

Item #5B

**City of Carson City
Agenda Report**

Date Submitted: July 8, 2008

Agenda Date Requested: July 17, 2008

Time Requested: 5 minutes

To: Mayor and Supervisors

From: Donna DePauw, Chair - Charter Review Committee

Subject Title: Action to adopt a recommendation from the Charter Review Committee to recommend to the Nevada State Legislature that they amend the Carson City Charter Section 1.090, to require amendments to the Charter to be reviewed by the Charter Review Committee prior to review by the Carson City Board of Supervisors.

Staff Summary: The Carson City Charter Review Committee brought forth, discussed and took action on this item at their May 20, 2008 meeting.

Type of Action Requested: (check one)
 Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to adopt a recommendation from the Charter Review Committee to recommend to the Nevada State Legislature that they amend the Carson City Charter Section 1.090, to require amendments to the Charter to be reviewed by the Charter Review Committee prior to review by the Carson City Board of Supervisors.

Explanation for Recommended Board Action:

Applicable Statue, Code, Policy, Rule or Regulation: Carson City Charter Section 1.090

Fiscal Impact: n/a

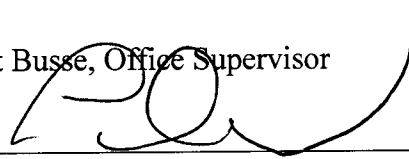
Explanation of Impact: n/a

Funding Source: n/a

Alternatives: Do not approve

Supporting Material: Charter Review Committee meeting minutes from May 20, 2008.

Prepared By: Janet Busse, Office Supervisor

Reviewed By: 
(Department Head)

Date: 7/8/08

Melanie Burkotta
(District Attorney)

Date: 7-8-08

Nancy Paulson
(Finance Director)

Date: 7-8-08

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

CARSON CITY CHARTER REVIEW COMMITTEE
Minutes of the May 20, 2008 Meeting
Page 1

A regular meeting of the Carson City Charter Review Committee was scheduled for 5:30 p.m. on Tuesday, May 20, 2008 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Chairperson Donna DePauw
Vice Chairperson Ron Allen
Ernie Adler
Stephen Lincoln
Steve Platt

STAFF: Larry Werner, City Manager
Janet Busse, Office Supervisor
Melanie Bruketta, Chief Deputy District Attorney
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings, the committee's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record, on file in the Clerk-Recorder's Office. These materials are available for review during regular business hours.

1. **CALL TO ORDER AND DETERMINATION OF QUORUM (1-0011)** - Chairperson DePauw called the meeting to order at 5:30 p.m. Roll was called; a quorum was present. Members Andreas and Suwe were absent. Chairperson DePauw welcomed Mr. Werner and Ms. Busse.
2. **ACTION ON APPROVAL OF MINUTES - April 22, 2008 (1-0025)** - Member Platt moved to approve the minutes. Member Lincoln seconded the motion. Motion carried 5-0.
3. **PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0030)** - None.
4. **INTRODUCTION OF CITY MANAGER LARRY WERNER AND OFFICE SUPERVISOR JANET BUSSE (1-0038)** - Previously covered.
5. **DISCUSSION AND POSSIBLE ACTION REGARDING DESIGNATED STAFF AND THEIR JOB DUTIES PERTINENT TO THE CHARTER REVIEW COMMITTEE (1-0043)** - Chairperson DePauw introduced and provided background information on this item. Ms. Bruketta advised of having met with Mr. Werner, who agreed to provide staff to the committee. Mr. Werner reviewed the responsibilities of the City Manager's Office staff, pertinent to the committee, to prepare meeting agendas and ensure posting in accordance with the provisions of the Nevada Open Meeting Law. In response to a comment, he clarified that the City Manager's staff would serve the committee as an entity not the members as individuals. In response to a question, Ms. Bruketta advised she would continue to conduct legal research, as requested by the committee. In response to a question, Mr. Werner advised that Ms. Busse would serve as the staff contact person. No formal action was taken.
6. **DISCUSSION AND POSSIBLE ACTION TO AMEND CHARTER REVIEW COMMITTEE BYLAWS TO INCLUDE CITY STAFF (1-0143)** - Chairperson DePauw introduced this item. Based on Mr. Werner's comments under the previous item, Vice Chairperson Allen expressed reluctance to amend the bylaws. Mr. Werner expressed a preference to gain an understanding of the required level of staff involvement through the remainder of the scheduled meetings. He suggested letting "it play out this year and see how it works out." Consensus of the committee was to not amend the bylaws.

