4. Officers

- A. The officers of the Council shall be a Council Chair, Council Vice Chair and Secretary. These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Council. At the first meeting of each calendar year the Council will elect these officers from its members.
 - 1. Council Chair.
 - a. The Council Chair shall develop the agenda, with input from the council membership;
 - b. They shall conduct the Council meetings;
 - c. They shall oversee public hearings;
 - d. They shall convene special meetings, as necessary;
 - e. They shall appoint chairpersons for any standing committees or work groups that may be formed by the Council;
 - f. They shall prepare reports as requested by the Governor, the Legislative Council Bureau (LCB), or Administrator of the Department of Administration, with approval of the Council.
 - 2. Council Co-Chair. Serves in the absence of the Chair.
 - 3. Council Secretary.
 - a. Responsible for Standing Committee reports;
 - b. Ensures minutes are approved timely;
 - 4. Council members may nominate themselves or others for either Chair or Co-Chair.

5. Notification of officer election shall be posted as a business item on the agenda of a regularly scheduled meeting.
6. Election of each position is determined by a simple majority vote.
7. Terms of officers shall be every two (2) years.

Section 5. Terms

A member shall serve at the pleasure of the Governor. Each member's term is two (2) years, and shall not serve more than three (3) terms. Terms of membership are staggered so that no more than one-third of the Council is up for reappointment each year. The council shall recommend reappointments to the Governor each year.

Section 6. Vacancies

Vacancies among the Council must be filled in the same manner as the original. The initial term shall be for the remaining length of the vacated term.

Section 7. Resignation

A member who resigns from the Council must provide written notification to the Chair of the Council and to the head of the agency or organization he or she was representing. The agency/organization will suggest a replacement candidate for consideration to the Chair who will then forward the consideration to the Governor.

Section 8. Removal

- A. The Chair shall forward recommendations for a Council member's removal to the Governor and/or Legislative Council Bureau based on inactivity, defined as missing three or more meetings in a calendar year, or a conflict of interest.

ARTICLE V – MEETINGS

Section 1. Procedures

All proceedings and actions shall be conducted in accordance with the Nevada Open Meeting law (N.R.S. 241.010 through 241.040, inclusive).

Section 2. Quorum

A simple majority, three Council members, shall constitute a quorum for the transaction of business.

Section 3. Regular Meetings

The regular meetings of the Council shall be held at least once per calendar year.

Section 4. Special Meetings

Special meetings may be called by the Chair. A request for special meeting can also be made by other Council members through a written request submitted to the Chair for approval or the Governor can call a special meeting.

Section 5. Notice of Open Meetings

All regular and special meetings of the Council shall be in compliance with Nevada's Open Meeting law and posted accordingly.

Section 6. Voting

All actions shall require a simple majority vote of a quorum. Members participating in a meeting of the Council by means of a conference call, video conference, or other such means that allow for each participant to hear and be heard by each participant at the same time, shall be deemed to be present at such meeting. Voting on all matters shall be by voice vote and shall be entered in the minutes of the meeting. Each Council member shall have one vote.

The Council Chair will have a vote on any measure before the Council. The Chair may not make or second motions. There is no substitution voting members.

Section 7. Record Keeping

The conduct of all meetings and public access thereto, and the maintaining of all records of the Council shall be governed by Nevada's Open Meeting law, and monitored by the Council Vice-Chair.

ARTICLE VI – FISCAL SUPPORT

- A. As established in 2015 SB 214, the Council may accept gifts, grants and donations from any source for the support of the Council in carrying out the provisions of this section.
- B. Any fiscal administration shall be overseen by the Nevada Department of Administration.

ARTICLE VII – CONFLICT OF INTEREST

Each council member is responsible to declare when a conflict of interest exists, including any matter that would provide direct personal financial benefit for that member; association; or agency associated with. When a conflict of interest exists, the conflicted member will refrain from the voting process. If a conflict of interest is known to exist but is not declared by an individual, one or more members of any group governed by these bylaws may ask that individual to refrain from the voting process.

ARTICLE VIII – STATEMENT OF NON-DISCRIMINATION

The Council is an equal opportunity / affirmative action entity. Qualified persons are considered for membership without regard to race, sex, sexual orientation, gender identity or

expression, religion, color, national origin, age, genetic information or disability, as outlined the state affirmative action plan.

ARTICLE IX – REVISION OF BYLAWS

- A. These bylaws will be reviewed at least every two (2) years or sooner as deemed necessary by the Council. Proposed amendments will be distributed to the Council members in writing at least one week prior to a regularly scheduled or special meeting. These bylaws may be altered, amended or repealed by a majority of the Council members at any regularly scheduled or special meeting in compliance with Nevada’s Open Meeting Law.
- B. These bylaws were approved and adopted at a regularly scheduled meeting of the Nevada Council on Federal Assistance on XXXXX, XX, 2015.

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