

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

**Day:** Monday  
**Date:** February 29, 2016  
**Time:** Beginning at 3:00 pm  
**Location:** Community Center, Sierra Room  
851 East William Street  
Carson City, Nevada

**AGENDA**

**1. Call to Order**

**2. Roll Call**

**3. Public Comment:**

The public is invited at this time to comment on and discuss any item not on the agenda that is relevant to, or within the authority of, the Carson City Charter Review Committee. In order for members of the public to participate in the Committee's consideration of an agenda item, the Committee strongly encourages members of the public to comment on an agenda item during the item itself. No action may be taken on a matter raised under public comment unless the item has been specifically included on the agenda as an item upon which action may be taken.

**4. For Possible Action: Adoption of the Agenda**

**5. Introduction of Charter Review Committee members**

**6. Agenda Items:**

6.A For Possible Action: To elect a chair and a vice chair.

Staff Summary: Pursuant to Carson City Charter Sec. 1.090(1), The Charter Committee shall elect a chairman and vice chairman from among its members who serve for a term of 2 years.

6.B For Discussion Only: Review and discussion of the Nevada Open Meeting Law.

Staff Summary: Brief discussion on the Open Meeting Law.

6.C For Possible Action: Review and discussion on the process and timeline for the 2016 Charter Review Committee and possible direction to staff.

Staff Summary: Discussion on the process to be used for the committee to receive input on possible amendments to the Carson City Charter.

6.D For Possible Action: To set the date and time for the next Charter Review Committee meeting.

Staff Summary: Based on availability of the Sierra Room, the committee has the option of meeting Tuesday, April 19, 2016 or Monday, April 25, 2016.

**7. 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.

**8. 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 agenda 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 Janet Busse at [jbusse@carson.org](mailto:jbusse@carson.org) or call (775) 887-2100.

---

This agenda and backup information are available on the City's website at [www.carson.org/agendas](http://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:  
Community Center 851 East William Street  
City Hall 201 North Carson Street  
Carson City Library 900 North Roop Street  
Community Development Permit Center 108 East Proctor Street  
<https://notice.nv.gov>



# STAFF REPORT

**Report To:** Charter Review Committee

**Meeting Date:** February 29, 2016

**Staff Contact:** Nick Marano, City Manager

**Agenda Title:** For Possible Action: To elect a chair and a vice chair.

**Staff Summary:** Pursuant to Carson City Charter Sec. 1.090(1), the Charter Committee shall elect a chair and vice chair from among its members who serve for a term of two years.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 10 mins

## Proposed Motion

I move to elect \_\_\_\_\_ as chair and  
\_\_\_\_\_ as vice chair.

## Board's Strategic Goal

N/A

## Previous Action

N/A

## Background/Issues & Analysis

N/A

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

Carson City Charter Sec. 1.090(1).

## 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

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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



# STAFF REPORT

**Report To:** Charter Review Committee

**Meeting Date:** February 29, 2016

**Staff Contact:** Nick Marano, City Manager

**Agenda Title:** For Discussion Only: Review and discussion of the Nevada Open Meeting Law.

**Staff Summary:** Brief discussion on the Open Meeting Law.

**Agenda Action:** Other/Presentation

**Time Requested:** 15 mins

**Proposed Motion**

Discussion only

**Board's Strategic Goal**

N/A

**Previous Action**

N/A

**Background/Issues & Analysis**

N/A

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

N/A

**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**

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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



STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL  
100 North Carson Street  
Carson City, Nevada 89701-4717

ADAM PAUL LAXALT  
*Attorney General*

WESLEY K. DUNCAN  
*Assistant Attorney General*

NICHOLAS A. TRUTANICH  
*Chief of Staff*

**OPEN MEETING LAW  
2015 LEGISLATIVE AMENDMENTS**

**DATE:** August 17, 2015  
**TO:** Deputy Attorneys General  
**FROM:** George Taylor, Senior Deputy Attorney General  
**SUBJECT:** 2015 Legislative amendments to Open Meeting law: SB 70.  
**NOTE:** SB 70 was EFFECTIVE May 27, 2015 upon the Governor's signature.

=====

If you serve on a public body whether elected or advisory, or if you represent a public body, this memo should familiarize you with SB 70's new amendments.

Below is the electronic link to SB 70:

<https://www.leg.state.nv.us/Session/78th2015/Reports/history.cfm?ID=114>

**SUMMARY OF AMENDMENTS TO NRS 241**

1. Definition of "quorum" has been clarified.
2. "Working day" has been defined.
3. A list of statutory "exceptions" to general provisions of the OML is set out.
4. Application of "administrative action" includes name of person on agenda
5. Compliance with minimum public notice must be documented in writing
6. Designation of alternates to attend public meetings is further refined.
7. Approval of minutes of public meetings requirement is strengthened.

8. The AGO's investigation of OML complaints, including all documents and other information compiled pursuant to NRS 241.039(2), are confidential until the investigation is closed.

9. Certain documents found in the AGO's investigation files are declared to be public records.

#### DETAILS OF AMENDMENTS

1. **Definition of Quorum has been clarified.**

The word "constituent" was removed from the definition so that Quorum is the simple majority of the membership of a public body, or another proportion established by law.

2. **"Working day" has been defined.**

The definition of working day" for purposes of the OML is now defined to include Monday through Friday except those days declared to be legal holidays pursuant to NRS 236.015.

