

**City of Carson City of Carson City
Agenda Report**

Date Submitted: February 4, 2011 **Agenda Date Requested:** February 17, 2011
Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Larry Werner, City Manager

Subject Title: Action to authorize the City Manager to notify in writing pursuant to NRS 260.010 the State Public Defender of the Board's intent to establish its own County Public Defender, effective July 1, 2011.

Staff Summary: Given the current economic hardship the City is facing, all expenditures are being examined and the cost of utilizing the State Public Defender's Office for indigent criminal defense services has been reviewed by staff. It is staff's recommend that the Board of Supervisors create its own county public defender system, which will result in a substantial savings to the City. The City currently pays the State Public Defender approximately \$940,000 per year and for 3 conflict attorneys at a cost of \$360,000 per year for a total expenditure of \$1.1 million dollars. Neighboring county governments have previously set up their own county public defender system and have achieved substantial savings through the use of independent contractor defense attorneys. Staff believes that it would make fiscal sense to contract with 5 independent attorneys for Public Defender services and save approximately \$500,000 per year.

Type of Action Requested:

- | | |
|--|---|
| ☐ Resolution | ☐ Ordinance- First Reading |
| ☒ Formal Action/Motion | ☐ Other (Specify) |

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to authorize the City Manager to notify in writing pursuant to NRS 260.010 the State Public Defender of the Board's intent to establish its own County Public Defender, effective July 1, 2011.

Explanation for Recommended Board Action: Under Nevada Revised Statutes 260.010, if the Board of Supervisors intends to create the office of County Public Defender, the board shall notify the State Public Defender in writing before March 1.

Applicable Statute, Code, Policy, Rule or Regulation: Nevada Revised Statutes 260.010.

Fiscal Impact: Estimated to be \$500,000 savings per year.

Explanation of Impact: See Staff Summary

Funding Source: General Fund

Alternatives: Do not send the notice and continue using the State Public Defender

Supporting Material: Letter

Prepared By: Lawrence A Werner

Reviewed By:

(City Manager)

Date:

2/10/11

(District Attorney)

Date:

2/9/11

(Finance Director)

Date:

2/10/11

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)



CARSON CITY, NEVADA

CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

February 17, 2011

Sent via facsimile to (775) 687-4993 and Certified U.S. Mail

Diane Crow, State Public Defender
Nevada State Public Defender's Office
511 E. Robinson
Carson City, Nevada 89701

Re: Notice of Termination of State Public Defender Services

Dear Ms. Crow:

Pursuant to NRS 260.010(3), Carson City is required to provide your office with notice of intent to create the office of county public defender prior to March 1 of an odd number year. Please consider this letter such notice that Carson City intends on creating the office of county public defender effective July 1, 2011, and the services of the Nevada State Public Defender's Office will no longer be needed after June 30, 2011.

If you would like to discuss this further, you may call me at 887-2100.

Sincerely,

Lawrence A. Werner, P.E., R.L.S.
City Manager

cc: Brian Sandoval, Governor