

CARSON CITY CONSOLIDATED MUNICIPALITY
NOTICE OF MEETING OF THE
CHARTER REVIEW COMMITTEE

Day: Tuesday
Date: April 12, 2022
Time: Beginning at 1:30 pm
Location: Community Center, Robert 'Bob' Crowell Board Room
851 East William Street
Carson City, Nevada

AGENDA

NOTICE TO THE PUBLIC:

- Members of the public who wish to view the meeting may watch the livestream of the Charter Review Committee meeting at www.carson.org/granicus and by clicking on "In progress" next to the meeting date, or by tuning in to cable channel 191. Livestream of the meeting is provided solely as a courtesy and convenience to the public. Carson City does not give any assurance or guarantee that the livestream or cable channel access will be reliable. Although all reasonable efforts will be made to provide livestream, unanticipated technical difficulties beyond the control of City staff may delay, interrupt, or render unavailable continuous livestream capability.
- The public may provide public comment in advance of a meeting by written submission to the following email address: publiccomment@carson.org. For inclusion or reference in the minutes of the meeting, your public comment must include your full name and be submitted via email by not later than 3:00 p.m. the day before the meeting. Public comment during a meeting is limited to three minutes for each speaker.

1. Call to Order

2. Roll Call

3. Public Comment:

The public is invited at this time to comment on any matter that is not specifically included on the agenda as an action item. No action may be taken on a matter raised under this item of the agenda.

4. For Possible Action: Approval of Minutes - February 24, 2022

5. Agenda Items:

5.A For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 1.060(3) of the Carson City Charter to remove the deadline for realignment of ward boundaries. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Subsection 1.060(3) of the Carson City Charter sets the deadline for the realignment of ward boundaries for January 1 preceding the next general election after a significant change in the population of a ward has taken place or after the receipt of decennial

US Census Bureau data. This amendment seeks to remove that deadline to allow for more flexibility in the ward realignment process.

5.B For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 2.010 of the Carson City Charter to clarify when the term of office for members of the Board of Supervisors and Mayor begin and end. (Stephanie Hicks, shicks@carson.org)

Staff Report: Subsection 2.010 of the Carson City Charter defines the term of office for members of the Board of Supervisors and Mayor. This amendment seeks to further define the term of office by including a specific date and time in the subsection for the end of one term and the beginning of the next.

5.C For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors that subsection 2.100(1) of the Carson City Charter amend the required style of ordinances from "The Board of Supervisors of Carson City do ordain" to "The Board of Supervisors of Carson City does ordain." (Stephanie Hicks, shicks@carson.org)

Staff Summary: The language of subsection 2.100(1) of the Carson City Charter includes a grammatical error. The proposed amendment would correct the error.

5.D For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 3.015 of the Carson City Charter to have the Mayor Pro Tempore assume the Office of Mayor and establish the process of filling the vacancy left by the Mayor Pro Tempore in the event of a vacancy in the Office of Mayor. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Pursuant to subsection 3.015 of the Carson City Charter, the Mayor Pro Tempore performs the duties of Mayor during the absence or disability of the Mayor however, they do not assume the Office of Mayor and no mechanism exists for the filling of the vacancy left by the Mayor Pro Tempore in the event of a vacancy in the Office of Mayor. This amendment to the Carson City Charter seeks to have the Mayor Pro Tempore assume the Office of Mayor in the event of a vacancy in that office and establish the process by which the vacancy left by the Mayor Pro Tempore on the Board of Supervisors can be filled.

5.E For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 1.060 of the Carson City Charter to create two new wards within Carson City and an amendment to subsection 2.010 of the Carson City Charter to change the election of Supervisors from at large to being elected by registered voters within the ward that they represent. (Stephanie Hicks, shicks@carson.org)

Staff Report: Subsection 1.060 of the Carson City Charter sets the number of wards for the Board of Supervisors at four. Subsection 2.010 of the Carson City Charter requires that all Supervisors be elected by the registered voters of Carson City at large. This amendment would add two additional wards for the Board of Supervisors, and require that Supervisors be elected by the registered voters within the boundaries of the ward that they represent.

5.F For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 2.090(1) of the Carson City Charter to replace "not

repugnant to the Constitution" with "not in conflict with the Constitution." (Stephanie Hicks, shicks@carson.org)

Staff Summary: Subsection 2.090 of the Carson City Charter states that the Board of Supervisors may take actions so long as they are "not repugnant to the Constitution." This amendment seeks to replace the word "not repugnant" in this section with "not in conflict."

