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STATE OF NEVADA
COUNTY OF WASHOE

SS. Tana Ciccotti

being first duly sworn, deposes and says:
I am the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice:

of ordinance

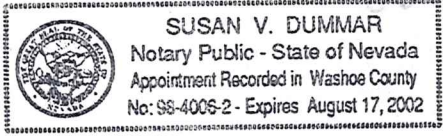
of which a copy is hereto attached, has been published in each regular and entire issue of said newspaper on the following dates to wit:

March 22, 29, 1999

Signed Tana Ciccotti

Subscribed and sworn to before me this
31st day of Mar., 19 99

Susan V. Dummar
Notary Public



PROOF OF PUBLICATION

NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE
NO. 1055

NOTICE IS HEREBY GIVEN THAT: BILL No. 1231 Ordinance No. 1055 entitled AN ORDINANCE REPEALING AND AMENDING CERTAIN SECTIONS OF THE WASHOE COUNTY CODE TO ELIMINATE THE POSITIONS OF ASSISTANT COUNTY MANAGER FOR FINANCE AND ASSISTANT COUNTY MANAGER FOR PERSONNEL AND BY ADDING PROVISIONS CREATING ASSISTANT COUNTY MANAGER POSITIONS, PROVIDING FOR THE APPOINTMENT OF ASSISTANT COUNTY MANAGERS, AND OTHER MATTERS PROPERLY RELATING THERETO was adopted on March 16, 1999, by Commissioners Joanne Bond, Jim Gallo-way, Pete Sferazza, Jim Shaw, and Ted Short and will become effective on Wednesday, March 31, 1999.

Typewritten copies of the ordinance are available for inspection by all interested persons at the office of the County Clerk, 75 Court Street, Reno, Nevada.

AMY HARVEY, Washoe County Clerk
No.1219 Mar.22.29, 1999

PLEASE STAMP & SIGN FOR PAYMENT
1055

SUMMARY: An ordinance repealing and amending certain sections of the Washoe County Code to eliminate the positions of assistant county manager for finance and assistant county manager for personnel and by adding provisions creating assistant county manager positions and providing for the appointment of assistant county managers.

BILL NO. 1231

ORDINANCE NO. 1055

AN ORDINANCE REPEALING AND AMENDING CERTAIN SECTIONS OF THE WASHOE COUNTY CODE TO ELIMINATE THE POSITIONS OF ASSISTANT COUNTY MANAGER FOR FINANCE AND ASSISTANT COUNTY MANAGER FOR PERSONNEL AND BY ADDING PROVISIONS CREATING ASSISTANT COUNTY MANAGER POSITIONS, PROVIDING FOR THE APPOINTMENT OF ASSISTANT COUNTY MANAGERS, AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Sections 15.460 to 15.500, inclusive, of the Washoe County Code are hereby repealed.

SECTION 2. Chapter 5 of the Washoe County Code is hereby amended by adding thereto a new section which shall read as follows:

5.022 Assistant county managers: Creation of positions; appointment; staff; salary.

1. Pursuant to NRS 244.135, the county manager must perform such administrative functions of the county government as may be required of the manager by the board of county commissioners. Further, the county manager, with approval of the board, may appoint such assistants and other employees as are necessary to the proper functioning of the manager's office. This section constitutes approval of the board for the county manager to appoint assistant county managers for Washoe County.

2. The position of assistant county manager is hereby created. The number of assistant county managers that may be appointed shall be determined by the board of county commissioners. The assistant county managers shall possess such qualifications as are determined by the county manager.

3. The county manager may appoint assistant county managers for Washoe County who serve at the pleasure of the county manager. Such appointments shall be into the unclassified service of the county.

4. The county manager may designate the duties and responsibilities of the assistant county managers, which duties and responsibilities may include, but are not limited to: reporting responsibility for various appointed department heads as authorized by the board, assignment for special projects and programs of the county manager, and such other duties and responsibilities as the county manager or the board of county commissioners may designate.

