

CARSON CITY CHARTER REVIEW COMMITTEE

Minutes of the July 2, 2002 Meeting

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A meeting of the Carson City Charter Review Committee was scheduled for 5:00 p.m. on Tuesday, July 2, 2002 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Chairperson Shelly Aldean
Vice Chairperson Donna DePauw
David Cook
Pat Jackson
Richard Reich
Jeanne Simons
Steve Suwe
John Vettel

STAFF: Jason Woodbury, Deputy District Attorney
Kathleen King, Recording Secretary

NOTE: Unless indicated otherwise, each item was introduced by Chairperson Aldean. A tape recording of these proceedings is on file in the Clerk-Recorder's Office and is available for review and inspection during regular business hours.

A. CALL TO ORDER, ROLL CALL (1-0001) - Chairperson Aldean called the meeting to order at 5:14 p.m. Roll was called; a quorum was present. Members Adler, Parsons, and Pickett were absent.

B. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0007) - None.

C. MODIFICATION OF THE AGENDA (1-0020) - None.

D. DISCLOSURES (1-0026) - Chairperson Aldean advised of a conversation with Amanda Hammon, of the *Nevada Appeal*, regarding item F-1(f).

E. ACTION ON APPROVAL OF MINUTES OF PREVIOUS MEETING - June 25, 2002 (1-0034) - Vice Chairperson DePauw moved to approve the minutes. Member Jackson seconded the motion. Motion carried 7-0. [Member Simons arrived at 5:17 p.m.]

F. PUBLIC HEARING:

F-1. DISCUSSION AND POSSIBLE ACTION TO ACCEPT LANGUAGE OF RESOLUTIONS RECOMMENDING AMENDMENT OF THE CARSON CITY CHARTER TO THE CARSON CITY BOARD OF SUPERVISORS ON THE FOLLOWING SUBJECTS WHICH HAVE PREVIOUSLY BEEN APPROVED BY THE CHARTER REVIEW COMMITTEE (1-0050) - Chairperson Aldean solicited input regarding the method by which to review and adopt the recommended amendments. **Member Simons moved to vote on the proposed amendments individually. Vice Chairperson DePauw seconded the motion. Motion carried 8-0.**

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F-1(a). AMENDMENT OF THE CARSON CITY CHARTER TO REQUIRE ELECTION OF A VICE CHAIRMAN FROM AMONG THE MEMBERS OF THE COMMITTEE (1-0060) - Mr. Woodbury distributed a draft resolution to the Committee members and staff. Chairperson Aldean referred to discussion which took place at the June 25th meeting regarding proposed revisions to Sections 1.080 through 1.100 of the Carson City Charter, and the subsequent decision of the Committee to develop bylaws. In response to a question, Mr. Woodbury advised that the terms of the chairperson and vice chairperson would have to be acted upon at another meeting. Chairperson Aldean suggested withholding approval of the resolution until language regarding term length can be incorporated, and deferring this item to the next meeting. **Member Reich moved to defer this item to the next meeting. Member Simons seconded the motion. Motion carried 8-0.**

F-1(b). AMENDMENT OF THE CARSON CITY CHARTER SPECIFICALLY AUTHORIZING THE CHARTER REVIEW COMMITTEE TO RECOMMEND AMENDMENTS TO THE CARSON CITY MUNICIPAL CODE AND NEVADA REVISED STATUTES WHEN SUCH AMENDMENTS RELATE TO AMENDMENT OF THE CARSON CITY CHARTER (1-0137) - Mr. Woodbury distributed a draft resolution to the Committee members and staff. In response to a question, he explained the purpose of presenting recommended amendments to the Board of Supervisors in resolution form. **Member Vettel moved to approve the language of the draft resolution. Member Reich seconded the motion. Motion carried 7-1.**

F-1(c). AMENDMENT OF THE CARSON CITY CHARTER TO REQUIRE A JOINT MEETING OF THE BOARD OF SUPERVISORS AND THE CHARTER REVIEW COMMITTEE (1-0183) - Mr. Woodbury distributed a draft resolution. **Member Simons moved to approve the language. Vice Chairperson DePauw seconded the motion. Motion carried 8-0.**

