Carson City Agenda Report

Date Submitted: August 7, 2012 Agenda Date Requested: August 16, 2012
Time Requested: 10 minutes

To: Mayor and Supervisors

From: Donna DePauw, Chair - Charter Review Committee

Subject Title: For Possible Action: The Board of Supervisors will discuss and possibly adopt a recommendation from the Charter Review Committee to provide for a City ballot question whether Carson City Charter, Section 2.010 (Board of supervisors: Qualifications; election; term of office), Section 5.010 (Primary election) and Section 5.020 (General election) should be amended to provide for ward-only voting in the primary election, with the top two winners in each ward advancing to the general election to be voted upon by all City voters (at-large voting) in the general election to determine a single winner in each ward.

Staff Summary: The Carson City Charter Review Committee brought forth, discussed and took action on this item at their June 25, 2012 meeting. The Charter Review Committee was advised that it would be too late in this year's election calendar to meet the statutory deadlines for any such a ballot question for the November 2012 election.

Type of Action Requested:	(check one)	
() Resolution	() Ordinance	e
(XX) Formal Action/Motion	Other (Sp	ecify)
Does This Action Require A Busin	ess Impact Statement:) Yes (_X_) No

Recommended Board Action: I move to adopt a recommendation from the Charter Review Committee to provide for a City ballot question whether Carson City Charter, Section 2.010 (Board of supervisors: Qualifications; election; term of office), Section 5.010 (Primary election) and Section 5.020 (General election) should be amended to provide for ward-only voting in the primary election, with the top two winners in each ward advancing to the general election to be voted upon by all City voters (at-large voting) in the general election to determine a single winner in each ward.

Explanation for Recommended Board Action: See Staff Summary.

Applicable Statute, Code, Policy, Rule or Regulation:

Fiscal Impact: N/A

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: Do not adopt

Supporting Material: Excerpt from the CRC meeting minutes of June 25, 2012.

Prepared By: Janet Busse, Office Supervisor		1
Reviewed By: (City Manager)	Date:	1/12
District Attorney)	Date: <u>8/2//</u>	12
(Finance Director)	Date: 0 11	
Board Action Taken:		
Motion:	1) 2)	Aye/Nay
(Vote Recorded By)		

8. "DISCUSSION AND POSSIBLE ACTION TO REQUEST THE BOARD OF SUPERVISORS TO ALLOW A BALLOT QUESTION TO HAVE SUPERVISOR BY WARD IN THE PRIMARY ELECTION; (A) RECOMMEND CHANGE TO CHARTER; (B) RECOMMEND BALLOT QUESTION; (C) RECOMMENDATIONS TO THE BOARD OF SUPERVISORS." (2:48:33) - Chairperson DePauw introduced and provided background information on this item. She recognized

Supervisor Shelly Aldean. (2:49:20) Supervisor Aldean advised of having researched this matter and reviewed historic information with regard to the same. She distributed to the committee members and staff a position paper, drafted by the 2002 Charter Review Committee, and provided an overview of the same. She clarified she was not advocating or opposing ward primaries, but expressed a desire to "give you a flavor for the intensity with which this suggestion has been reviewed and re-reviewed, brought to the Board in various iterations." She expressed no problem forwarding the issue to the voters for decision in consideration of the "extraordinarily close" 1992 vote. Chairperson DePauw expressed appreciation for Supervisor Aldean's presentation in consideration of the fact that the issue has never been presented to the current Board of Supervisors. Supervisor Aldean noted the varying methods by which the issue has been presented to the Board of Supervisors over the years. She speculated that there would be little problem with allowing the voters to decide. "Rather than having this forwarded on to the legislature as a specific recommendation from the Board of Supervisors, ... if it went to the legislature ... as a recommendation to have this issue placed on the ballot to allow the voters to decide, that would probably gain more traction than actually recommending that the Charter be amended to accomplish this same thing." Discussion followed.

Chairperson DePauw entertained additional committee member questions or comments and, when none were forthcoming, advised that Andrea Engelman had called her prior to the meeting to convey "she still felt the same way about voting by ward." Chairperson DePauw again thanked Supervisor Aldean for her attendance and presentation.

Member Lincoln offered a motion. Member Lincoln moved to recommend to the Board of Supervisors to allow a ballot question to have the nomination by ward in the primary election and election at large in the general election. In response to a question, Mr. Munn advised that the agenda item indicates only the primary election "so at large would be unchanged for the general election." Member Barnett seconded the motion. Following discussion, Member Lincoln amended his motion to clarify election by ward in the primary with the top two winners advancing to the general. Member MacKenzie expressed support for the amendment, and thanked Member Lincoln for the clarification. In response to a question, Member Lincoln suggested the outcome of the ballot question would determine the Charter amendment. Mr. Munn advised that the Legislative Counsel Bureau would ensure resolution of any conflict in the language of the Charter. Discussion took place to clarify the intent of the motion and the committee members expressed opinions with regard to the same. Member Barnett continued her second. Following additional discussion, Chairperson DePauw requested a roll call vote. Members Messina, MacKenzie, Lincoln, Joiner, Fregulia, Barnett, Chair DePauw - Yes; Member Allen and Vice Chair Robertson - No. Motion carried 7-2.