



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** December 16, 2021

Staff Contact: Aubrey Rowlett, Clerk Recorder

Agenda Title: For Possible Action: Discussion and possible action: (1) to introduce, on first reading, a proposed ordinance revising various provisions of the Carson City Municipal Code (“CCMC”) governing the process by which election ward boundaries may be realigned, revising various CCMC provisions relating to meetings of the Board of Supervisors and repealing CCMC provisions describing districts of wards; and (2) to consider a business impact statement concerning the proposed ordinance. (Aubrey Rowlett, arowlett@carson.org)

Staff Summary: This is the first reading of a proposed ordinance, which, if enacted, would make various changes to CCMC Chapter 2.02 which establishes certain administrative provisions governing the Board of Supervisors, including the manner by which election ward boundaries may be realigned and the conduct of meetings of the Board of Supervisors. NRS 237.080 requires a business impact statement to be prepared whenever an ordinance by the adoption of which the governing body of a local government exercises legislative powers. The business impact statement finds that the proposed ordinance will not impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business.

Agenda Action: Formal Action / Motion **Time Requested:** 10 mins

Proposed Motion

1. I move to approve the business impact statement as presented.
2. I move to introduce, on first reading, Bill No. _____.

Board's Strategic Goal

Efficient Government

Previous Action

On December 6, 2011, the Board of Supervisors adopted Ordinance No. 2011-21, amending CCMC Chapter 2.02 to remove ward descriptions and providing that the four election ward boundaries must be adopted by resolution.

Background/Issues & Analysis

CCMC Chapter 2.02 contains various administrative provisions relating to the Board of Supervisors, including the manner by which election ward boundaries may be established and the conduct of meetings of the Board of Supervisors.

CCMC 2.02.010, which pertains to ward boundaries of Supervisors of the Board of Supervisors, was last amended in 2011 via the adoption of Ordinance No. 2011-21 to establish ward boundary realignments following the 2010 Federal Census population count. Currently, CCMC 2.02.010 provides, in pertinent part, that the boundaries as set forth in the Official Ward Map must be adopted by resolution of the Board of Supervisors and filed and recorded in the Office of the Carson City Clerk-Recorder. However, article 1, § 1.060 of the Carson City Charter expressly provides that the “boundaries of wards must be established and realigned, if necessary, by ordinance ...” Therefore, although Ordinance No. 2011-21 was properly adopted and the realignment of the ward boundaries in 2011 was made in compliance with the City Charter, the existing language in CCMC 2.02.010 authorizing the realignment of ward boundaries via the adoption of a resolution to change the Official Ward Map is inconsistent with the City Charter which requires the adoption of an ordinance. To remove this ambiguity in the CCMC language, this proposed ordinance revises CCMC 2.02.010 to clarify that the realignment of ward boundaries may only be effectuated through the adoption of an ordinance.

This proposed ordinance also makes various other clerical corrections to the existing language set forth in CCMC 2.02.010 as well as CCMC 2.02.040, which establishes provisions relating to the meetings of the Board of Supervisors. These clerical revisions mostly comprise non-substantive changes in text for grammatical clarity and consistency with current legislative drafting style and convention, but also update the official title of the ward map and the Board of Supervisors meeting room, which was recently renamed after the late Mayor Robert Crowell.

Finally, this proposed ordinance repeals CCMC 2.02.020, which correlates ward numbers to districts. CCMC 2.02.020 was adopted in 1974 and has since never been amended. Because election wards for the Supervisors have long been consecutively numbered as Ward One, Ward Two, Ward Three and Ward Four and correspond to the ward map, the reference to former districts corresponding to each of the four wards is now obsolete.

Applicable Statute, Code, Policy, Rule or Regulation

NRS Chapter 244; Article 2 of the Carson City Charter

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

1. Do not approve the business impact statement or modify the business impact statement.
2. Do not introduce the ordinance on first reading or modify the ordinance.

Attachments:

[Business_Impact_Statement_--_Admin_Provisions.pdf](#)

[Ordinance_Board of Supervisors Admin Provisions_First Reading.docx](#)

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____ _____

(Vote Recorded By)



BUSINESS IMPACT STATEMENT

This Business Impact Statement was prepared in accordance with the provisions of NRS (Nevada Revised Statutes) 237.030 to 237.150, inclusive, as a statutory prerequisite to the adoption of any rule***, as that term is defined in NRS 237.060, by the Carson City Board of Supervisors.

