



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: May 13, 2025

DATE: May 2, 2025

TO: Board of County Commissioners

FROM: Eric Brown, Washoe County Manager
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SUBJECT: Introduction and first reading of an ordinance amending Washoe County Code Chapter 5 (Administration and Personnel) by amending provisions related to citizens advisory boards (CABs). These updates include amending various sections: to clarify that the purpose of the CABs are to advise the county commissioner in whose district the CAB is located, as well as the county commission, on matters of concern within Washoe County's governmental jurisdiction; to require that the geographical boundaries of the CABs fall within a single commissioner district; to update provisions related to board membership, such as allowing persons residing within one mile of the geographical boundaries of the CABs to serve as board members, requiring applications to be kept on file for one year rather than 3.5 years, and requiring the terms for alternates to align with the terms of board members; to remove a prohibition on CAB members from concurrently serving on the County's planning commission and/or board of adjustment; to amend various provisions to comply with current Nevada open meeting law requirements and remove provisions duplicative of state law; to update provisions related to enactment of bylaws; and all matters necessarily connected therewith and pertaining thereto. And if supported, set a public hearing for the second reading and possible adoption of the ordinance for June 17, 2025. (All Commission Districts.)

SUMMARY

This item is part of a multi-step process to make some changes to Washoe County's citizen advisory boards (CABs). This item is specifically focused on a possible introduction and first reading of an ordinance making amendments and updates to the Washoe County Code Chapter 5 provisions related to CABs. The specific amendments contemplated in this ordinance are: to clarify that the purpose of the CABs are to advise the county commissioner in whose district the CAB is located, as well as the county commission, on matters of concern within Washoe County's governmental jurisdiction; to require that the geographical boundaries of the CABs fall within a single commissioner district; to update provisions related to CAB membership, such as allowing persons residing within one mile of the geographical boundaries of the CABs to serve as board

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members, requiring applications to be kept on file for 1 year rather than 3.5 years, and requiring the terms for alternates to align with the terms of board members; to remove the prohibition on CAB members also serving on the County's planning commission and/or board of adjustment; to amend various provisions to comply with current Nevada open meeting law requirements and remove provisions duplicative of state law; and to update provisions related to enactment of bylaws.

PREVIOUS ACTION

There have been multiple County Commission actions related to citizens advisory boards that did not involve changes to the Washoe County Code. However, for the purposes of this staff report, the previous action section is limited to previous code amendments related to citizens advisory boards, as a code amendment is the request currently before the Board.

July 9, 2013 – The Board of County Commissioners enacted Ordinance No. 1515, which revised Washoe County Code provisions related to citizen advisory boards to revise provisions relating to recruitment and appointment of members, filling vacancies, selection of officers, and terms of membership.

May 8, 2007 – The Board of County Commissioners enacted Ordinance No. 1328, which revised Washoe County Code provisions related to citizen advisory boards related to alternates.

July 12, 2005 – The Board of County Commissioners enacted Ordinance No. 1271, which revised Washoe County Code provisions related to citizen advisory boards to revise provisions regarding advertising for recruitment of new members and restrict concurrent service on certain boards.

June 24, 2003 – The Board of County Commissioners enacted Ordinance No. 1209, which revised Washoe County Code provisions related to citizen advisory boards to eliminate a two-term limit on appointment of members.

October 13, 1992 – The Board of County Commissioners enacted Ordinance No. 858, which revised Washoe County Code provisions related to citizen advisory boards to specify service on and removal from advisory boards, conduct of meetings, membership and appointment, and requirements for adopting bylaws.

June 11, 1991 – The Board of County Commissioners enacted Ordinance No. 824, which revised Washoe County Code provisions related to citizen advisory boards to provide that the election or appointment of a member of a citizens' advisory board to the Board of County Commissioners resulted in automatic termination of the person's membership on the advisory board.

March 19, 1991 - The Board of County Commissioners enacted Ordinance No. 818, which revised Washoe County Code provisions related to citizen advisory boards.