5.G For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend the Carson City Charter to require the Board of Supervisors to adopt an ordinance to assess an annual vehicle registration fee. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Pursuant to subsection 2.090 of the Carson City Charter, the Board of Supervisors has the power to make and pass all ordinances not repugnant to the Constitution. This amendment seeks to require the passage of an ordinance by the Board of Supervisors to establish a vehicle registration fee on vehicles owned by Carson City residents.

5.H For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 2.110(3) of the Carson City Charter to require that emergency ordinances expire 30 days after adoption. (Stephanie Hicks, shciks@carson.org)

Staff Summary: Pursuant to subsection 2.110(3) of the Carson City Charter, in a case of emergency, the Board of Supervisors may, by unanimous consent, take final action on an ordinance immediately or at a special meeting. This amendment seeks to set an expiration date on emergency ordinances of 30 days after adoption after which said ordinance would be required to go through the regular process.

5.I For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 3.010(1)(c) of the Carson City Charter to limit the time during which the Mayor may exercise emergency powers. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Pursuant to subsection 3.010(1)(c) of the Carson City Charter, the Mayor may perform emergency duties to ensure the general health, welfare, and safety of Carson City. This amendment to the Carson City Charter would place a limit on the duration of time during which the Mayor may exercise emergency powers.

5.J For Possible Action: Discussion and possible action regarding future agenda items and meeting dates and possible direction to staff on the same. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Discussion on potential future agenda items and the need for future meetings. Any proposed changes to the City Charter will need to be provided in a Legislative Bill Draft Request which will be due in September.

6. Public Comment:

The public is invited at this time to comment on any matter that is not specifically included on the agenda as an action item. No action may be taken on a matter raised under this item of the agenda.

7. For Possible Action: To Adjourn

Agenda Management Notice - Items on the agenda may be taken out of order; the public body may combine two or more agenda items for consideration; and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

Titles of agenda items are intended to identify specific matters. If you desire detailed information concerning any subject matter itemized within this agenda, you are encouraged to call the responsible agency or the City Manager's Office. You are encouraged to attend this meeting and participate by commenting on any agendized item.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the City Manager's Office in writing at 201 North Carson Street, Carson City, NV, 89701, or by calling (775) 887-2100 at least 24 hours in advance.

To request a copy of the supporting materials for this meeting contact Rachael Evanson at revanson@carson.org or call (775) 887-2100.

This agenda and backup information are available on the City's website at www.carson.org/agendas and at the City Manager's Office - 201 N. Carson Street, Ste 2, Carson City, Nevada (775) 887-2100.

This notice has been posted at the following locations:

City Hall 201 North Carson Street

carson.org/agendas

<https://notice.nv.gov/>

DRAFT MINUTES
Regular Meeting
Carson City Charter Review Committee
Wednesday, February 24, 2022 • 1:30 PM
Community Center Sierra Room
851 East William Street, Carson City, Nevada

Board Members:

Member – Kimberly Fiegehen	Member – Ronni Hannaman
Member – Joe Hart	Member – Susan Hoffman
Member – Richard Staub	Member – Robert “Bob” Weise
Member – Stacie Wilke-McCulloch	

Staff:

Jason Woodbury, District Attorney
Stephanie Hicks, Deputy City Manager
Stephen Wood, Government Affairs Liaison
Tamar Warren, Senior Deputy Clerk

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 minutes of the Carson City Charter Review Committee meetings are available on www.carson.org/minutes.

1. CALL TO ORDER

(1:36:10) – Member Wilke-McCulloch called the meeting to order at 1:36 p.m.

2. ROLL CALL

(1:36:18) – Ms. Warren called roll and noted the presence of a quorum.

Attendee Name	Status	Arrived
Kimberly Fiegehen	Present	
Ronni Hannaman	Present	
Joe Hart	Present (via WebEx)	2:24 p.m.
Susan Hoffman	Present	
Richard Staub	Present	
Robert “Bob” Weise	Present	
Stacie Wilke-McCulloch	Present	

3. PUBLIC COMMENT

(1:36:36) – Member Wilke-McCulloch entertained public comments; however, none were forthcoming.

4. AGENDA ITEMS

4.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE ELECTION OF A CHAIR AND A VICE CHAIR OF THE CHARTER REVIEW COMMITTEE.

(1:37:12) – Member Wilke-McCulloch introduced the item and entertained nominations.

(1:37:30) – Member Hannaman moved to appoint Richard Staub to the position of Chair. The motion was seconded by Member Fiegehen. There were no other nominations.