5. The assistant county managers may appoint, pursuant to the provisions of chapter 5 of this code regulating county personnel and as authorized by the county manager, such professional, technical, clerical, and operating staff as the assistant county managers' duties and responsibilities may require.

6. Assistant county managers' salaries shall be fixed by the county manager within the range approved by the board of county commissioners.

SECTION 3. Section 5.067 of the Washoe County Code is hereby amended to read as follows:

5.067 County personnel system: Personnel division; chief of personnel administration: Creation; qualifications, salary, duties, staff.

1. The personnel division is hereby created. The personnel division is responsible for the administration of the county personnel system.

2. The position of chief of personnel administration is hereby created. The chief of personnel administration shall:

(a) Possess qualifications determined by the county manager.

(b) Be in the unclassified service and receive an annual salary in an amount to be set by the board of county commissioners.

(c) Be in charge of the daily operations of the personnel division.

(d) Perform such duties as are imposed by the Merit Personnel Ordinance, and the county manager.

3. The chief of personnel administration may appoint such professional, technical, clerical and operational staff as the execution of the chief's duties and the operation of the personnel division may require. All such appointments must be made pursuant to the provisions of the Merit Personnel Ordinance.

SECTION 4. Section 5.083 of the Washoe County Code is hereby amended to read as follows:

5.083 Powers and duties of personnel committee. In addition to the powers and duties set forth elsewhere in the Merit Personnel Ordinance, the personnel committee shall have the following powers and duties:

1. To report to the board of county commissioners on all matters which the committee may deem pertinent to the personnel division and concerning any specific matters previously requested by the board of county commissioners.

2. To advise and make recommendations to the board of county commissioners relative to the personnel policy of the county and required legislation.

3. To advise the chief of personnel administration with respect to the preparation and amendment of rules and regulations to give effect to the provisions of the Merit Personnel Ordinance.

4. To foster the interest of institutions of learning and of civic, professional and employee organizations in the improvement of personnel standards in the county service.

5. To exercise any other advisory powers necessary or reasonably implied within the provisions and purposes of the Merit Personnel Ordinance.

SECTION 5. Section 5.119 of the Washoe County Code is hereby amended to read as follows:

5.119 Rate on initial hire, rehire, promotion, demotion or transfer.

1. Initial hire for a position shall be made at the entrance rate of the range for the class, except as provided in sections 5.123 and 5.203.

2. A former permanent employee, who, after a break in service, is reinstated to a position in the same or a related class, shall be compensated at a rate at or below his previous relative placement in the salary range for the former position, at the discretion of the appointing authority. Compensation at a higher rate may be allowed upon approval by the chief of personnel administration.

3. When an employee is promoted, he is entitled to the entry salary for the higher grade or 10 percent above the employee's base salary, whichever is greater, provided there is at least a 10 percent differential between the top of the salary range for the lower grade and the top of the salary range for the higher grade. If the differential between the two grades is between 5 percent and 10 percent, the employee is entitled to the entry salary for the higher grade or the differential between the two grades, whichever is greater. If the differential between the two grades is less than 5 percent, the employee is entitled to the entry salary or 5 percent, whichever is greater, except as provided below. In all instances, the amount of the salary increase upon promotion must not exceed the top of the salary range for the higher grade. Any exception may be approved by the county manager upon written justification from the appointing authority and recommendation of the chief of personnel administration.

4. When a permanent employee is demoted, he shall be compensated within the range at a rate which reflects an approximate 5 percent salary decrease in the class to which he is demoted. The salary decrease may be waived upon approval by the appointing authority and the chief of personnel administration.

5. When an employee transfers to a position in another class, he is entitled to the corresponding step in the same range. Any exception requires written justification of the appointing authority and approval by the chief of personnel administration.

SECTION 6. Section 5.331 of the Washoe County Code is hereby amended to read as follows:

5.331 Appeal from discipline; selection of arbitrator.

1. A permanent, classified employee who has been demoted, suspended or discharged may, within 7 calendar days of the effective date of the discipline imposed, appeal the action. The appeal shall be in writing and shall be filed with the chief of personnel administration.