3. **A list of statutory "exceptions" to general provisions of the OML is set out.**

NRS 241.016 contains a list of statutes that exempt certain hearings, meetings or other proceedings from NRS 241

4. **NRS 241.020 clarifies that use of administrative action "regarding a person," requires name of person to be placed on agenda.**

Administrative action "regarding" a person includes a public body's appointment process. In 2004 the Nevada Supreme Court defined "action against a person," as used in NRS 241.034, to include actions involving an **individual's** characteristics or qualifications. The Court in *Harris v. Washoe County Board of Equalization*, 1290 Nev. 1246, 131 P.3d 606 (2004), a case about the notice provision in NRS 241.034, defined the phrase "administrative action against a person." The AGO offered this amendment which substituted the word "**regarding**" for "**against**," so that application of NRS 241.020(2)(d)(5) may be applied at any time an individual's characteristics or qualifications are considered, not just when an action against a person is on the agenda.

5. **Compliance with minimum public notice must be documented in writing**

This new amendment expands public body notice to require every public body to keep documentation in writing, in its records, of minimum public notice of its public meetings. Minimum public notice is set out in NRS 241.020(3). The place of the meeting and three other places where notices are posted must be documented in writing. If a public body uses more locations to post notices of meetings than the four



locations described in statute as minimum public notice, the public body does not have to document in writing the additional locations unless so desired.

There are three requirements to document public meetings in compliance with this amendment. Each person posting notice must prepare the following facts to comply with minimum public notice:

- 1.) Date and time of posting of public meeting;
- 2.) Address of the location of each posting;
- 3.) Name, title and signature of the person who posted the notice.

**6. Designation of alternates to attend public meetings is further refined.**

There are many statutory authorities that generally allow a "designee" to serve on a public body, but the details of the various authorities in statute were confusing and had been applied in a haphazard fashion. This amendment supplies some uniformity to the process as well as the designee's authority to act once seated on a public body. AB 65, Section 3, provides some uniformity of process for certain public bodies.

Designation may only occur if the public body's creating authority specifically allows for designation. If there is no express authority authorizing a designee, then one cannot be appointed by another member. However, if the legal authority creating the public body expressly authorizes a designee, then the process of designation of a person may occur either in written document, or it may be made on the record at a meeting of the public body.

Once a person is designated, that person, 1) shall be deemed to be a member of the body for the purpose of determining a quorum at the meeting, and 2) may exercise the same powers as the regular members of the body at that meeting.

There is nothing in the statute, which forbids designation of a person for multiple meetings as long as the process is followed and the term of the designation is explicitly set forth so there can be no confusion about the designee's term.

**7. Minutes of each public meeting must be approved within 45 days after the meeting or at its next meeting, whichever occurs later.**

Minutes or audio recordings of a public meeting must be available for inspection by the public within 30 working days after adjournment of the meeting.

**8. The AGO's investigation of OML complaints, including all documents and other information compiled pursuant to NRS 241.039(2), are confidential until the investigation is closed.**

**9. The AGO's investigation of OML complaints are public records as described below.**

- 1.) The Open Meeting Law complaint;
- 2.) Findings of act or conclusions of law made by the AGO;

3.) All documents and other information compiled pursuant to NRS 241.039(2) are confidential until the investigation is closed.



# STAFF REPORT

**Report To:** Charter Review Committee

**Meeting Date:** February 29, 2016

**Staff Contact:** Nick Marano, City Manager

**Agenda Title:** For Possible Action: Review and discussion on the process and timeline for the 2016 Charter Review Committee and possible direction to staff.

**Staff Summary:** Discussion on the process to be used for the committee to receive input on possible amendments to the Carson City Charter.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 20 mins

## Proposed Motion

Depends on Committee discussion.

## Board's Strategic Goal

N/A

## Previous Action

## Background/Issues & Analysis

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

## 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

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

# Carson City Charter Review Committee

## Background & Process

### **What is a city charter?**

A city charter acts as a constitution for a city. The charter can only be amended or repealed by the Nevada Legislature.

### **When was the City's Charter adopted?**

The City's current charter dates from 1969.

### **What is the purpose of the Charter Review Committee?**

The governing ordinance requires that proposed amendments to the Charter be heard and debated by the Committee, who then advises the Board of Supervisors with regard to recommendations of the Committee that concern necessary amendments to the Charter. Additionally the Committee assists the Board in the timely preparation of such amendments for presentation to the Legislature on behalf of the City.

### **How long will the Charter Review Committee's review take?**

The Committee will meet at least one time in April to consider community input. Additional meetings may be scheduled if it is necessary to review proposed amendments or additions. The Committee will present proposed amendments to the Board of Supervisors in a joint meeting typically scheduled in July.

### **What issues will the Charter Review Committee examine?**

Public input for suggestions will be solicited beginning March 1 thru March 31, 2016. This includes publishing a notice in the Nevada Appeal stating the Charter Review Committee is accepting recommendations to the City's Charter. Suggestions are also collected online at the City's website - [www.carson.org](http://www.carson.org) and will be publicized through social media forums.

**NOTE:** Committee members wishing to submit a suggested change, or a suggestion that has been sent to them directly, should forward the information to the Chair and the staff liaison to place on a future agenda. All suggestions will be placed on the agenda and attributed to the requestor.



## STAFF REPORT

**Report To:** Charter Review Committee

**Meeting Date:** February 29, 2016

**Staff Contact:** Nick Marano, City Manager

**Agenda Title:** For Possible Action: To set the date and time for the next Charter Review Committee meeting.

**Staff Summary:** Based on availability of the Sierra Room, the committee has the option of meeting Tuesday, April 19, 2016 or Monday, April 25, 2016.

**Agenda Action:** Formal Action/Motion

**Time Requested:** 5 mins

### Proposed Motion

I move to schedule the next Charter Review Committee meeting on \_\_\_\_\_ (date)  
at \_\_\_\_\_ (time).

### Board's Strategic Goal

N/A

### Previous Action

N/A

### Background/Issues & Analysis

N/A

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

Carson City Charter Sec. 1.090(1).

### 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

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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