RESULT:	APPROVED (6-0-0)
MOVER:	Hannaman
SECONDER:	Fiegehen
AYES:	Fiegehen, Hannaman, Hoffman, Staub, Weise, Wilke-McCulloch
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Hart

(1:38:30) – Chairperson Staub moved to appoint Susan Hoffman to the position of Vice Chair. The motion was seconded by Member Weise. There were no other nominations.

RESULT:	APPROVED (6-0-0)
MOVER:	Staub
SECONDER:	Weise
AYES:	Staub, Hoffman, Fiegehen, Hannaman, Weise, Wilke-McCulloch
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Hart

4.B FOR DISCUSSION ONLY: REVIEW AND DISCUSSION OF THE NEVADA OPEN MEETING LAW.

(1:39:16) – Chairperson Staub introduced the item. Mr. Woodbury reviewed the Nevada Open Meeting Law as outlined in the Nevada Revised Statute (NRS) Chapter 241. He emphasized the portions pertaining to this Committee such as quorums, agendas, public meetings, emailed communications, and public comments. He also provided examples of violations and invited members to reach out to him with future questions. Member Hannaman thanked Mr. Woodbury and called the presentation “one of the best Open Meeting [Law] explanations I’ve heard.” Chairperson Staub inquired about non-agendized items in public

comment and Mr. Woodbury clarified that items within the Committee's authority must be heard, whether they are agendized or not.

4.C FOR DISCUSSION ONLY: REVIEW AND DISCUSSION ON THE NEVADA ETHICS IN GOVERNMENT LAW.

(2:03:26) – Chairperson Staub introduced the item. Mr. Woodbury provided an overview of NRS Chapter 281A, expanded on topics such as conflicts of interest (pecuniary, commitment in a private capacity, personal connection to an interested party, or the acceptance of a gift or a loan), and provided examples. Mr. Woodbury recommended communicating possible conflicts of interest to the District Attorney's Office as soon as possible to discuss disclosures and to avoid appearances of impropriety or actual conflicts of interest. Mr. Woodbury advised Committee members against relinquishing their seats on the Committee to advocate a position as a member of the public. He also discussed abstentions in cases when members were affected materially, the acceptance of gifts, using a position for personal benefit, influencing subordinates, or securing employment. There were no public comments on this item.

A presentation on the Nevada Ethics in Government Law by Mr. Woodbury is also available on the City's website: http://carsoncity.granicus.com/MediaPlayer.php?view_id=2&clip_id=139.

(2:24:06) – Ms. Hicks announced that Member Hart had joined the meeting via WebEx and recommended a recess so that the Clerk's Office would administer his Oath of Office, prior to his participation. Chairperson Staub recessed the meeting.

(2:29:37) – Chairperson Staub reconvened the meeting. A quorum was still present.

4.D FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE CARSON CITY CHARTER REVIEW COMMITTEE BYLAWS.

(2:29:50) – Chairperson Staub introduced the item. Ms. Hicks gave background, presented the Staff Report which included a copy of the Carson City Charter Review Committee Bylaws, and proposed the following changes:

1. *Meetings. The language of section 1.090(2) and (3) section 1.090(1) and (2) of the Carson City Charter is incorporated herein by reference.* (Section 1.090(3) does not exist in the Charter.)

3. *Notice of Meetings. Notices shall conform with the Nevada Open Meeting law, NRS 241. Notices of the meetings are to be posted at least three (3) working days prior to the scheduled meeting and in at least four (4) locations.* (The physical posting of meeting notices is no longer required under the Open Meeting Law.)

6. *Resignation.* Any committee member may resign at any time by sending written notification to the Carson City ~~Clerk Recorder~~ City Manager, and to the public officer or elected official who recommended the member's appointment to the committee.

(2:31:10) – Chairperson Staub entertained discussion. Member Wilke-McCulloch was informed that the City Manager's Office collected Committee/Commission information; therefore, the change from the Clerk-Recorder's Office eliminated the additional step. The Chair also entertained public comments and when none were forthcoming, a motion.

(2:31:46) – Member Weise moved to approve the Charter Review Committee bylaws with modifications as discussed on the record. The motion was seconded by Member Wilke-McCulloch.

RESULT:	APPROVED (7-0-0)
MOVER:	Weise
SECONDER:	Wilke-McCulloch
AYES:	Staub, Hoffman, Fiegehen, Hannaman, Hart, Weise, Wilke-McCulloch
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

4.E FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING THE PROCESS AND TIMELINE FOR THE 2022 CHARTER REVIEW COMMITTEE, IDENTIFICATION OF CHARTER PROVISIONS THAT STAFF OR THE COMMITTEE WISH TO EVALUATE FOR POTENTIAL AMENDMENT AT A FUTURE MEETING, AND POSSIBLE DIRECTION TO STAFF.

