



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: October 9, 2018

DATE: Thursday, October 04, 2018

TO: Board of County Commissioners

FROM: John Slaughter, County Manager
328-2000, jslaughter@washoecounty.us

THROUGH: Nancy Parent, Washoe County Clerk, on behalf of the Office of the County Manager

SUBJECT: Request by the County Manager, through the Washoe County Clerk, and pursuant to Washoe County Code (“WCC”) 2.030, to initiate amendments to the Washoe County Code (Chapter 5- Administration and Personnel, Chapter 15- County Finances; Purchasing, and Chapter 65- Safety and Disaster Services) and to direct the County Clerk to submit the request to the District Attorney’s Office for preparation of proposed ordinances in accordance with WCC 2.040. (All Commission Districts).

SUMMARY

The County Manager, John Slaughter, through the County Clerk, requests (pursuant to WCC 2.030) to initiate proceedings to amend the Washoe County Code (Chapter 5 – Administration and Personnel, Chapter 15 – County Finance; Purchasing, and Chapter 65 – Safety and Disaster Services) as requested by the County Manager as part of restructuring his administration and ensuring that county code reflects current roles and responsibilities. These amendments are also requested to update certain provisions of Chapters 5, 15 and 65 to conform to modern practices and clarify certain provisions. If the request is approved, the Board of County Commissioners (“Board”) is asked to direct the County Clerk to submit a request to the District Attorney to draft proposed ordinances amending these three code chapters. When the proposed ordinances are complete, the County Clerk will commence proceedings by setting an Introduction and First Reading.

Washoe County Strategic Objective supported by this item: Regional and Community Leadership

PREVIOUS ACTION

On January 28, 2014, the Finance Director position was reclassified to Assistant County Manager assigned to Finance and Administration. Concurrent with that decision, the Comptroller function was modified to include purchasing and risk management. Various sections of the county code referencing these two positions and have not been updated to reflect new structure, roles and responsibilities.

AGENDA ITEM # _____

Since then, other organizational changes have occurred including a reorganization of the County Manager's Office approved by the Board of County Commissioners on September 12, 2017. In addition the Merit Personnel System for County Employees (WCC 5.025 through 5.343) requires updating to reflect current practices as well as simplify language where possible.

BACKGROUND

WCC 2.030 provides that amendments to the Washoe County Code may be initiated by the head of a Washoe County office to the County Clerk. Upon receiving the request, the County Clerk, pursuant to WCC 2.040, places the request on an agenda for consideration by the Board. Upon a majority vote of the members present at the meeting, the Board may approve the request with any changes the Board desires. In considering the request, the Board may hear testimony from the proposer or any other person regarding the proposed changes. If approved, the Board shall direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance(s). Under WCC 2.050, when the District Attorney has completed the proposed ordinance, the County Clerk will place the proposed ordinance on the agenda for the next regularly scheduled meeting of the Board in accordance with the adoption procedures set out in NRS 244.100. The County Manager is requesting amendments to WCC Chapters 5, 15 and 65. Certain provisions within Chapters 5, 15 and 65 are simply outdated and require amendment to reflect modern practice. Further, county organizational structures are codified in various parts of the Washoe County Code Chapters 5, 15 and 65. Thus, these chapters require revisions in order to reflect the county's current organizational structure. Specific anticipated amendments, are as follows:

Chapter 5:

- Repealing section 5.023 related to the director of community relations
- Repealing section 5.0231 related to the director of management services
- Repealing all provisions related to the employment and training department
- Repealing section 5.423 related to telephone call logs
- Revising provisions related to meetings of the board of county commissioners
- Revising provisions related to the powers and duties of the county manager and assistant county managers
- Revising section 5.0244 related to the county manager's expenditures for incidental food and entertainment expenses
- Updating the Travel Regulation Ordinance
- Updating various provisions related to the merit personnel system for county employees
- Updating the Merit Personnel System for County Employees (WCC 5.025 through 5.343) to reflect current practices as well as simplify language where possible:
 - General Provisions (5.025-5.094) includes definitions which will be amended to reflect the content of, and apply to, the remainder of the personnel code.
 - Classification Plan (5.095-5.107) deals with establishing positions and the job evaluation committee. It is anticipated that there will be minor changes regarding training.

- Compensation (5.109-5.147) tends to be governed more by collective bargaining, the Code will be reviewed and amended to insure that the Code reflects current County practices.
- Examinations (5.149-5.177) will update as needed any changes to the examination process.
- Eligible List and Certification (5.179-192) will be amended to reflect current process.
- Appointments (5.193-5.213) will be largely left as-is, except to simplify language.
- Attendance and Leave (5.229-5.275) tends to be governed more by collective bargaining, but the Code will be reviewed and amended to insure that the Code reflects current County practices.
- Evaluation of Performance and Training (5.283-5.293) will be largely left as-is, except to simplify language.
- Separations (5.295-5.311) tends to be governed more by collective bargaining, but the Code will be reviewed and amended to insure that the Code reflects current County practices.
- Disciplinary and Correctional Actions/Appeals and Hearings (5.313 through 5.3336) tends to be governed more by collective bargaining, but the Code will be reviewed and amended to insure that the Code reflects current County practices.
- Prohibitions and Penalties (5.334 through 5.343) will be reviewed and amended to conform to Nevada Ethics and applicable state/federal laws.

Chapter 15:

- Updating provisions related to accounting systems and county funds
- Updating the Property Control Ordinance
- Revising provisions related to monetary grants from private and public sources
- Revising procedures for lost or abandoned property
- Updating the Central Receiving and Disbursing Ordinance
- Revising provisions related to monies received by county officers
- Revising the composition of the Washoe County Investment Committee
- Updating provisions related to the county budget, rates for county services and miscellaneous financial provisions
- Repealing provisions related to the Department of Finance and modifying the duties of the Comptroller to reflect current organizational structure.
- Revising provisions related to audits

Chapter 65:

- Repealing a section creating the County Risk Manager and transferring the former Risk Manager's duties to the Risk Management division within the Comptroller Department.

- Revising provisions related to the risk management division's authority to settle claims related to damage and repair of county property
- Transferring the former Director of Finance's authority to settle any claim or suit for damages in an amount less than \$10,000 to the Comptroller.
- Revising provisions related to the county's safety program, safety officer, posting of safety notices, reporting requirements for accident/injury/illness/fatality, written documentation of accidents and incidents, investigation and evaluation of accidents and incidents
- Revising provisions related to the composition and duties of the Safety Committee
- Updating provisions related to the Emergency Management and Homeland Security Program

FISCAL IMPACT

The proposed code changes are not expected to increase costs.

RECOMMENDATION

It is recommended that The Board of County Commissioners approve a request by the County Manager, through the Washoe County Clerk, and pursuant to Washoe County Code ("WCC") 2.030, to initiate amendments to the Washoe County Code (Chapter 5- Administration and Personnel, Chapter 15- County Finances; Purchasing, and Chapter 65- Safety and Disaster Services) and to direct the County Clerk to submit the request to the District Attorney's Office for preparation of proposed ordinances in accordance with WCC 2.040.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:
"Move to approve a request by the County Manager, through the Washoe County Clerk, and pursuant to Washoe County Code ("WCC") 2.030, to initiate amendments to the Washoe County Code (Chapter 5- Administration and Personnel, Chapter 15- County Finances; Purchasing, and Chapter 65- Safety and Disaster Services) and to direct the County Clerk to submit the request to the District Attorney's Office for preparation of proposed ordinances in accordance with WCC 2.040."