June 17, 1980 - The Board of County Commissioners enacted Ordinance No. 468, which authorized the Board of County Commissioners to establish citizens advisory boards to assist the Board in an advisory and liaison capacity on county matters about which the Board desired study or advice. The ordinance specified standards related to the purpose of the boards, establishment of boards through resolution, membership of board members, bylaws, budget and compensation, and termination of service on boards.

BACKGROUND

The Washoe County Manager has requested an amendment to Washoe County Code Chapter 5 (Administration and Personnel) as part of a broader effort to update documents related to citizens advisory boards. The sections of Washoe County Code related to citizens advisory boards provide the “big picture” framework for the CABs, and have not been updated since 2013. These provisions warrant review and updates to ensure that code provisions properly reflect the CABs’ purpose, recommended procedures relating to board membership, service and meetings, and updated open meeting law requirements prescribed by the Nevada Revised Statutes. These code amendments are the first step in the process to update documents related to the CABs. Following these code amendments, it is anticipated that other changes to the citizens advisory boards, such as amendments to the standard bylaws and the resolutions for specific CABs will be forthcoming.

Proposed Amendments:

The proposed amendments to WCC 5.425 through 5.435 include the following:

Renaming the citizens advisory boards. At the Chapter 2 meeting on March 18, 2025, staff proposed renaming the CABs to better reflect their primary purpose of acting as a liaison and providing advice to public officials, i.e., the specific Commissioner in whose district the CAB is located, as well as to the Board of County Commissioners as a whole, as part of the commissioner support program. Renaming the CABs was also contemplated as a mental distinction between the old code provisions/documents and new code provisions/documents. Several options were proposed, including “Community Advisory Board”, “Constituent Advisory Board” and “Citizen Advisory Board.” However, based on public input at the April 29, 2025 input session, the proposed ordinance has retained “Citizens Advisory Board” as the public overwhelmingly supported retaining the current name.

Clarifying the purpose section of Code related to the CABs. This proposed amendment adds some clarifying language stating that the CABs’ purpose is to assist, advise and collaborate with the county commissioner in whose district the CAB is located (as well as the county commission), and that the advice given is on issues *within Washoe County’s governmental jurisdiction*. Essentially, the new language clarifies that action taken by the CABs must pertain to subjects within the County’s purview. (Note: This does not prohibit information sharing on other issues/topics at the CABs—which can be addressed more specifically in the CAB bylaws).

Requiring the geographical boundaries of the CABs to fall within a single commissioner district. This proposed amendment requires the geographical boundaries of the CABs to fall within a single commissioner district rather than share boundaries between districts, as some CABs currently do. This is a policy decision to be made by the Board. If this code amendment is adopted, the County will have one year to update the geographic boundaries of the CABs to align with the districts. This is accomplished outside of the code amendment process by amending the resolutions for the individual CABs and using GIS mapping to set the boundaries.

Allowing persons residing within 1-mile of the geographical boundaries of the CABs to serve as board members. This proposed amendment will alleviate some concerns with adjusting CAB boundaries to fall within a single commissioner district. This proposed amendment will allow more flexibility to the commissioner appointing CAB members in that it will allow persons residing within and within one mile of the boundaries of the CABs to be eligible to serve as CAB members—regardless of in which commissioner district the applicant resides.

Retaining applications for CAB membership for 1 year rather than 3.5 years. This proposed amendment simply changes the time period for keeping applications on file from 1 year to 3.5 years.

Selection of CAB Officers. These proposed amendments update provisions related to selection of CAB officers (chair/vice-chair). The amendments provide that the CAB members shall select their own officers and removes a current code provision which allows county commissioners to overrule those decisions.

Aligning terms for alternates and regular CAB members. This proposed amendment aligns the terms for alternates with the terms for regular CAB members.

Removing the prohibition on CAB members serving on certain county boards. This amendment removes language in current code that prohibits a CAB member from concurrently serving on the County's planning commission or board of adjustment. The proposed revisions are based on an assessment that the current language is unnecessary. If there is an item on a CAB agenda which would create a conflict for a member who also serves on those boards, then normal conflict principles would apply. The CAB member would simply disclose the conflict, and if necessary, recuse themselves from that particular item on the CAB's agenda.