2. Upon receipt of the appeal, the chief of personnel administration or the chief's designee shall meet with the employee and the appointing authority in an attempt to select a mutually acceptable arbitrator. For cases involving demotion and suspension, the Rules for Expedited Arbitration of the American Arbitration Association apply. For cases involving discharge, the chief of personnel administration shall determine, based upon the complexity of the case, whether the Rules for Expedited Arbitration or the regular Voluntary Labor Arbitration Rules of the American Arbitration Association apply.

3. If an arbitrator cannot be agreed upon, and if the Voluntary Labor Arbitration Rules are to be followed, the chief of personnel administration shall submit a request to the American Arbitration Association for a list of arbitrators. Upon receipt of the list an arbitrator shall be selected by the chief of personnel administration and the employee by alternately striking names, the employee striking first.

SECTION 7. Section 5.401 of the Washoe County Code is hereby amended to read as follows:

5.401 Employee recognition program committee: Creation; composition; secretary.

1. The controlling authority of the employee recognition program is the employee recognition committee, which is hereby created.

2. The committee shall be composed of seven members as follows:

(a) Three representatives of employee associations now or hereafter established, with not more than one representative from each association appointed by the associations in accordance with their bylaws and operating practices, and by mutual agreement among themselves. In the same manner, an alternate representative or representatives may be appointed to sit and participate in the place and stead of any regular member appointed by an employee association at any meeting where the regular member is unable to attend.

(b) The chief of personnel administration or his designee.

(c) An assistant county manager or his designee.

(d) One member appointed by and representing the board of county commissioners.

(e) One member appointed by and representing the organizational effectiveness committee.

3. The members of the committee shall elect one member to serve as the secretary of the committee.

SECTION 8. Section 15.220 of the Washoe County Code is hereby amended to read as follows:

15.220 Investments: Composition, responsibilities of investment committee.

1. An investment committee consisting of two county commissioners, including the chairman, the county manager, an assistant county manager, the county comptroller and the county treasurer is hereby created. The chairman of the board of county commissioners shall be the chairman of the investment committee and shall appoint the remaining commissioner member of the investment committee.

2. The investment committee shall:

(a) Establish the types of investments considered proper for the county, within the framework of the statutes of the State of Nevada regarding investment media acceptable for counties, and recognizing the conflicting desires for maximum safety and maximum yields.

(b) Determine the specific banks, investment houses, brokerage firms and other financial institutions which should be used in pursuing the county's investment program.

(c) Determine the levels of compensating balances which the county should maintain to reimburse the depositories for services rendered, if any.

(d) Determine the reporting requirements desired to evaluate past performance and to highlight possible additional opportunities to increase investment income.

(e) Require the county treasurer to submit an annual report to the board setting forth information on the investments made by the county during the preceding year.

3. Nothing in this ordinance limits the right of a local government, as defined in NRS 354.474 (but not including the county), whose moneys are held in trust by the county to direct the receipt, disbursement and investment of its money independently of the system provided for in this ordinance, where such independent direction is otherwise authorized by law.

SECTION 9. Section 15.390 of the Washoe County Code is hereby amended to read as follows:

15.390 Review procedures.

1. Annually, the county manager shall request a report from each department head as to all rates being charged that are not specified by law, contract or ordinance. The reports shall be reviewed by the chief of budget administration who will determine the extent of compliance with the policy of sections 15.370 to 15.390, inclusive, and make recommendations to an assistant county manager as designated by the county manager as to changes that should be considered.

2. The designated assistant county manager shall, after consultation with the department heads involved, make recommendations to the board of county commissioners concerning any modifications of rates to be charged.

SECTION 10. Section 65.030 of the Washoe County Code is hereby amended to read as follows:

65.030 County risk manager: Creation; powers; duties.

1. The position of county risk manager is hereby created. The risk manager shall be appointed by, and serve at the pleasure of, the county manager. The county risk manager is in the unclassified service of the county, and shall receive a salary to be set by county manager within the range approved by the board of county commissioners.