(2:32:20) – Chairperson Staub introduced the item. Ms. Hicks presented the Staff Report, incorporated into the record, and reviewed the outlined process on potential amendments to the City's Charter. She also discussed the timeline of the upcoming meetings beginning with the solicitation of public input from February 24, 2022, through March 31, 2022, and concluding with a final presentation of proposed amendments to the Board of Supervisors in a joint meeting which would most likely be scheduled for July 2022. Ms. Hicks provided several examples of possible changes the City would wish to present to the Committee. She also responded to clarifying questions. No action was taken on this item.

4.F FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION ON FUTURE AGENDA ITEMS AND MEETING DATES AND POSSIBLE DIRECTION TO STAFF ON THE SAME.

(2:36:29) – Chairperson Staub introduced the item. Ms. Hicks reviewed the following proposed meeting dates:

- April 8, 2022
- May 20, 2022
- June 17, 2022,

(2:37:35) – Vice Chair Hoffman noted that she would be absent on April 8, 2022. Ms. Hicks proposed a meeting on April 15, 2022; however, Member Hannaman explained that she could not attend that day.

Discussion ensued and the members agreed on the April 12, 2022 meeting date. Member Hannaman offered to participate via WebEx. There were no public comments. Chairperson Staub entertained a motion.

(2:40:26) – Member Wilke-McCulloch moved to set the following meeting dates: April 12, May 20, and June 17, 2022, at 1:30. The motion was seconded by Member Weise.

RESULT:	APPROVED (7-0-0)
MOVER:	Wilke-McCulloch
SECONDER:	Weise
AYES:	Staub, Hoffman, Fiegehen, Hannaman, Hart, Weise, Wilke-McCulloch
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

5. PUBLIC COMMENT

(2:41:13) – No members of the public were present for comments.

6. FOR POSSIBLE ACTION: TO ADJOURN

(2:41:55) – Chairperson Staub adjourned the meeting at 2:41 p.m.

The February 24, 2022 Charter Review Committee meeting minutes are so approved on this 12th day of April, 2022.



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 1.060(3) of the Carson City Charter to remove the deadline for realignment of ward boundaries. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Subsection 1.060(3) of the Carson City Charter sets the deadline for the realignment of ward boundaries for January 1 preceding the next general election after a significant change in the population of a ward has taken place or after the receipt of decennial US Census Bureau data. This amendment seeks to remove that deadline to allow for more flexibility in the ward realignment process.

Agenda Action: Formal Action / Motion **Time Requested:** 15 min

Proposed Motion

I move to recommend to the Board of Supervisors an amendment to the Carson City Charter to remove the January 1 redistricting deadline in subsection 1.060(3).

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

Subsection 1.060(3) of the Carson City Charter stipulates that the Board of Supervisors shall realign ward boundaries on or before January 1 preceding the next general election after receipt of national decennial census data or if the population of a ward has changed significantly in relation to the other wards. This amendment seeks to remove the January 1 requirement, which does not exist anywhere else in statute, to give the Board of Supervisors more flexibility in the redistricting process.

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter §1.060(3)

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Do not recommend the proposed amendment to the Board of Supervisors.

Attachments:

[Section 1.060 Proposed Amendment \(FINAL\).docx](#)

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

Sec. 1.060 Wards: Creation; boundaries.

1. Carson City must be divided into four wards[~~, which~~]. **Each ward** must be as nearly equal in population as can be conveniently provided, and the territory comprising each ward must be contiguous.
2. The boundaries of wards must be established and realigned, if necessary, by ordinance, passed by a vote of at least three-fifths of the Board of Supervisors.
3. [The] **Subject to the limitation set forth in subsection 4, the** Board shall realign [any such] **the** boundaries [~~on or before January 1 preceding the next general election at which Supervisors are to be elected, if reliable~~] **of wards whenever:**
 - (a) **Reliable** evidence indicates that the population in any ward exceeds the population in any other ward by more than 5 [percent. ~~In any case, the~~ Board shall reconsider the boundaries of the wards upon the receipt of the necessary information from the] **percent; or**
 - (b) **The population in any ward exceeds the population in any other ward by more than 5 percent, as determined by the** preceding national decennial census conducted by the Bureau of the Census of the United States Department of Commerce.
4. **In any year in which a general election is held, the Board:**
 - (a) **May not realign the boundaries of wards during the period beginning 30 days immediately preceding the first day for filing a declaration of candidacy by a candidate for nonjudicial office and ending on the date of the general election.**
 - (b) **May realign the boundaries of wards at any time before the first day for filing a declaration of candidacy by a candidate for nonjudicial office if any circumstance causes the realignment of boundaries of wards in the time prescribed by paragraph (a) to be impossible or impracticable.**



