

MINUTES
Regular Meeting
Carson City Charter Review Committee
Wednesday, May 20, 2014 • 5:30 PM
Community Center Sierra Room, 851 East William Street, Carson City, Nevada

Board Members:

Chair – Rob Joiner	Vice Chair – Bruce Robertson
Member – Donna DePauw	Member – Christine Fregulia
Member – Michael Matuska	Member – Larry Messina
Member – Keith Shaffer	

Staff:

Stacey Giomi, Acting City Manager
Randall Munn, Chief Deputy District Attorney
Tamar Warren/Deputy Clerk & Recording Secretary

NOTE: A recording of these proceedings, the board's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are public record. These materials are on file in the Clerk-Recorder's Office, and available for review during regular business hours.

The televised Carson City Charter Review Committee meetings are available on AccessCarsoncity.org, http://www.breweryarts.org/?page_id=2611.

- 1. CALL TO ORDER (5:30:38)**
- 2. ROLL CALL AND DETERMINATION OF QUORUM (5:30:42)** – Roll was called and a quorum was present.

Attendee Name	Status	Arrived
Rob Joiner	Present	
Bruce Robertson	Present	
Donna DePauw	Present	
Christine Fregulia	Present	
Michael Matuska	Present	
Larry Messina	Present	
Keith Shaffer	Present	

3. PUBLIC COMMENTS:

(5:31:06) – None.

4. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – APRIL 23, 2014.

(5:31:36) – **MOTION:** I move approve the minutes of the last Charter Review Committee meeting as amended.

RESULT:	APPROVED (7-0-0)
MOVER:	Matuska
SECONDER:	Fregulia
AYES:	Joiner, Robertson, DePauw, Fregulia, Matuska, Messina, Shaffer
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

5. FOR POSSIBLE ACTION: ADOPTION OF THE AGENDA (5:32:05) – There were no modifications to the agenda.

6. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A CHANGE TO THE CITY CHARTER THAT ALLOWS SCHOOL BOARD TRUSTEES TO BE ELECTED IN THE SAME MANNER AS THE PROPOSED ELECTIONS OF BOARD OF SUPERVISORS.

(5:32:19) – Chairperson Joiner read the submission information (incorporated into the record) by Maurice White and invited him to elaborate.

(5:32:37) – Mr. Munn noted that the School Board Trustees were “handled by State law”. He also explained the Nevada Revised Statute (NRS) process and the steps required to change the law (incorporated into the record).

(5:34:40) – Maurice White gave background regarding the item, noting that it had once been recommended by this Committee to the Board of Supervisors (BOS); approved by the legislature; and vetoed by the Governor. He suggested advising the BOS to take action, similar to the proposed primary-only ward voting.

(5:36:58) – Member Matuska received confirmation that Mr. White believed ward voting should happen in the primary elections and overall voting in the general election.

(5:38:37) – Alan Glover, Carson City Clerk Recorder, noted that the School District Board of Trustees, upon adoption of their redistricting plan, had specifically chosen to be elected by the voters at large. He also believed that this item was a School District and not a BOS decision. Mr. Glover explained the difficulty of creating 30+ precincts because the School District was not divided by ward and precinct lines, citing the cost involved should precincts be added.

(5:41:35) – Member Shaffer explained that a recommendation to the BOS would not be relevant since the issue did not fall within their responsibilities.

(5:42:05) – Chairperson Joiner reminded the Committee that a recommendation had been made to Mr. White to address the issue at the School District level.

(5:42:38) – Member DePauw suggested presenting all recommendations at the joint meeting with the BOS and leaving the decision to them.

(5:43:19) – MOTION: I move that we do not recommend to the Board of Supervisors that they make changes to the school trustees districting as a change to the Carson City charter.

