



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: January 5, 2017

Staff Contact: Nick Marano, City Manager

Agenda Title: For Possible Action: To adopt a resolution establishing City policies on state legislative issues for the 2017 session of the Nevada Legislature.

Staff Summary: At the beginning of the 2013 Legislative session, the City Manager in consultation with the Mayor determined that there needed to be consistent communication from the City on legislative issues and, therefore, recommended a clear policy resolution be adopted on the involvement of the Board, City Manager, Department Managers and City employees with respect to the discussions of legislative issues and pending bills with members of the Nevada Legislature and with respect to necessary changes, support, opposition or testimony before legislative committees.

Agenda Action: Resolution

Time Requested: 10 mins

Proposed Motion

I move to adopt Resolution No. _____, a resolution establishing City policies on state legislative issues for the 2017 session of the Nevada Legislature.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

N/A

Applicable Statute, Code, Policy, Rule or Regulation

Nevada Open Meeting Law.

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number:

Is it currently budgeted? Yes No

Explanation of Fiscal Impact:

Alternatives

Do not adopt the proposed policy.

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

RESOLUTION NO. 2017-R-

A RESOLUTION ADOPTING POLICIES ON STATE LEGISLATIVE ISSUES FOR THE 2017 SESSION OF THE NEVADA LEGISLATURE

WHEREAS, the Carson City Board of Supervisors (“Board of Supervisors” or “Board”) has determined that there needs to be consistent and timely communication on behalf of Carson City (“the City”) on legislative issues and, therefore, there needs to be a clear policy on the involvement of the Supervisors, City Manager, Department Managers, City employees, District Attorney and contract lobbyists with respect to the discussions of legislative issues with the members of the Nevada Legislature and with respect to testimony before legislative committees.

NOW, THEREFORE, BE IT RESOLVED, by the Carson City Board of Supervisors, as follows, with respect to the 2017 session of the Nevada Legislature:

1. **Coordination of Legislative Activities.** Advocacy activities for the City will be coordinated by the City Manager.
2. **Determination, Communication and Review of Position.**
 - A. The City’s or City Manager’s position, as the case may be, on any legislation or legislative issue shall be determined as follows:
 - i. **Determination of City’s Position.** The preferred method of determining the City’s position on any legislation or legislative issue shall be through formal motion and recorded vote of the Board of Supervisors at a noticed public meeting. The Board of Supervisors may direct staff regarding the objectives and intent of proposed legislation as opposed to specific bill language. This is necessary because of the fluidity of the legislative process.
 - ii. **Determination of City Manager’s Position.** When time does not permit as a result of legislative requirements beyond the City’s control, a public hearing, and in the absence of a position previously established in accordance with paragraph 2(A)(i) of this Resolution, the Board of Supervisors delegates to the City Manager the discretionary authority to take a City Manager’s position on behalf of the City as its chief administrative officer and to appear in person (or through his designee) and communicate the City Manager’s position to a legislator or a legislative committee.

B. The City's or City Manager's position on any legislation or legislative issue shall be communicated as follows:

i. **Communication of City's Position.**

- a. The City Manager may ask a Member to appear before a legislative committee and/or meet with an individual legislator, as necessary.
- b. Members are requested to notify the City Manager of all contacts with legislators on behalf of City issues in order to provide a cohesive and well-organized effort. Members shall avoid appearing simultaneously in a quorum.

ii. **Communication of City Manager's Position.**

- a. When communicating a City Manager's position to a legislator or legislative committee, the City Manager shall expressly state that it is solely the City Manager's position, and immediately thereafter communicate individually to all Members the City Manager's position.
- b. Any Member may place such City Manager's position on the next available regular Board meeting agenda to ratify, amend or revoke such position, which Board action when taken shall be duly communicated to the appropriate committee members of the Legislature.
- c. A special meeting of the Board to consider the City Manager's position taken may be called pursuant to Section 2.050(2) of the Carson City Charter.

3. **Legislative Briefings to the Board of Supervisors.** The City Manager, District Attorney, and/or the City's contract lobbyist will be responsible for coordinating legislative briefings, through a standing agenda item, at regularly scheduled Board meetings that occur during the 2017 legislative session. During such briefings, the Board of Supervisors will receive information on various legislative issues. Members will avoid collective deliberations and will not take a vote during the briefings. However, individual Members may choose to publicly express their personal opinions to the City Manager regarding such briefing information or issues. Any Member may direct that the issue be placed on the next agenda for a vote. In the absence of such

direction, the City Manager may decide to ignore the issue, to place the issue on a future agenda for a vote or otherwise take a City Manager's position on the issue as time allows.

4. **Appointed Boards:** Authorization to Represent Carson City. Members of a board, commission, or committee appointed by the Carson City Board of Supervisors may appear before the Nevada Legislature, committees of the Legislature, and/or meet with individual legislators, on behalf of the City only if specifically authorized to do so by the Carson City Board of Supervisors or the Carson City Manager. In any event such representative of the City must be fully apprised whether they are communicating the position of the Board or the City Manager and expressly advise the Legislature accordingly.

- A. This Resolution is not intended and shall not be interpreted to restrict or regulate any expression or speech of an individual which is made in that person's individual capacity. When making any communication to a legislator or legislative committee which is not consistent with the City's or City Manager's position, an individual member of a board, commission, or committee appointed by the Board of Supervisors shall expressly state that the communication reflects his or her personal and individual opinion which is not consistent with the City's or City Manager's position.

///

///

///

///

///

///

///

///

///

///

///

.

5. **Special Meetings:** When the Nevada Legislature is in session, the Carson City Board of Supervisors may hold special meetings scheduled on the off weeks between regular meetings to allow for legislative updates and to provide direction to staff.

Upon motion by Supervisor, seconded by Supervisor, the foregoing Resolution was passed and adopted this 5th day of January, 2017, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ROBERT L. CROWELL, Mayor

ATTEST:

SUSAN MERRIWETHER, Clerk - Recorder