



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: September 19, 2023

DATE: Tuesday, September 12, 2023

TO: Board of County Commissioners

FROM: Cadence Matijevich, Government Affairs Liaison, Manager's Office
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THROUGH: Eric P. Brown, County Manager

SUBJECT: Public Hearing: Second reading and adoption of an ordinance amending Washoe County Code Chapter 5 – Administration and Personnel to add a new section titled “Regulation of Lobbyists”, establishing for purposes of the ordinance a definition for “lobbyist”, “communication”, “policymaker” and “family member”, requiring lobbyists to make certain disclosures when providing public comment at a public meeting of the Board of County Commissioners, and establishing civil penalties for any person who knowingly violates the provisions of the section. Manager's Office. (All Commission Districts.)

SUMMARY

The purpose of this agenda item is to conduct a second reading of, and possibly adopt, an ordinance to amend Washoe County Code Chapter 5 – Administration and Personnel to add a new section entitled “Regulation of Lobbyists”. The definitions and requirements contained in the new section are intended to provide for transparency in the policy making and lobbying process.

PREVIOUS ACTION

During the Board of County Commissioners Meeting on April 25, 2023, Chair Hill requested adding a lobbyist ordinance to a future Board of County Commissioners' agenda.

On May 16, 2023, the Board directed that amendments to the Washoe County Code (“WCC”) be initiated to add a new section pertaining to the registration and regulation of lobbyists and that the proposed ordinance be modeled on the City of Reno's existing lobbyist registration framework in Reno Municipal Code chapter 2.22.

At the August 15, 2023, meeting of the Board of County Commissioners, the Board introduced Bill Number 1898, an ordinance amending Washoe County Code Chapter 5 by adding Section 5.023 entitled “Registration and Regulation of Lobbyists” and setting a public hearing for possible adoption of the ordinance for September 12, 2023. During the discussion on the ordinance introduction, the Board directed that the definition of “Policymaker” in the ordinance be amended to include only the members of the Washoe County Board of County Commissioners. Additionally, the Board directed that the

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address information of a lobbyist required to be included in the lobbyist registration form be limited to the lobbyist's permanent address and place of business.

At the September 12, 2023, meeting of the Board of County Commissioners, the Board held a Public Hearing for Bill Number 1898, an ordinance amending Washoe County Code Chapter 5 by addition Section 5.023 entitled "Registration and Regulation of Lobbyists". During the discussion during the public hearing, the Board directed that the proposed ordinance be amended to remove the section of the ordinance requiring registration of lobbyists, to remove the section of the ordinance pertaining to lobbyist identification badges, and to revise the violation and penalties section of the ordinance to remove the proposed criminal penalties. The Board directed that the section of the proposed ordinance requiring a paid lobbyist to identify themselves accordingly when registering to provide public comment when appearing before a Policymaker at a public meeting to also disclose on the public comment registration form the name of the person(s) or entities(s) they are employed by or appearing on behalf of. The Board continued the Public Hearing for Bill Number 1898 to September 19, 2023.

BACKGROUND

Per WCC 2.050, the District Attorney has completed the proposed ordinance and the County Clerk has placed the proposed ordinance on this regularly scheduled meeting of the Board in accordance with the adoption procedures set out in NRS 244.100.

In this item, the County Manager, as directed by the Board, is requesting amendments to Chapter 5 – Administration and Personnel, to establish a new section pertaining to the registration and regulation of lobbyists.

Nevada Revised Statutes ("NRS") Chapter 218 H – Lobbying, establishes the Nevada Lobbying and Disclosure and Regulation Act, which applies to lobbying of the members and committees of the Nevada Legislature. Subsection 2 of NRS 218H.020 states: *"The primary purpose of the chapter is to provide both disclosure and regulation of lobbying activities in order to promote and foster the people's faith, trust and confidence in the honesty, integrity and fidelity of their representative government."*

While NRS Chapter 218 H does not apply to lobbying of local governments in Nevada, the purpose statement of the law does align with Washoe County's Strategic Plan value of Integrity and the associated value statement: *"We are dedicated to uncompromising honesty in our dealings with the public and each other in conformance with our code of conduct."*

In researching laws and regulations governing local government lobbying, staff found that during the last decade many cities and counties in the U.S. have established ordinances pertaining to lobbying of local government officials. Nearly all such ordinances include a requirement for registration of lobbyists and that lobbyists make certain disclosures about their lobbying activities. While most local governments that have adopted ordinances governing lobbyists serve larger populations, counties as small as Kauai County, HI (population 73,294) have done so. In Nevada, Clark County and the cities of Henderson, Las Vegas and Reno have enacted ordinances governing lobbyists and requiring registration of lobbyists.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners hold a second reading and adopt the attached ordinance amending Washoe County Code Chapter 5 – Administration and Personnel to add a new section entitled “Regulation of Lobbyists”.

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be: “Move to adopt Ordinance Number (*insert ordinance number as provided by the County Clerk*) Washoe County Code Chapter 5 – Administration and Personnel to add a new section entitled “Regulation of Lobbyists”.

Attachment A – Ordinance Working Copy (Redline)

Attachment B – Ordinance (Clean)