*** A "rule" may include an ordinance, or an action taken by the Board, that imposes, increases or changes the basis for the calculation of a fee which is paid in whole or in substantial part by businesses. A "rule" **does not** include actions that impose, increase or change the basis for the calculation of: (1) special assessments imposed pursuant to NRS chapter 271; (2) impact fees imposed pursuant to NRS chapter 278B; (3) fees for remediation imposed pursuant to NRS chapter 540A; (4) taxes ad valorem; (5) sales and use taxes; or (6) a fee that has been negotiated pursuant to a contract between a business and Carson City. A "rule" also **does not** include: an action taken by the Board that approves, amends or augments the annual budget of Carson City; an ordinance adopted by the Board pursuant to a provision of NRS chapter 271, 271A, 278, 278A, 278B or 350; an ordinance adopted or action taken by the Board that authorizes or relates to the issuance of bonds or other evidence of debt of Carson City; or any rule for which Carson City does not have the authority to consider less stringent alternatives, including, for example, a rule that Carson City is required to adopt pursuant to a federal or state statute or regulation or to a contract into which Carson City has entered.

ORDINANCE OR ACTION PROPOSED FOR ADOPTION

AN ORDINANCE RELATING TO THE BOARD OF SUPERVISORS; REVISING VARIOUS PROVISIONS GOVERNING THE PROCESS BY WHICH ELECTION WARD BOUNDARIES MAY BE REALIGNED; REVISING VARIOUS PROVISIONS RELATING TO MEETINGS OF THE BOARD OF SUPERVISORS; REPEALING PROVISIONS DESCRIBING DISTRICTS OF WARDS; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

1. *The manner in which notice was provided to the applicable trade associations and officers of businesses likely to be affected by the proposed ordinance or action, and a summary of any data, arguments or comments received from those recipients:*

a. Notice

N/A. There are no trade associations or officers of businesses likely to be affected by the ordinance and therefore no person to whom a notice is required to be given.

Summary of comments received.

N/A

2. *The estimated economic effect of the proposed ordinance or rule on businesses, including both adverse and beneficial effects, and both direct and indirect effects:*

a. *Adverse effects:*

N/A

b. *Beneficial effects:*

N/A

c. *Direct effects:*

N/A

d. *Indirect effects:*

N/A

3. *The methods considered by the Carson City Board of Supervisors to reduce the impact of the proposed ordinance or action on businesses and whether any of those methods were used:*

N/A

4. *Estimate of the annual cost to Carson City for enforcement of the proposed ordinance or action:*

N/A

5. *The total annual amount of money expected to be collected as a result of the new fee or increase in fee proposed by the ordinance or action, and the manner in which the money will be used:*

N/A

6. *The proposed ordinance or action DOES DOES NOT include any provisions which duplicate or are more stringent than Federal, State or local standards regulating the same activity.*

7. *The reasons for the conclusions regarding the impact of the proposed ordinance or action on businesses:*

N/A

8. *Based on the information considered, it has been determined that this proposed ordinance or rule:*

DOES DOES NOT impose a direct and significant economic burden upon a business.

DOES DOES NOT directly restrict the formation, operation or expansion of a business.

Pursuant to NRS 237.090(3), this Business Impact Statement was prepared and made available for inspection by the Carson City Manager's Office at the time the agenda notice on which the proposed ordinance or rule described in this statement is included was posted.

Pursuant to NRS 237.090(2), I, Nancy Paulson, the Carson City Manager, hereby certify that to the best of my knowledge and belief, the information contained herein was properly prepared and accurate.

Nancy Paulson
Signature

12/8/21
Date

Nancy Paulson
Printed Name

Summary: Revises various provisions relating to the Board of Supervisors.

BILL NO. _____

ORDINANCE NO. 2021 - _____

AN ORDINANCE RELATING TO THE BOARD OF SUPERVISORS; REVISING VARIOUS PROVISIONS GOVERNING THE PROCESS BY WHICH ELECTION WARD BOUNDARIES MAY BE REALIGNED; REVISING VARIOUS PROVISIONS RELATING TO MEETINGS OF THE BOARD OF SUPERVISORS; REPEALING PROVISIONS DESCRIBING DISTRICTS OF WARDS; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.02 (BOARD OF SUPERVISORS), SECTION 2.02.010 (WARD BOUNDARIES) is hereby amended (**bold, underlined text** is added, [~~stricken~~] text is deleted) as follows:

2.02.010 – Ward boundaries. (art. 1, § 1.060 and art. 2, §§ 2.090, 2.100 and 2.110 of the Carson City Charter)

[~~It~~] **There are hereby established in** Carson City [~~there are hereby established four (4)~~] **four** contiguous election wards numbered consecutively as Ward One, Ward Two, Ward [~~Three;~~] **Three** and Ward Four [~~and having~~] **, with each ward corresponding to the alignment of** boundaries as [~~shown on~~] **depicted in** the Carson City, Nevada Official **Board of Supervisors** Ward [~~Map, demonstrating boundaries along the jurisdictional boundaries of Carson City and variously named roads, streets, highways or landmarks to the centerline of each, which official Ward Map shall be:~~] **Boundaries Map, which may be amended from time to time in accordance with article 1, § 1.060 of the Carson City Charter. Any ordinance and amendment to the Carson City, Nevada Official Board of Supervisors Ward Boundaries Map that realigns the boundaries of a ward must be:**