RESULT:	APPROVED (7-0-0)
MOVER:	Shaffer
SECONDER:	Robertson
AYES:	Joiner, Robertson, DePauw, Fregulia, Matuska, Messina, Shaffer
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

7. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS AN AMENDMENT TO THE CHARTER REGARDING CHANGING THE ELECTION OF SUPERVISORS FROM AT LARGE TO BEING ELECTED BY VOTERS WITHIN THE WARD THAT THEY ARE TO REPRESENT; THE MAYOR WOULD CONTINUE TO BE ELECTED AT LARGE.

(5:44:14) – Chairperson Joiner read a request by John Vettel, which incorporated into the record. He also referred to a position paper submitted by Mr. Glover and incorporated into the record. Chairperson Joiner noted that this item was in parallel to, and not in conflict with, the ward voting item on the November ballot.

(5:45:39) – Member Messina reiterated his position that because five members on the BOS set city-wide policies, he wished to vote for all five positions. Member Messina also stated that ward voting may create divisiveness.

(5:46:22) – Chairperson Joiner commented on Mr. Glover’s position paper, noting that he had done an excellent job summarizing the issues. He also gave the example of North Las Vegas, noting that ward voting had created more voter turnout.

(5:48:45) – Member Matuska noted that this item would create confusion because of the issue placed on the November ballot. Discussion ensued regarding the details of the ballot item.

(5:52:50) – Mr. Glover clarified the ballot item details regarding 50 percent plus one votes received by ward only vote recipients. He also discussed residency issues regarding ward voting.

(5:57:08) – Member DePauw explained the financial benefits of ward voting.

(5:58:18) – Discussion ensued regarding the fact that this item already was on the ballot in another form.

(6:00:20) – Mr. Giomi noted that the ballot item is advisory only.

PUBLIC COMMENT – None.

(6:01:10) – MOTION: None – Died for lack of action.

8. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING WHEN ANY FAX, EMAIL OR US POSTAL LETTER ARRIVES ADDRESSED TO THE BOARD OF SUPERVISORS, OR SIMILAR TYPE HEADING, EXAMPLES: MAYOR & BOARD OF SUPERVISORS; CITY MANAGER & BOARD OF SUPERVISORS. THAT ALL SIMILAR TYPES OF CORRESPONDENCES WILL BE GIVEN TO ALL BOARD OF SUPERVISORS.

(6:01:55) – Chairperson Joiner gave background and invited Supervisor Jim Shirk to present his request.

(6:02:31) – Supervisor Shirk explained his request and noted that no policy should override the right of a BOS member to receive his/her mail. He also noted that he had not found a place in the City’s charter where this item resides.

(6:04:48) – Mr. Munn explained that the City’s Executive Branch was responsible for the timely opening and addressing of the City’s mail in a timely fashion. He also explained that there is no BOS policy to address the issue, regarding receipt of mail. Mr. Munn cited a specific incident that had resulted in Supervisor Shirk’s concern.

(6:08:56) – Mr. Giomi noted that any mail addressed to the BOS would be considered public, and he believed that it was the responsibility of the City Manager’s Staff to respond to requests immediately in order for the “business of government to continue”.

(6:10:25) – Member Shaffer believed this item was not a charter issue, but one to be addressed between BOS and Staff.

(6:10:41) – Member DePauw encouraged Staff to copy BOS regarding handled requests. She also noted that she does not get a response from City Staff regarding receipt of her requests.

(6:12:28) – Member Fregulia suggested a section in the charter where the item could be incorporated.

PUBLIC COMMENT

(6:14:36) – Lori Bagwell suggested having a “reading file” for all acted-upon correspondence, indicating how it was handled.

(6:16:35) – Discussion ensued regarding duties of the Mayor, BOS, and Staff, including the issue that Carson City is both a City and a County.

(6:18:23) – MOTION: None. Died for lack of action.

**9. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE
MAYOR OF CARSON CITY SHOULD BE ELECTED EVERY SIX YEARS AND SERVE ONLY TWO
TERMS.**

(6:18:54) – Supervisor Shirk presented the agenda item, incorporated into the record.