STAFF REPORT

Report To:

Meeting Date:

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 2.010 of the Carson City Charter to clarify when the term of office for members of the Board of Supervisors and Mayor begin and end. (Stephanie Hicks, shicks@carson.org)

Staff Report: Subsection 2.010 of the Carson City Charter defines the term of office for members of the Board of Supervisors and Mayor. This amendment seeks to further define the term of office by including a specific date and time in the subsection for the end of one term and the beginning of the next.

Agenda Action: Formal Action / Motion

Time Requested: 15 min

Proposed Motion

I move to recommend to the Board of Supervisors an amendment to the Carson City Charter to include language in subsection 2.010 that defines the term of office as beginning on the first Monday in January succeeding their election and ending at 11:59pm on the day proceeding the first Monday in January following a general election.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

Subsection 2.010 of the Carson City Charter stipulates the term of office for the members of the Board of Supervisors and the Mayor. This amendment seeks to include detailed language to eliminate confusion about the start and end time for those terms of office. The amendment will define the end of a term as being 11:59pm on the day before the first Monday in January following a general election, and the beginning of a term as starting on the first Monday in January succeeding their election.

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter §2.010

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Attachments:

Section 2.010 Proposed Amendment (FINAL).pdf

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

Sec. 2.010 Board of Supervisors: Qualifications; election; term of office.

1. The legislative power of Carson City is vested in a Board of Supervisors consisting of five Supervisors, including the Mayor.
2. The Mayor must be:
 - (a) An actual and bona fide resident of Carson City for at least 6 months immediately preceding his or her election.
 - (b) A qualified elector within Carson City.
3. Each Supervisor must be:
 - (a) An actual and bona fide resident of Carson City for at least 6 months immediately preceding his or her election.
 - (b) A qualified elector within the ward which he or she represents.
 - (c) A resident of the ward which he or she represents, except that changes effected in the boundaries of a ward pursuant to the provisions of section 1.060 do not affect the right of any elected Supervisor to continue in office for the term for which he or she was elected.
4. All Supervisors, including the Mayor, must be voted upon by the registered voters of Carson City at large and shall serve for terms of 4 years, and each term of office must:
 - (a) Begin on the first Monday in January succeeding their election.
 - (b) Expire at 11:59 p.m. on the day preceding the first Monday in January following a general election.



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors that subsection 2.100(1) of the Carson City Charter amend the required style of ordinances from "The Board of Supervisors of Carson City do ordain" to "The Board of Supervisors of Carson City does ordain." (Stephanie Hicks, shicks@carson.org)

Staff Summary: The language of subsection 2.100(1) of the Carson City Charter includes a grammatical error. The proposed amendment would correct the error.

Agenda Action: Formal Action / Motion

Time Requested: 5 min

Proposed Motion

I move to recommend to the Board of Supervisors an amendment to subsection 2.100(1) to change the word "do" to "does."

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

The language of subsection 2.100(1) of the Carson City Charter includes a grammatical error. The proposed amendment would correct the error.

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter §1.090

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Do not recommend the proposed amendment to the Board of Supervisors.

Attachments:

Section 2.100 Amendment.docx

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)

Sec. 2.100 Ordinances: Passage by bill; amendments; subject matter; title requirements.

1. No ordinance may be passed except by bill and by a majority vote of the whole Board of Supervisors. The style of all ordinances shall be as follows: "The Board of Supervisors of Carson City [do] **does** ordain."
2. No ordinance shall contain more than one subject, which shall be briefly indicated in the title. Where the subject of the ordinance is not so expressed in the title, the ordinance is void as to the matter not expressed in the title.
3. Any ordinance which amends an existing ordinance shall set out in full the ordinance or sections thereof to be amended, and shall indicate matter to be omitted by enclosing it in brackets and shall indicate new matter by underscoring or by italics.