2. The risk manager shall:

- (a) Administer the risk management division, including administration of the health benefits program, the property/casualty program and the safety program of the county;
- (b) Administer the self-insurance funds;
- (c) Review and approve or disapprove all expenditures from the funds;
- (d) Pursue subrogation where feasible;
- (e) Administer all contracts related to the health benefits program, the property/casualty program, and the safety program;
- (f) Develop, initiate and carry out systems of premium charges and deductibles where feasible;
- (g) Recommend levels of self-funding and purchased insurance which will protect the operating revenues of Washoe County from the effects of claims and litigation;
- (h) Analyze and assess the risks of county activities and business transactions and make recommendations to minimize the risks presented by such activities; and
- (i) Review all claims and suits against Washoe County, initiate investigations, coordinate the defense of Washoe County and maintain all necessary records to insure that adequate data are available for use when reviewing self-insurance funding levels.

SECTION 11. Section 65.220 of the Washoe County Code is hereby amended to read as follows:

65.220 Use, form, contents of written documentation of accidents, incidents. Departmental reports and any other materials relating to an accident or incident which are submitted to the county risk manager pursuant to section 65.210:

- 1. Remain the property of the department or office which submitted the report or other material.
- 2. Are confidential and shall not be released to any person other than the district attorney, the county safety officer, the county manager, and the county risk manager unless the approval of the district attorney is first obtained, except that the

county risk manager may release the following reports and materials to a claimant or his legal representative:

(a) Accident, incident or injury reports specifically made on forms provided by the county risk manager and prepared for the county risk manager; and

(b) Booking and Property Reports, sheriff's office form S-15, pertaining to any claim that the sheriff's office lost the property of an inmate.

The county risk manager or county safety officer shall provide access to records as provided in NAC 618.577.

3. Are for use in accident prevention, loss control and such disciplinary action as may be warranted against the employee involved.

4. Shall be submitted in such form as may be prescribed by the county risk manager.

5. May include estimates of vehicle, property and liability losses as well as information sufficiently detailed to disclose, with reference to the accident or incident, its cause, the conditions then existing and the persons and property involved.

SECTION 12. Section 65.240 of the Washoe County Code is hereby amended to read as follows:

65.240 Authority of county risk manager to administer claims on behalf of Washoe County.

1. The county risk manager shall review all claims submitted to or by Washoe County and shall either approve or disapprove such claims pursuant to the provisions of this section.

2. The county risk manager may settle a claim up to \$1,000.

3. The county risk manager, after consultation with the district attorney, has sole authority to negotiate and settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is less than \$10,000.

4. The county manager, after consultation with the county risk manager, and the district attorney, has sole authority to settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is \$10,000 or more but less than \$25,000.

5. The board of county commissioners, after consultation with the county risk manager and district attorney, has sole authority to settle any claim or suit for damages payable by or recoverable to the county if the amount sought in the claim or suit is \$25,000 or more.

SECTION 13. Section 65.350 of the Washoe County Code is hereby amended to read as follows:

65.350 Succession of authority. If the manager is unavailable or otherwise unable to perform his duties set forth in this chapter, the succession of authority shall be:

1. First, to the designated assistant county manager. If the designated assistant county manager is unavailable, to another

assistant county manager.

2. Second, if no assistant county manager is available, to the director of public works.

Proposed on the 16th day of February 1999.

Proposed by Commissioner Joanne Bond.


Passed on the 16th day of March 1999.

Vote:

Ayes: **Joanne Bond, Jim Galloway, Pete Sferrazza,
Jim Shaw, and Ted Short**

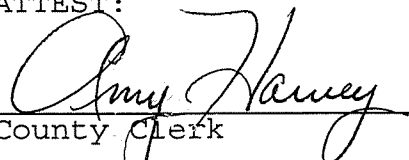
Nays:

Absent:



Chairman
Washoe County Commission

ATTEST:



County Clerk

This ordinance shall be in force and effect from and after the 31st day of March, 1999.