



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** February 7, 2019

**Staff Contact:** Nancy Paulson, City Manager

**Agenda Title:** For Possible Action: To adopt a resolution establishing the City's policies on coordination and communication of legislative matters for the 80th (2019) legislative session of the Nevada Legislature. (Nancy Paulson, npaulson@carson.org)

Staff Summary: Since 2013, the Board has adopted a policy resolution at the start of each legislative session concerning the involvement of the Board, City Manager, Department Directors, City employees, and contract lobbyists with respect to discussions on legislative issues with members of the Nevada Legislature and with respect to the submission of testimony before legislative committees.

**Agenda Action:** Resolution

**Time Requested:** 10 Minutes

**Proposed Motion**

I move to adopt Resolution No. \_\_\_\_\_.

**Board's Strategic Goal**

Efficient Government

**Previous Action**

A resolution establishing the same policies was adopted by the Board of Supervisors last session.

**Background/Issues & Analysis**

Before each session of the Nevada Legislature, the Board of Supervisors adopts a policy for Supervisors, City Manager, Department Directors, City employees, and contract lobbyists with respect to communication with members of the legislature and the submission of testimony before legislative committees.

**Applicable Statute, Code, Policy, Rule or Regulation**

NRS 244.146; Carson City Charter, Art. 2, Sec. 2.090

**Financial Information**

**Is there a fiscal impact?** No

**If yes, account name/number:**

**Is it currently budgeted?** No

**Explanation of Fiscal Impact:**

**Alternatives**

Do not adopt this resolution or refer back to staff with instructions on further action

**Attachments:**

[2019-R-\\_\\_legislative\\_procedure \(2\).docx](#)

**Board Action Taken:**

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

\_\_\_\_\_  
(Vote Recorded By)

**RESOLUTION NO. 2019-R-**

**A RESOLUTION ADOPTING POLICIES ON COORDINATION AND  
COMMUNICATION OF LEGISLATIVE MATTERS FOR THE 2019  
SESSION OF THE NEVADA LEGISLATURE**

**WHEREAS**, the Carson City Board of Supervisors (“Board of Supervisors” or “Board”) acknowledges the need for consistent and timely coordination and communication of legislative matters, on behalf of Carson City (“the City”), with members of the Nevada Legislature and testimony before legislative committees, thus, requiring a clear policy for the Supervisors, City Manager, Department Directors, City employees, and contract lobbyists.

**NOW, THEREFORE, BE IT RESOLVED**, by the Carson City Board of Supervisors, as follows, with respect to the 80<sup>th</sup> (2019) Session of the Nevada Legislature:

1. **Coordination of Legislative Activities.** Advocacy for or against any legislative measure on behalf of 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 legislative matter will be determined as follows:
    - i. **Determination of City’s Position.** The preferred method of determining the City’s position on any legislative matter is through a formal motion and recorded vote of the Board of Supervisors at a noticed public meeting. The Board may direct staff to advocate for or against a legislative matter based on the Board’s objectives and intent as opposed to the Board mandating specific bill language.
    - ii. **Determination of City Manager’s Position.** When time does not permit a vote by the Board of Supervisors because of requirements beyond the City’s control, and in the absence of a position previously established in accordance with paragraph 2(A)(i) of this Resolution, the Board delegates to the City Manager the authority to take a position on a legislative matter, on behalf of the City as its chief administrative officer and to communicate the City Manager’s (or through her designee)

position to a legislator or a legislative committee.

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

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

- a. The City Manager may ask a Supervisor to appear before a legislative committee and/or meet with an individual legislator, as necessary.
- b. Supervisors are requested to notify the City Manager of all contacts made with legislators in their official capacity on City issues in order to deliver a cohesive and well-organized effort. Supervisors should avoid appearing simultaneously in a quorum.

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

- a. When communicating her position to a legislator or legislative committee, the City Manager shall expressly state that her position is hers solely and immediately thereafter communicate individually to each Supervisor the City Manager's position that she communicated to the legislator or legislative committee.
- b. Any Supervisor may request that the City Manager's position taken, as described in paragraph 2(B)(ii)(a) above, be placed on the agenda of the next available regular Board meeting to ratify, amend or revoke such position. Such Board action, when taken, must be communicated to the appropriate legislator or legislative committee.
- c. A special meeting of the Board of Supervisors to consider the City Manager's position taken may be called pursuant to Article 2, Section 2.050(2) of the Carson City Charter.

3. **Legislative Briefings to the Board of Supervisors.** The City Manager, her designee, and/or the City's contract lobbyist will be responsible for coordinating legislative briefings, through a standing agenda item, at regularly scheduled Board of Supervisors meetings that occur during the 80<sup>th</sup> (2019) Session of the Nevada Legislature. Supervisors will avoid collective deliberations and will not take a vote during the briefings. However, individual Supervisors may choose to

publicly express their personal opinions to the City Manager on information delivered through the briefings. Any Supervisor may direct that a specific issue be placed on the next Board agenda for a vote. In the absence of such direction, the City Manager may decide to place any specific issue on a future agenda for a vote or may take a City Manager's position on any 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, legislative committees, and/or meet with individual legislators on behalf of the City only if specifically authorized to do so by the Board of Supervisors or the Carson City Manager. 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, private capacity. When communicating a position 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 unofficial and personal opinion which is not consistent with the City's or City Manager's position.

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5. **Special Meetings:** When the Legislature is in session, the Carson City Board of Supervisors may hold special meetings, pursuant to Article 2, Section 2.050(2) of the Carson City Charter, 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 7<sup>th</sup> day of February, 2019, by the following vote:**

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

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**ROBERT L. CROWELL, Mayor**

**ATTEST:**

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**AUBREY ROWLATT, Clerk - Recorder**