CARSON CITY CHARTER REVIEW COMMITTEE
Minutes of the May 20, 2008 Meeting
Page 2

7. DISCUSSION AND POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS AN AMENDMENT TO SECTION 1.090 OF THE CARSON CITY CHARTER TO REQUIRE AMENDMENTS TO THE CHARTER TO BE REVIEWED BY THE CHARTER REVIEW COMMITTEE PRIOR TO REVIEW BY THE CARSON CITY BOARD OF SUPERVISORS (1-0174) - Chairperson DePauw introduced and provided background information on this item. Member Adler expressed a preference for the committee to review proposed amendments prior to the Board of Supervisors. Chairperson DePauw agreed. Member Adler noted the need for Board of Supervisors flexibility in terms of necessary revisions to bill drafts submitted to the legislature. Discussion followed, and **Member Adler moved to recommend to the Board of Supervisors an amendment to the charter requiring proposed amendments to the charter to be reviewed by the Charter Review Committee prior to being submitted to the Board of Supervisors. Member Lincoln seconded the motion. Motion carried 5-0.**

8. DISCUSSION AND POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS AN AMENDMENT TO THE CHARTER TO REQUIRE ALL ELECTED OFFICIALS TO BE RESIDENTS AND REGISTERED VOTERS IN CARSON CITY (1-0284) - Chairperson DePauw introduced and provided background information on this item. Ms. Bruketta read into the record a portion of NRS 293.1755. She advised that the District Attorney is the only elected official to whom the statutory provisions don't apply. She advised that a constitutional amendment would be needed to require elected officials to be registered voters. Discussion followed, and **Vice Chairperson Allen moved to not recommend to the Board of Supervisors an amendment to the charter to require all elected officials to be residents and registered voters of Carson City. Member Platt seconded the motion. Motion carried 5-0.**

9. DISCUSSION AND POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS AN AMENDMENT TO THE CHARTER TO ELIMINATE THE MAYORAL POSITION AND HAVE FIVE COUNTY SUPERVISORS and 10. DISCUSSION AND POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS AN AMENDMENT TO THE CHARTER TO CHANGE WARDS TO REFLECT FIVE COUNTY SUPERVISORS (1-0370) - Chairperson DePauw introduced this item. Member Platt suggested combining items 9 and 10, and Chairperson DePauw introduced item 10. Vice Chairperson Allen inquired as to the origin and purpose of this agenda item. Chairperson DePauw advised of having received input regarding the importance of "a fair ... playing field and the egos stay out of it and it allows the Board to select their own mayor and the other item was because there was some troublesome issues that happened with our mayor within this term." Member Adler explained how the mechanism of five separate wards would "cut down the cost of campaigning;" every ward would have its own supervisor. Vice Chairperson Allen suggested the proposal would "require a whole bunch of other changes." Discussion followed, and Ms. Bruketta pointed out that the voters would not have a voice in selecting the mayor. Ms. Bruketta advised that Clerk-Recorder Alan Glover anticipates redistricting will take place in 2011 following the census. **Member Platt moved to not recommend to the Board of Supervisors an amendment to the charter to eliminate the mayoral position and have five county supervisors; and to not recommend to the Board of Supervisors a charter amendment to change the wards to reflect five county supervisors. Vice Chairperson Allen seconded the motion. Motion carried 5-0.**

11. DISCUSSION AND POSSIBLE ACTION ON A DATE FOR A JOINT MEETING WITH THE BOARD OF SUPERVISORS AND THE CHARTER REVIEW COMMITTEE (1-0458) - Chairperson DePauw introduced this item. In response to a question, she indicated uncertainty as to whether the June committee meeting would go forward. Discussion followed, and **Member Lincoln**

CARSON CITY CHARTER REVIEW COMMITTEE
Minutes of the May 20, 2008 Meeting
Page 3

moved to agendize the joint meeting with the Board of Supervisors for either July 17th or August 7th. Member Platt seconded the motion. Motion carried 5-0.

12. FUTURE AGENDA ITEMS (1-0598) - In response to a question, Ms. Bruketta and Mr. Werner provided background information on an item which had been mentioned by Ms. Bruketta, at the April committee meeting, as a possible future agenda item. City representatives decided there was no reason to agendize the item.

13. ACTION ON ADJOURNMENT (1-0639) - Member Lincoln moved to adjourn the meeting at 6:08 p.m. Vice Chairperson Allen seconded the motion. Motion carried 5-0.

Respectfully submitted this 17th day of June, 2008.

ALAN GLOVER, Clerk-Recorder

By: Kathleen M. King, Deputy Clerk / Recording Secretary

Sec. 1.090 Charter committee: Officers, meetings; duties.

The charter committee shall:

1. Elect a chairman and vice chairman from among its members who each serve for a term of 2 years;
2. Meet at least once every 2 years before the beginning of each regular session of the legislature and when requested by the board or the chairman of the committee;
3. Meet jointly with the board on a date to be set after the final biennial meeting of the committee is conducted pursuant to subsection 2 and before the beginning of the next regular session of the legislature to advise the board with regard to the recommendations of the committee concerning necessary amendments to this charter; and
4. Assist the board in the timely preparation of such amendments for presentation to the legislature on behalf of the city.

5. All amendments to the Charter must be reviewed by the Charter Review Committee prior to consideration by the Board of Supervisors.

(Added-Ch. 341, Stats. 1999 p. 1406; A-Ch. 68, Stats. 2003 p. 451)