

**Carson City
Agenda Report**

Date Submitted: February 26, 2013

Agenda Date Requested: March 7, 2013

Time Requested: 15 Minutes

To: Mayor and Supervisors

From: City Manager

Subject Title: For possible action. Action to adopt a resolution establishing City policies on state legislative issues for the 2013 session of the Nevada Legislature.

Staff Summary: The City Manager in consultation with the Mayor has determined that there needs to be consistent communication from the City on legislative issues and, therefore, is recommending 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.

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 adopt Resolution Number _____ establishing City policies on state legislative issues for the 2013 session of the Nevada Legislature.

Explanation for Recommended Board Action: See staff summary.

Applicable Statute, Code, Policy, Rule or Regulation: Nevada Open Meeting Law

Fiscal Impact: None

Explanation of Impact:

Funding Source: N/A

Alternatives: Do not adopt the proposed policies and procedures and remand to staff for further analysis.

Supporting Material: Draft resolution adopting policies on state legislative issues for the 2013 session of the Nevada Legislature.

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

Reviewed By:


(City Manager)

(District Attorney)

(Finance Director)

Date: 2/22/13
Date: 2/29/13
Date: 2/14/13

Board Action Taken:

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

_____ (Vote Recorded By)

RESOLUTION NO._____

**A RESOLUTION ADOPTING POLICIES ON STATE LEGISLATIVE ISSUES
FOR THE 2013 SESSION OF THE NEVADA LEGISLATURE**

WHEREAS, the Carson City Board of Supervisors has determined that there needs to be consistent and timely communication from the City on legislative issues and, therefore, there needs to be a clear policy on the involvement of the Board of Supervisors, City Manager, Department Managers, City employees, 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 2013 session of the Nevada Legislature:

1. **Coordination of Legislative Activities.** Advocacy activities for the City will be coordinated by the City Manager.
2. **Determination of City Position.**
 - A. When time permits, the Board of Supervisors, through formal motion and recorded vote at a noticed public meeting shall be the preferred means to determine any City position on any legislation or legislative issue. Staff direction will be sought from the Board of Supervisors 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.
 - B. Except as expressly provided in this resolution, the members of the Board of Supervisors, the City Manager and staff (including the City's contract lobbyist) shall not communicate a Board minority position.
 - a. An individual Member's minority position shall not be communicated to a legislator or any Legislative committee in any form of unsolicited lobby regarding matters relevant to the City.
 - b. However, individual Members may respond to any legislator's or Legislative committee's question, provide such is expressly limited to their individual opinion.
 - C. When time does not permit a public hearing of each legislative issue before the Board, in the absence of a Board position the City Manager is delegated the discretionary authority to take a City Manager's position on behalf of the City as its chief administrative officer and appear in person (or through his designee) and communicate with a legislator or a Legislative committee.
 - a. Prior to taking any such position the City Manager shall avoid causing or facilitating any serial communication among a quorum of the Members while consulting with at least two (2) Members to determine their individual opinions on the issue.

- b. When taking such a position before a legislator or Legislative committee, the City Manager shall expressly communicate it as solely the City Manager's position, and immediately thereafter communicate individually to all Members the position taken.
 - c. 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.
 - d. 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. **Participation by the Members.** When the Board of Supervisors has determined a specific position or strategy on a particular piece of proposed legislation, the majority vote will be the position of the Board, the City and its individual Members. Members may be asked by the City Manager or the Legislature to appear before Legislative committee and/or meet with individual legislator, as necessary. 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.
- 4. **Legislative Briefings to the Board of Supervisors.** The City Manager and 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 2013 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 in accordance with paragraph 2(C) of this resolution. 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.
- 5. **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, as representing the interests of Carson 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.
- 6. **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 7th day of March, 2013 by the following vote.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

ATTEST

Robert L. Crowell, Mayor

Alan Glover, Clerk
Carson City, Nevada