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 3.015 of the Carson City Charter to have the Mayor Pro Tempore assume the Office of Mayor and establish the process of filling the vacancy left by the Mayor Pro Tempore in the event of a vacancy in the Office of Mayor. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Pursuant to subsection 3.015 of the Carson City Charter, the Mayor Pro Tempore performs the duties of Mayor during the absence or disability of the Mayor however, they do not assume the Office of Mayor and no mechanism exists for the filling of the vacancy left by the Mayor Pro Tempore in the event of a vacancy in the Office of Mayor. This amendment to the Carson City Charter seeks to have the Mayor Pro Tempore assume the Office of Mayor in the event of a vacancy in that office and establish the process by which the vacancy left by the Mayor Pro Tempore on the Board of Supervisors can be filled.

Agenda Action: Formal Action / Motion

Time Requested: 15 min

Proposed Motion

I move to recommend to the Board of Supervisors an amendment to subsection 3.015 of the Carson City Charter to establish the process for filling the vacancy on the Board of Supervisors left by the Mayor Pro Tempore in the event of a vacancy in the Office of Mayor.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

Under existing provisions of the Carson City Charter, in the event of a vacancy in the office of Mayor, the Supervisor who has been elected by the Board of Supervisors ("Board") as Mayor Pro Tempore is automatically designated to "act as Mayor until the next general election." Despite "acting" as Mayor, the Mayor Pro Tempore continues to occupy the legal status of Supervisor. Consequently, there is no vacancy in the office of Supervisor, and the Board has no authority to install a replacement to serve as Supervisor while the Mayor Pro Tempore is acting as Mayor. As a result, the Board must operate with only four members until the office of Mayor is filled at the next general election. This could be a period of up to two years. It is the opinion of staff that an extended period in which the Board must function with a de facto vacancy is problematic.

The twelve other chartered cities in Nevada have generally settled upon two alternative approaches to this situation. The first is reflected in the charters of Sparks and Boulder City. Under those charters, the Mayor Pro

Tempore actually assumes the office of Mayor. This results in a vacancy in the Mayor Pro Tempore's former office which the governing body is authorized to fill. The operative language from the Sparks City Charter is attached.

The second approach is reflected in the charters of Las Vegas, Henderson, Reno, North Las Vegas, Mesquite, Caliente, and Yerington. Under those charters, the governing body is authorized to fill the vacancy in the office of Mayor without waiting for the next general election. The Mayor Pro Tempore is authorized to act as Mayor until the vacancy is filled by the governing body. The operative language from the Las Vegas City Charter is attached.

Either approach would resolve the issue with the current provisions of the Carson City Charter. Staff recommends that the provisions at issue be amended to replicate the first approach reflected in the charters of Sparks and Boulder City because that approach more closely follows Carson City's existing procedures which have been in place since 2007. The suggested amendatory language is attached.

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter §3.015

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Do not recommend the proposed amendment to the Board of Supervisors.

Attachments:

[Section 2.030 3.015 Proposed Amendment.pdf](#)

[Comparison Charter Provisions.pdf](#)

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)

Sec. 2.030 Board of Supervisors: Vacancies.

Except as otherwise provided in section 3.015 and NRS 268.325:

1. A vacancy in the office of Supervisor must be filled by appointment by a majority of the members of the Board within 30 days after the occurrence of the vacancy or after three regular or special meetings, whichever is the shorter period of time. A person may be selected to fill a prospective vacancy in the Board before the vacancy occurs. In such a case, each member of the Board, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Board pursuant to this section. The appointee must have the qualifications required by section 2.010.

2. No such appointment extends beyond the first Monday in January after the next general election, at which election a new Supervisor must be elected to fill the unexpired term.

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Sec. 3.015 Mayor Pro Tempore: Selection; duties.

The Board shall elect one of its members, for such term as the Board determines, to be Mayor Pro Tempore. He or she shall:

1. Hold the office and title at all times during the term for which he or she was elected without additional compensation.
2. Perform the duties of Mayor during the absence or disability of the Mayor.
3. Act as Assume the office of Mayor until the next general election if the Office office of Mayor becomes vacant. The resulting vacancy in the office of Supervisor must be filled as provided in section 2.030.