1. Adopted by [~~resolution of~~] the Carson City Board of [~~Supervisors;~~] **Supervisors in the manner prescribed by the Carson City Charter; and**
2. Filed and recorded [~~with the Board's resolution in the official records~~] **in the Office** of the Carson City [~~Clerk Recorder as File No. 417563, Book No. 10, Page No. 2771, on the 1st day of December, 2011.~~] **Clerk-Recorder and published on its official Internet website.**

SECTION II:

That Title 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.02 (BOARD OF SUPERVISORS), SECTION 2.02.040 (MEETINGS OF THE BOARD) is hereby amended (**bold, underlined text** is added, ~~stricken~~ text is deleted) as follows:

2.02.040 - Meetings of the ~~[board.] Board of Supervisors. (art. 2, §§ 2.050 and 2.090-2.110, inclusive, of the Carson City Charter; NRS 244.085)~~

1. ~~[Regular]~~ **Except as otherwise provided in this subsection, regular** meetings of the ~~[board of supervisors shall]~~ **Board of Supervisors must** be held in Carson City on the first and third ~~[Thursdays in]~~ **Thursday of** each calendar month, unless such day falls on a holiday or on a nonjudicial day, in which event the regular meeting ~~[shall]~~ **must** be held on the ~~[immediately following]~~ **next** judicial day. By a motion made in a ~~[property]~~ **properly** noticed meeting, the ~~[board]~~ **Board of Supervisors** may take action to change the date of ~~[a]~~ **an ensuing**, regularly scheduled ~~[future board]~~ meeting if ~~[the board]~~ :

(a) The Board of Supervisors finds that it is in the best interest of the public **to change the date;** and ~~[if the board acts to]~~

(b) The change **in** the meeting date ~~[at least twenty (20)]~~ **is made not less than 20** days before the date ~~[of]~~ **on which** the meeting ~~[to be changed.]~~ **is to occur.**

2. The official meeting place of the ~~[board of supervisors]~~ **Board of Supervisors** is the ~~[Sierra Room,]~~ **Robert ‘Bob’ Crowell Board Room, located at the** Carson City Community Center, 851 E. Williams Street, Carson City, Nevada.

3. The ~~[board of supervisors]~~ **Board of Supervisors** may **, as it deems necessary,** hold additional regular, work session or special meetings during ~~[a]~~ **any** calendar month ~~[as needed and may specify]~~ **by specifying** the **date,** time, place and purpose of ~~[the]~~ **any such** meeting in ~~[the meeting notice.]~~ **a notice properly made pursuant to applicable law.**

4. Nothing contained in this section ~~[prohibits the board of supervisors]~~ **shall be construed to prohibit the Board of Supervisors** from recessing a regularly scheduled meeting and continuing ~~[such]~~ **the** meeting to a later time and place ~~[ertain, provided]~~ **certain if** such time and place are ~~[indicated in]~~ **established by** an appropriate motion made during the regularly scheduled meeting.

~~[5. The dates of the regular meetings of the board of supervisors for the month of January, 1997 are January 9th and January 23rd.]~~

SECTION III:

That Title 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.02 (BOARD OF SUPERVISORS), SECTION 2.02.020 (CREATION OF BOARD OF SUPERVISORS) is hereby repealed with reservation of the section number as follows:

CCMC 2.02.020 [–Meetings of the board.] Reserved.

(Editor's note: Ord. No. 2021- , § III, adopted , repealed CCMC 2.02.020 – Creation of board of supervisors.)

SECTION IV

That no other provisions of Title 2 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on _____, 2021 by _____.

PASSED on _____, 2021 by the following vote:

AYES: _____

NAYS: _____

ABSENT: _____

LORI BAGWELL, Mayor

ATTEST:

AUBREY ROWLATT, Clerk-Recorder

This ordinance shall be in force and effect from and after the first day of January, 2022.

TEXT OF REPEALED SECTIONS

~~2.02.020 Creation of board of supervisors.~~

~~_____ In Carson City four (4) board of supervisors districts are hereby amended as follows:~~

- ~~1. District No. 1 shall correspond and be identical with the boundaries of Ward One in Section 2.02.010(1).~~
- ~~2. District No. 2 shall correspond and be identical with the boundaries of Ward Two in Section 2.02.010(2).~~
- ~~3. District No. 3 shall correspond and be identical with the boundaries of Ward Three in Section 2.02.010(3).~~
- ~~4. District No. 4 shall correspond and be identical with the boundaries of Ward Four in Section 2.02.010(4).~~