F-1(d). AMENDMENT OF THE CARSON CITY CHARTER TO REQUIRE EVERY ADVISORY BOARD APPOINTEE TO PARTICIPATE IN A CITY-SPONSORED ORIENTATION REGARDING THE REQUIREMENTS OF THE NEVADA OPEN MEETING LAW, ETHICS LAWS, LAWS PERTAINING TO DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST OR OTHER IMPROPRIETY, AND OTHER RELEVANT LEGAL CONSIDERATIONS, PRIOR TO ATTENDING THEIR FIRST PUBLIC MEETING (1-0194) - Mr. Woodbury distributed a draft resolution. **Member Simons moved to approve the language.** In response to a question, Mr. Woodbury indicated that the Board of Supervisors would have the option of combining the language of the resolutions pertaining to items F-1(d) and (e) at the time they are presented by the Committee. Member Suwe reviewed previous concerns regarding combining the recommended amendments. In response to a further question, Mr. Woodbury explained the differences in language between the draft resolutions for items F-1(d) and (e). He responded to additional questions regarding the mechanism for providing the orientations. Chairperson Aldean called for a second on the motion; **Vice Chairperson DePauw seconded the motion.** In response to a question regarding costs associated with the orientation, Chairperson Aldean advised that the Board of Supervisors will have the responsibility of determining how elaborate the orientation program will be. She called for a vote on the pending motion; **motion carried 8-0.**

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F-1(e). AMENDMENT OF THE CARSON CITY CHARTER TO REQUIRE EVERY NEWLY ELECTED CITY OFFICIAL TO PARTICIPATE IN A CITY-SPONSORED ORIENTATION REGARDING THE REQUIREMENTS OF THE NEVADA OPEN MEETING LAW, ETHICS LAWS, LAWS PERTAINING TO DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST OR OTHER IMPROPRIETY, AND OTHER RELEVANT LEGAL CONSIDERATIONS, PRIOR TO ATTENDING THEIR FIRST PUBLIC MEETING (1-0281) - Mr. Woodbury distributed a draft resolution. Chairperson Aldean noted the difference in language from item F-1(e). **Member Cook moved to approve the language. Member Vettel seconded the motion. Motion carried 8-0.**

F-1(f). AMENDMENT OF THE CARSON CITY CHARTER TO CREATE AN ADVISORY REVIEW BOARD PURSUANT TO NRS 289.380 WHICH WOULD ADVISE THE BOARD OF SUPERVISORS ON ISSUES CONCERNING THE CARSON CITY SHERIFF'S OFFICE (1-0306) - Chairperson Aldean advised of a conversation with Mr. Woodbury regarding the requirement in NRS 289.380(4)(b) for members of the review board to complete law enforcement training prior to serving. In response to a question, she read the language into the record. She discussed the intent of the Committee to recommend creation of a review board comprised of lay persons. She advised that Mr. Woodbury had referred her to Section 2.320 of the Carson City Charter, which she read into the record, and suggested that its provisions would be more applicable to the Committee's intent.

Mr. Woodbury discussed the purpose of NRS 289.380, and distributed two draft resolutions for review by the Committee. In response to a question, he advised that the requirements set forth in the statute do not include P.O.S.T certification. Training in the areas of policies and contracts is required to ensure that the rights of police officers are not violated. Mr. Woodbury advised of a discipline procedure which exists within the sheriff's office, and explained that it is imposed by sheriff's personnel rather than lay citizens.

Chairperson Aldean referred to previous discussions regarding candidate qualifications and the principle problems of budget, supervision, human resources, public relations, etc. She suggested that creating a committee of citizens with law enforcement backgrounds is not the proper approach, and discussion took place with regard to the same. In response to a question, Mr. Woodbury advised that the only appropriate action would be approval or rejection of the two proposed resolutions. He advised of the following options in the event the proposed resolutions were rejected: provide a "bare recommendation" to the Board, advising them of the testimony received from private citizens, and indicating there should be some type of citizen oversight of the Sheriff's Office; present a position paper; or develop a specific proposal based on Section 2.320 of the Charter. Extensive discussion took place regarding the action to be taken by the Committee.

Member Vettel moved to approve the language. Member Suwe seconded the motion. Discussion took place regarding the Committee's intent in connection with formation of the review committee, the language of the draft resolutions, the provisions outlined in Section 2.320 of the Charter, and applicability of the Nevada Open Meeting Law to the review committee. Following additional discussion regarding the previously stated motion, Member Vettel withdrew his motion and Member Suwe withdrew his second. **Member Vettel moved to reject item F-1(f). Member Suwe seconded the motion. Motion carried 8-0.**

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Mr. Woodbury acknowledged he had sufficient direction to develop a draft resolution, and discussion took place regarding an additional meeting. Consensus of the Committee was to schedule the meeting for Thursday, July 18th at 5:00 p.m.

G. ACTION ON ADJOURNMENT (1-0886) - Member Reich moved to adjourn the meeting at 6:02 p.m. Member Simons seconded the motion. Motion carried 8-0.

The Minutes of the July 2, 2002 meeting of the Carson City Charter Review Committee are so approved this ____ day of July, 2002.

SHELLY ALDEAN, Chair