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SPARKS CITY CHARTER
(substantively similar to charter of Boulder City)

Sec. 1.070 Elective offices; vacancies. Except as otherwise provided in [NRS 268.325](#):

1. A vacancy in the City Council or in the office of City Attorney or Municipal Judge must be filled by appointment of the Mayor, subject to confirmation by the City Council, within 30 days after the occurrence of the vacancy. A person may be selected to fill a prospective vacancy in the City Council before the vacancy occurs. In such a case, each member of the Council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. If the majority of the Council is unable or refuses for any reason to confirm any appointment made by the Mayor within 30 days after the vacancy occurs, the City Council shall present to the Mayor the names of two qualified persons to fill the vacancy. The Mayor shall, within 15 days after the presentation, select one of the two qualified persons to fill the vacancy. The appointee must have the same qualifications required of the elected official.
2. A vacancy in the office of the Mayor must be filled by the Mayor pro tempore. The resulting vacancy in the City Council must be filled as provided in subsection 1.
3. The appointee or Mayor pro tempore, in the case of a vacancy in the office of Mayor, shall serve until his or her successor is elected and qualified at the next general election to serve the remainder of the unexpired term.

LAS VEGAS CITY CHARTER
**(substantively similar to charters of Henderson, Reno,
North Las Vegas, Mesquite, Caliente, Yerington)**

Sec. 1.160 Elective offices: Vacancies. Except as otherwise provided in [NRS 268.325](#):

1. A vacancy in the office of Mayor, Council Member or Municipal Judge must be filled by the majority vote of the entire City Council within 30 days after the occurrence of that vacancy. A person may be selected to fill a prospective vacancy before the vacancy occurs. In such a case, each member of the Council, except any member whose term of office expires before the occurrence of the vacancy, may participate in any action taken by the Council pursuant to this section. The appointee must have the same qualifications as are required of the elective official, including, without limitation, any applicable residency requirement.

2. Except as otherwise provided in section 5.010, no appointment extends beyond the first regular meeting of the City Council that follows the next general municipal election, at that election the office must be filled for the remainder of the unexpired term.

Sec. 2.030 Mayor: Duties; Mayor pro tempore; duties.

1. The Mayor shall preside over and conduct the meetings of the City Council.
2. The City Council shall elect one of its members to be Mayor pro tempore. That person:
 - (a) Shall hold that office and title without additional compensation during the term for which he or she was elected as Mayor pro tempore.
 - (b) Possesses the powers and shall perform the duties of Mayor during the absence or disability of the Mayor.
 - (c) Shall act as Mayor until the vacancy is filled pursuant to section 1.160.



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 1.060 of the Carson City Charter to create two new wards within Carson City and an amendment to subsection 2.010 of the Carson City Charter to change the election of Supervisors from at large to being elected by registered voters within the ward that they represent. (Stephanie Hicks, shicks@carson.org)

Staff Report: Subsection 1.060 of the Carson City Charter sets the number of wards for the Board of Supervisors at four. Subsection 2.010 of the Carson City Charter requires that all Supervisors be elected by the registered voters of Carson City at large. This amendment would add two additional wards for the Board of Supervisors, and require that Supervisors be elected by the registered voters within the boundaries of the ward that they represent.

Agenda Action: Formal Action / Motion

Time Requested: 15 min

Proposed Motion

I move (to recommend) (to not recommend) to the Board of Supervisors an amendment to subsection 1.060 and 2.010 of the Carson City Charter to create two new wards within Carson City and require that members of the Board of Supervisors be elected by the registered voters within the boundaries of the ward they represent.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

This item was submitted by Richard Arguile. The suggested amendment seeks to change subsection 1.060 of the Carson City Charter, which sets the number of wards for the Board of Supervisors at four, to add two additional wards. It also seeks to amend subsection 2.010 of the Carson City Charter, which requires that all Supervisors be elected by the registered voters of Carson City at large, to require that supervisors be elected by the registered voters within the boundaries of the ward that they represent.

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter §1.060

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Attachments:

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 2.090(1) of the Carson City Charter to replace "not repugnant to the Constitution" with "not in conflict with the Constitution." (Stephanie Hicks, shicks@carson.org)

Staff Summary: Subsection 2.090 of the Carson City Charter states that the Board of Supervisors may take actions so long as they are "not repugnant to the Constitution." This amendment seeks to replace the word "not repugnant" in this section with "not in conflict."

Agenda Action: Formal Action / Motion

Time Requested: 15 min

Proposed Motion

I move (to recommend) (to not recommend) to the Board of Supervisors an amendment to subsection 2.090(1) of the Carson City Charter to change "not repugnant to the Constitution" to "not in conflict with the Constitution."

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

This item was submitted by Adele Basham. Ms. Basham stated that she believes the use of the word repugnant in the Carson City Charter is "vague and subjective." Ms. Basham suggests that the section be amended to read "not in conflict with the Constitution" or similar language.

