

**Carson City
Agenda Report**

Date Submitted: March 19, 2013

Agenda Date Requested: March 25, 2013

Time Requested: 10 minutes

To: Mayor and Supervisors

From: City Manager

Subject Title: For possible action. Discussion and possible action to convey to the 2013 Legislature the Board's position on AB312 (BDR S-41), a bill to modify the City's Charter to provide for the appointment of Charter Committee members by public officials instead of nominating Charter Committee members and to set the date of appointment as January 1.

Staff Summary: The current City Charter provides that the legislators representing Carson City and the Board of Supervisors shall nominate at least one person to serve on the Charter Review Committee. The Board of Supervisors then shall determine the size of the committee and appoint members from those nominated. There has been a long history for this process and at the time that the Charter Review Committee was placed in the Charter, this issue was discussed and determined that this was the appropriate method for appointment to the committee. This issue was brought up to the Charter Review Committee in 2012 and the Charter Review Committee determined again that the current method is the appropriate method.

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 convey to the 2013 Legislature that the Carson City Board of Supervisors (does) (does not) (would support with amendments as discussed) AB312 (BDR S-41), a bill to modify the City's Charter to provide for the appointment of Charter Committee members by public officials instead of nominating Charter Committee members and to set the date of appointment as January 1.

Explanation for Recommended Board Action: See above.

Applicable Statute, Code, Policy, Rule or Regulation: Carson City Charter

Fiscal Impact: None

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: N/A

Supporting Material: Carson City Charter, Materials from the Charter Review Committee and Board of Supervisors Meetings

Prepared By: Lawrence A. Werner, P.E., P.L.S.

| | |
|---------------------------|----------------------|
| Reviewed By: _____ | Date: _____ |
| (Department Head) | |
| _____ | Date: <u>3/18/13</u> |
| (City Manager) | |
| _____ | Date: <u>3/19/13</u> |
| (District Attorney) | |
| _____ | Date: <u>3/19/13</u> |
| (Finance Director) | |

Board Action Taken:

Motion: _____

| | |
|----------|---------|
| 1) _____ | Aye/Nay |
| 2) _____ | _____ |
| | _____ |
| | _____ |
| | _____ |

(Vote Recorded By)

SUMMARY—Makes various changes to the Charter of Carson City. (BDR S-41)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: No.

AN ACT relating to the Charter of Carson City; revising provisions of the Charter relating to the Charter Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The Charter of Carson City provides for the appointment of a Charter Committee to advise the Board of Supervisors concerning potential amendments to the Charter. (Carson City Charter §§ 1.080, 1.090) Currently, each Supervisor and each member of the Senate and Assembly delegation representing the residents of Carson City nominates at least one person for membership on the Charter Committee, and the Board appoints the members of the Committee. The Charter also provides that each member of the Committee serves a term concurrent with the term of the public officer who nominated him or her for appointment. (Carson City Charter § 1.080) **Section 1** of this bill revises the appointment process to provide that each Supervisor and each member of the Senate and Assembly delegation representing the residents of Carson City is to appoint one member of the Committee. **Section 1** also provides that each member of the Committee serves a 2-year term, beginning on January 1 of each even-numbered year.



The current Charter also authorizes the Board of Supervisors to remove members of the Committee for good cause and requires the Board to fill any vacancy that occurs on the Committee. (Carson City Charter § 1.100) **Section 2** of this bill authorizes the public officer, or his or her successor, who has appointed a member of the Committee to remove the member with or without cause and fill any vacancy created by the removal or resignation of a member for the remainder of the unexpired term.

Section 3 of this bill provides that a member who is serving on the Committee as of the effective date of this bill (January 1, 2014) may continue to serve until the expiration of his or her term or until he or she is removed.

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

Section 1. Section 1.080 of the Charter of Carson City, being chapter 341, Statutes of Nevada 1999, at page 1406, is hereby amended to read as follows:

Sec. 1.080 Charter Committee: ~~{Nomination; appointment; terms;}~~ **Appointment;**
qualifications; compensation ~~{-}~~ ; **terms.**

1. The ~~{candidates for membership on}~~ **members of** the Charter Committee must be ~~{nominated}~~ **appointed** as follows:

(a) Each Supervisor shall ~~{nominate at least}~~ **appoint** one ~~{candidate;}~~ **member;** and



(b) Each member of the Senate and Assembly delegation representing the residents of the City shall ~~{nominate at least}~~ **appoint** one ~~{candidate}~~.

~~—2. The Board shall:~~

~~—(a) Determine the appropriate number of members of the Charter Committee from the candidates nominated; and~~

~~—(b) Appoint the members of the Charter Committee.~~

~~—3.} member.~~

2. Each member of the Charter Committee must:

(a) Be a registered voter in Carson City;

(b) ~~{Serve a term concurrent to the term of the public officer by whom he or she was nominated;~~

~~—(e)} Reside in Carson City during his or her term of office; and~~

~~{(d)} (c) Serve without compensation.~~

3. Each member of the Charter Committee serves a term of 2 years beginning on January 1 of each even-numbered year. Members may be reappointed for additional terms of 2 years in the same manner as provided for the original appointments.

Sec. 2. Section 1.100 of the Charter of Carson City, being chapter 341, Statutes of Nevada 1999, at page 1406, is hereby amended to read as follows:

Sec. 1.100 Charter Committee: Removal ~~{}~~ **of members**; vacancies.

1. A member of the Charter Committee may be removed by the ~~{Board for:~~

~~—(a) Missing three consecutive regular meetings; or~~

