

CARSON CITY CHARTER REVIEW COMMITTEE
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A regular meeting of the Carson City Charter Review Committee was held on Wednesday, June 17, 1998 in the City Hall Capitol Conference Room, 201 N. Carson St., Carson City, NV at 5:00 p.m.

PRESENT: Chairperson Jim Cavilia
Vice Chairperson Shelly Aldean
Blair Allen
Pat Jackson
Donna Kuester
Dick Murray
Vivian Pickett
Paul Webster
Lucille Zuend

STAFF: Melanie Bruketta, Deputy District Attorney
Fran Smith, Recording Secretary
(CHT 6/17/98 1-0000.5)

NOTE - Unless otherwise indicated each item was introduced by Chairperson Cavilia. Individuals speaking are identified following the heading of each item. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours

1. CALL TO ORDER - Chairperson Cavilia called the meeting to order at 5:05 p.m. A roll call was taken and a quorum was present although Members Robison and Burau were absent and Member Aldean did not arrive until 5:08 p.m.

2. APPROVAL OF MINUTES - May 26, 1998 - Member Kuester moved to approve the Minutes as presented. Member Webster seconded the motion. Motion carried 8-0.

3. PUBLIC COMMENT - (1-0025.5) Pete Bachstadt referred to "general welfare of the citizens" as referred to in Section 1.010 of the Carson City Charter and felt that the citizens would not have this unless they demanded it. He provided copies of Wall Street Journal articles relating to this. He felt that the government is out of control and asked that the Committee try and determine a definition of "general welfare". He suggested that the Board of Supervisors be asked to determine exactly what the statutes say they should be doing.

Vice Chairperson Aldean had arrived as Mr. Bachstadt was speaking.

4. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AMENDMENT TO THE CARSON CITY CHARTER REGARDING THE NOMINATION OF SUPERVISORS BY WARD IN THE PRIMARY ELECTION - (1-0075.5) Chairperson Cavilia said this had been discussed in some length at the July 18, 1996 meeting. Ms. Bruketta did not believe the Committee had made a decision as to whether they wanted to pursue this because at that time they had voted not to forward a recommendation to the Board of Supervisors that the Charter be amended. Chairperson Cavilia concurred and said if the Committee decided to do it again a resolution could be prepared. Vice Chairperson Aldean said she had been trying to contact Supervisor Greg Smith because in the 1996 meeting he had indicated an interest in taking the question to the Board but she did not believe that was done. She said she would continue to seek a decision from him. Chairperson Cavilia continued this until the next meeting when the Committee should have new information.

5. DISCUSSION AND POSSIBLE ACTION REGARDING A POSSIBLE AMENDMENT TO DELETE FROM THE CHARTER THE WORDS "OTHER DUTIES AS MAY BE IMPOSED" AND "BY THE BOARD OR" AND "OTHER DUTIES AS MAY BE IMPOSED BY THE BOARD OR BY THE PROVISIONS OF NRS" FROM CERTAIN SECTIONS - (1-0145.5) This item related to a request from City Treasurer Al Kramer that this be clarified. An extensive discussion ensued during which the Committee determined exactly what he was requesting and that a resolution be developed amend the language in the Charter.

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Vice Chairperson Aldean moved that the District Attorney be directed to to prepare a resolution amending Section 3.030-2.f, 3.040-2, 3.045-2.c, 3.050-2, 3.060-2.b, 3.070-2 to add the appropriate punctuation which would only permit the Board of Supervisors to supplement the elected official's job description. Member Murray seconded the motion. The Members agreed that the intent of the motion was to specifically clarify the sections referred to. Motion carried 8-0.

6. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED AMENDMENT TO THE CARSON CITY CHARTER ON ANIMALS AND POULTRY (SECTION 2.180) - (1-0531.5) Pate Bachstadt - Vice Chairperson Aldean said she had contacted Animal Regulation Director Mike Conklin who had asked that this be continued until he could be present. She asked Mr. Bachstadt if this is an animal rights issue and asked that he define "pound seizure" which he had previously talked about. Mr. Bachstadt said at the oresent the City can do whatever they please with the animals in the pound. He added that some states require it, some say nothing, and some prohibit it. He felt that animals have philosophical rights but not legal rights. He provided a history of how the Charter came to read as it does on the issue. He added all he was asking was that the words "sale or other" be removed and provided his reasons. An extensive discussion ensued on many aspects of the issue and the proposed change in the language. Mr. Bachstadt reiterated his desire to specifically remove the word "sale". Vice Chairperson Aldean then said she would invite Mr. Conklin to the next meeting. Chairperson Cavilia continued this until then.

7. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED AMENDMENT TO THE CARSON CITY CHARTER - DEFINITION OF GENERAL WELFARE (SECTION 1.010) -(1-0795.5) Previously reviewed in Public Comment.

Vice Chairperson Aldean left the meeting at 6:00 p.m. A quorum was present.

8. DISCUSSION AND POSSIBLE ACTION REGARDING POSSIBLE AMENDMENT TO THE CARSON CITY CHARTER REGARDING CHARTER REVIEW COMMITTEE APPOINTMENTS, TERMS, QUALIFICATION, COMPENSATION, DUTIES, AND REMOVAL - (1-0861.5) Ms. Bruketta provided copies of a resolution the Board would need to approve and recommend to the Legislature an amendment to add the Charter Review Committee to the Carson City Charter and noted this had been presented to her by Vice Chairperson Aldean. She said the majority of the language came from the Sparks Charter. She also said Resolution 1991-R-52 establishing the Committee was to have been considered by the Board but did not know if it was approved. She will look into this and bring it back to the next meeting and Chairperson Cavilia continued this item until then.

Member Webster left at 6:10 p.m. A quorum was present.

9. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENT OR BOARD APPROVAL OF EMPLOYMENT OF AN ADMINISTRATIVE ASSISTANT - (1-1018.5) Member Murray said this relates to Section 3.020-2 and said Vice Chairperson Aldean would like to change the language in this section from "subject to approval of the Board" to "subject to review and approval....." and that this would only apply to the administrative assistant job, not clerical. Chairperson Cavilia asked if she was asking to remove the word "clerical". Member Murray read from the literature Vice Chairperson Aldean had given him which said "the Manager may appoint clerical as he considers necessary and administrative assistants subject to review and approval of the Board". Member Murray moved that Section 3.020-2 be amended to reflect this wording. Member Jackson seconded the motion. At this point Member Kuester expressed her opposition to this and explained. Motion carried 5-1-0-3. Member Kuester voted naye.

10. DISCUSSION AND POSSIBLE ACTION ON SELECTION OF INDIVIDUAL(S) TO MAKE A PRESENTATION ON FINAL DOCUMENT(S) TO THE BOARD OF SUPERVISORS AND LEGISLATURE - (1-1114.5) Chairperson Cavilia continued this until the Committee has finished its business.

11. DISCUSSION AND POSSIBLE ON SCHEDULE FOR FUTURE MEETING(S) - (1-1129.5)

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Discussion ensued and it was agreed the Committee could finish its business at a meeting on July 15. Chairperson Cavilia felt this should provide the opportunity to get the items on the agenda for the August 6 meeting of the Board.

12. COMMITTEE MEMBER REPORTS - (1-1179.5) Member Murray referred to the first item of Mr. Kramer's memo relating to the issue of conflict of interest and said there were issues several years ago which had resulted in a resolution prohibiting certain activities by elected officials. He added that Mr. Kramer's contention was that it punished he and his wife from a taxation standpoint because of her business. Chairperson Cavilia said that had already been passed at a previous meeting and that Member Murray had made the motion.

13. ADJOURNMENT - There being no further business Member Kuester moved to adjourn. Member Pickett seconded the motion. Motion carried 7-0-3-0. Chairperson Cavilia adjourned the meeting at 6:29 p.m.

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ARE SO APPROVED _____, 1998

Jim Cavilia, Chairperson

had already considered a resolution to this effect but did not know if it had passed. Chairperson Cavilia said this would mean