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter §2.090(1)

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Attachments:

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend the Carson City Charter to require the Board of Supervisors to adopt an ordinance to assess an annual vehicle registration fee. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Pursuant to subsection 2.090 of the Carson City Charter, the Board of Supervisors has the power to make and pass all ordinances not repugnant to the Constitution. This amendment seeks to require the passage of an ordinance by the Board of Supervisors to establish a vehicle registration fee on vehicles owned by Carson City residents.

Agenda Action: Formal Action / Motion

Time Requested: 15 min

Proposed Motion

I move (to recommend) (to not recommend) to the Board of Supervisors an amendment to the Carson City Charter to require the Board of Supervisors to adopt an ordinance to assess an annual vehicle registration fee.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

This item was submitted by Edward Choklek. Mr. Choklek suggested that "Carson City adopt a new ordinance that all vehicles owned by Carson City residents be assessed an annual registration fee to provide a new revenue stream for road and street capital projects and for ongoing maintenance and repair. This new fee can be structured by vehicle class (motorcycles, cars, trucks, recreational vehicles, etc.) or by vehicle gross weight categories."

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Attachments:

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 2.110(3) of the Carson City Charter to require that emergency ordinances expire 30 days after adoption. (Stephanie Hicks, shciks@carson.org)

Staff Summary: Pursuant to subsection 2.110(3) of the Carson City Charter, in a case of emergency, the Board of Supervisors may, by unanimous consent, take final action on an ordinance immediately or at a special meeting. This amendment seeks to set an expiration date on emergency ordinances of 30 days after adoption after which said ordinance would be required to go through the regular process.

Agenda Action: Formal Action / Motion

Time Requested: 15 min

Proposed Motion

I move (to recommend) (to not recommend) to the Board of Supervisors an amendment to subsection 2.110(3) of the Carson City Charter to require that emergency ordinances expire 30 days after adoption.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

This item was submitted by Adele Basham. Ms. Basham stated that an emergency ordinance should be applicable for a limited time, perhaps 30 days, before it is required to go through the regular process of ordinance adoption including an opportunity for public input.

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter §2.110(3)

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Attachments:

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors to amend subsection 3.010(1)(c) of the Carson City Charter to limit the time during which the Mayor may exercise emergency powers. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Pursuant to subsection 3.010(1)(c) of the Carson City Charter, the Mayor may perform emergency duties to ensure the general health, welfare, and safety of Carson City. This amendment to the Carson City Charter would place a limit on the duration of time during which the Mayor may exercise emergency powers.

Agenda Action: Formal Action / Motion

Time Requested: 15 min

Proposed Motion

I move (to recommend) (to not recommend) to the Board of Supervisors an amendment to subsection 3.010(1)(c) of the Carson City Charter to limit the time during which the Mayor may exercise emergency powers to ____ days before such emergency powers must be approved by the Board of Supervisors.

Board's Strategic Goal

Efficient Government

Previous Action

N/A

Background/Issues & Analysis

This item was submitted by Adele Basham. Ms. Basham stated that emergency duties of the Mayor should be for a limited time, before the Mayor is required to obtain approval of the Board of Supervisors including an opportunity for public input.

Applicable Statute, Code, Policy, Rule or Regulation

Carson City Charter §3.010(1)(c)

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Attachments:

Board Action Taken:

Motion: _____

1) _____

Aye/Nay

2) _____

(Vote Recorded By)



STAFF REPORT

Report To:

Meeting Date: April 12, 2022

Staff Contact: Stephanie Hicks, Deputy City Manager

Agenda Title: For Possible Action: Discussion and possible action regarding future agenda items and meeting dates and possible direction to staff on the same. (Stephanie Hicks, shicks@carson.org)

Staff Summary: Discussion on potential future agenda items and the need for future meetings. Any proposed changes to the City Charter will need to be provided in a Legislative Bill Draft Request which will be due in September.

Agenda Action: Formal Action / Motion

Time Requested: 15 min

Proposed Motion

Provide direction to staff regarding future agenda items and/or meeting dates based on the discussion at the meeting.

Board's Strategic Goal

Efficient Government

Previous Action

At the February 24, 2022 meeting the committee selected the following meeting dates for possible future meetings:

April 12, 2022

May 20, 2022

June 17, 2022

Background/Issues & Analysis

If there are no further items for discussion, the committee may decide no additional meetings are necessary.

Applicable Statute, Code, Policy, Rule or Regulation

N/A

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted?

Explanation of Fiscal Impact:

Alternatives

Attachments:

Board Action Taken:

Motion: _____

1) _____
2) _____

Aye/Nay

(Vote Recorded By)