



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: January 25, 2022

DATE: Thursday, January 20, 2022
TO: Washoe County Board of Commissioners
FROM: Jamie Rodriguez, Government Affairs Manager, County Manager
(775) 328-2010, JARodriguez@washoecounty.gov

THROUGH: Eric Brown, County Manager

SUBJECT: Introduction and first reading of an ordinance to amend Washoe County Code section 5.465 to abolish the office of constable in Incline Village – Crystal Bay, based on a determination that the office is no longer necessary in accordance with NRS 258.010; and set the second reading and public hearing for possible adoption on February 8, 2022. Manager’s Office (Commission District 1) FOR POSSIBLE ACTION

SUMMARY

Introduction and first reading of an ordinance to amend Washoe County Code section 5.465 to abolish the office of constable in Incline Village – Crystal Bay, based on a determination that the office is no longer necessary in accordance with NRS 258.010; and set the second reading and public hearing for February 8, 2022.

Washoe County Strategic Objective supported by this item: Innovative Services

PREVIOUS ACTION

On April 14, 1998, the Board approved ordinance 1013 to abolish the offices of constable in Gerlach, Reno, Sparks, Verdi and Wadsworth.

On December 14, 2021, the Board approved the Manager’s Office request to initiate an amendment of WCC section 5.465 to abolish the office of constable in Incline Village-Crystal Bay effective at the conclusion of his current term in office.

BACKGROUND

Nevada constable offices are among the oldest law enforcement agencies in the state, established in the 1850’s while Nevada was still a territory.

The duties and responsibilities of the office per NRS258.070 are; (1) be a peace officer; (2) execute the process, writs or warrants of courts of justice, judicial officers, and

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coroners, when delivered to the constable for that purpose; and (3) discharge such duties as are or may be prescribed by law.

Per NRS 258.030, if a vacancy occurs during the term of office, the board of county commissioners shall appoint a person to fill the vacancy no later than 60 days after the vacancy occurs.

NRS 258.010(3) permits the Board to abolish the office of constable if the Board determines the office is not necessary. The office of constable was previously abolished in Gerlach, Reno, Sparks, Verdi, and Wadsworth.

The elimination of the Incline Village-Crystal Bay Constable would occur at the end of the current term, January 2, 2023. The Washoe County Sheriff's Office would assume the constable's duties and responsibilities. This transition would ensure uninterrupted services to the residents of Incline Village and Crystal Bay. See Exhibit 1, WCSO Staffing Memo, for more detail.

FISCAL IMPACT

If approved, there will be a net zero fiscal impact. Funding currently identified for the Incline Constable (General Fund; Fund Center 126-0), will be reallocated to the Sheriff's Office (General Fund; Fund Center 150-0) during the FY23 Budget Process, on a pro-rated basis. The funding reallocation will be sufficient to cover the expenses associated with an additional 1.0 Deputy Sheriff and operating supplies. Any necessary changes to position control, including creation and/or abolishment, will be addressed during the FY23 Budget Process.

RECOMMENDATION

It is recommended that there be an introduction and first reading of an ordinance to amend Washoe County Code section 5.465 to abolish the office of constable in Incline Village – Crystal Bay, based on a determination that the office is no longer necessary in accordance with NRS 258.010; and that the second reading and public hearing be set for February 8, 2022.

POSSIBLE MOTION

Should the Board approve, a possible motion would be:

“I move for the introduction and first reading of an ordinance to amend Washoe County Code section 5.465 to abolish the office of constable in Incline Village – Crystal Bay, based on a determination that the office is no longer necessary in accordance with NRS 258.010; and to set the second reading and public hearing for February 8, 2022.