Open Meeting Law Updates. There are several proposed amendments in the section covering service on and removal from CABs that are recommended to comport with current Nevada Open Meeting Law (OML) requirements. For example, it is recommended that a provision be removed which requires the County to provide a certified letter to a CAB member facing removal. That provision is outdated, as a certified letter is not the only acceptable method of notice under the OML. Further, it is also recommended that a provision related to minutes of closed sessions be removed as it is not entirely consistent with current law. Nevada Open Meeting Law applies to these subjects and it is not recommended to replace these outdated provisions with provisions that are merely duplicative of state law.

Updating provisions related to enactment of bylaws to ensure that procedures are uniform. These amendments remove language in current code that allows different bylaws for individual CABs, rather than requiring a standard set of bylaws for all CABs. Whether to require a standard set of bylaws for the CABs or to allow for different versions of bylaws for individual CABs is a policy decision for the Board. (Note: Bylaws can be written to provide CABs with some procedural flexibility). (Also note: With either option, the Board would have the final sign-off on enacted bylaws).

PUBLIC INPUT

On April 29, 2025, county staff held a public input session to solicit feedback from the public on proposed code amendments. There were 34 attendees (28 in person, 6 online). A generated transcript of that input session is included as an attachment to this staff report.

A general summary of the input session feedback, organized by topic, is also provided below:

- Name Change: Approximately 12 attendees expressed opposition to a name change, preferring to keep the name as "Citizens Advisory Board."

- Purpose Section: Mixed response. Some individuals supported the clarification, while others expressed concern it could limit the CABs' ability to discuss cross-jurisdictional topics.
- Geographical Boundaries of the CABs: 1 attendee expressed support for the proposed changes and 2 attendees expressed opposition to requiring the geographical boundaries of the CABs to fall within a single commissioner district. Specific concern was raised relating to the Sun Valley CAB, with comment that this CAB benefitted from oversight by two commissioners.
- Retaining applications for 1 year v. 3.5 years: Mentioned in 2-3 comments. General agreement with amendment as reasonable administrative update.
- Selection of CAB Officers: 5 attendees supported proposed amendment.
- Term Alignment for Alternates: 1 attendee noted general support for administrative consistency. Not widely discussed.
- Dual Service on CAB/PC/BOA: 21 comments touching on multiple board service. Nearly all commenters opposed to allowing concurrent service.
- Member Removal Provisions: Multiple attendees provided comments focused on preserving/clarifying deleted provisions. Comments largely based on concern that removing provisions would remove requirements; however, requirements are proscribed by Nevada Open Meeting Law.
- Bylaws: Mixed views. Some comments favoring consistency, but majority of comments advocated for tailored bylaws reflecting each CAB's unique needs.

Additionally, there were multiple comments shared at the input session related to CABs generally, but that would not be included as part of amendments to the Washoe County Code. For example, a recurring theme was a desire from attendees to restore development project review to the CABs. Other comments related to concerns that the CABs are being dissolved or reduced in influence; frustration with how CABs have evolved post-COVID; accessibility concerns related to digital-engagement and reduction of printed resources; and requests for greater community control over CAB member selection. These comments may inform future Board action. Following these code amendments, it is anticipated that other changes to the citizens advisory boards, such as amendments to the standard bylaws and the resolutions for specific CABs will be forthcoming.

FISCAL IMPACT

There is no fiscal impact in introducing these proposed amendments to the Washoe County Code.

RECOMMENDATION

It is recommended that The Board of County Commissioners consider the proposed code amendments. The Board has discretion to request further changes to the draft ordinance. Alternatively, a board member may conduct the introduction and first reading of the proposed amendments as drafted.

POSSIBLE MOTION

A possible motion would be:

“Move to introduce on behalf of the Board of County Commissioners and conduct a first reading of Ordinance Number [insert ordinance number as provided by the County Clerk], which would adopt an ordinance amending Washoe County Code Chapter 5 (Administration and Personnel) by amending provisions related to citizens advisory boards (CABs). And if supported, set a public hearing for the second reading and possible adoption of the ordinance for June 17, 2025.”

Attachments:

A: Working Copy of Proposed Ordinance

B: Transcript from April 29, 2025 public input session & written comments