(6:22:30) – Member Matuska was informed by Mr. Munn that Article 15, Section 11 of the Nevada Constitution did not allow the creation of any office (except judicial offices), longer than four years, adding that the NRS mandated staggering the BOS terms. Discussion ensued regarding constitutional amendments required to have different election cycles.

(6:28:27) – Supervisor Shirk believed that the current election rules provide an unfair advantage to Wards one and three. Member DePauw agreed and noted that she was not in favor of a six-year mayoral term. Discussion ensued regarding rotating mayoral responsibilities and about related City ordinances.

PUBLIC COMMENT

(6:41:37) – Ms. Bagwell noted that should sitting supervisors become mayor, their term as supervisor would be reduced, based on current discussion.

(6:43:15) – Supervisor Shirk clarified that the discussion by Ms. Bagwell was not his initial proposal and reiterated that his issue still was the unfairness of the mayoral election to the two wards. Discussion ensued regarding the Sparks and Reno city models. It was also noted that since ward voting was being considered in November, this agenda item would cause more confusion.

(6:52:07) – the Committee agreed not to take action and advised Supervisor Shirk to return, should he wish to pursue the item further.

10. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING WHEN THE BOARD OF SUPERVISORS HAS AN AGENDA ITEM THAT REQUIRES THE BOARD TO VOTE AND APPROVE ON TWO DIFFERENT DATES ON THE SAME AGENDA ITEM (EXAMPLE: IMPOSING A NEW TAX), THEN PRIOR OR AT THE SECOND MEETING OF THE BOARD - ALL MINUTES OF THE FIRST MEETING MUST BE PRESENTED TO THE PUBLIC AND TO THE BOARD

11. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION TO CANCEL THE MAY 7, 2014 CHARTER REVIEW COMMITTEE MEETING.

(6:52:58) – Supervisor Shirk presented the agenda materials.

(6:55:17) – Mr. Munn explained that the Charter has driven the current requirements and explained the process in which an ordinance is adopted. He also explained the Open Meeting Law requirements and the publishing requirements, adding that if the minutes need to be approved, the second reading of an ordinance must be pushed to 45 days.

(7:00:01) – Chairperson Joiner explained that the meeting recordings are available online.

(7:01:10) – Supervisor Shirk noted that his request was for the citizens who were entitled to the information.

(7:02:13) – Mr. Giomi informed the Committee that ordinances had to be voted on during regularly-scheduled meetings, which would require a four-day turnaround time for minutes by the Clerk’s Office in order to meet all posting and Open Meeting Law requirements per the NRS. Mr. Munn stated that the minutes are a summary of the votes and not a verbatim iteration of the meeting discussions. He also clarified that meeting minutes should be retained for five years and the recording for one year.

(7:03:46) – Supervisor Shirk stated his requirement to have the minutes of specific agenda items. Discussion ensued regarding viewing past meetings online versus posting minutes.

(7:11:24) – Member Shaffer noted that the minutes are not a part of the ordinance that is voted upon.

(7:12:35) – Member DePauw noted that the current practice was “not right”.

PUBLIC COMMENT – None.

(7:14:01) – Chairperson Joiner called it “a great discussion” and noted that this item would be discussed during the meeting with the BOS.

11. PUBLIC COMMENT

(7:14:23) – There were no public comments.

(7:14:29) – Chairperson Joiner announced that the next meeting would take place on June 3, 2014, at 3:00 p.m. Mr. Giomi advised getting agenda items to Staff by May 23, 2014.

12. FOR POSSIBLE ACTION: TO ADJOURN (7:15:39) – Member DePauw moved to adjourn. The meeting was adjourned at 4:16 p.m.

The Minutes of the May 20, 2014 Carson City Charter Review Committee meeting are so approved this 23rd day of June, 2014.

ROB JOINER, Chair