

SUMMARY: An ordinance amending Chapter 15 of the Washoe County Code (County Finances; Purchasing; Collections; Comptroller) by eliminating the county purchasing department and creating the purchasing and contracts division as a division of finance by eliminating the collections division of the finance department, by assigning the collections function to the Comptroller's Office and other matters properly related thereto.

BILL NO. 1603
ORDINANCE NO. 1423

AN ORDINANCE AMENDING CHAPTER 15 OF THE WASHOE COUNTY CODE (COUNTY FINANCES; PURCHASING; COLLECTIONS; COMPTROLLER) BY ELIMINATING THE COUNTY PURCHASING DEPARTMENT AND CREATING THE PURCHASING AND CONTRACTS DIVISION AS A DIVISION OF FINANCE BY ELIMINATING THE COLLECTIONS DIVISION OF THE FINANCE DEPARTMENT, BY ASSIGNING THE COLLECTIONS FUNCTION TO THE COMPTROLLER'S OFFICE AND OTHER MATTERS PROPERLY RELATED THERETO.

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

SECTION 1. Sections 15.475, 15.510, 15.520, 15.525 and 15.530 of the Washoe County Code are hereby repealed.

SECTION 2. Chapter 15 of the Washoe County Code is hereby amended by adding the following section 15.490 to read as follows:

15.490 Purchasing and contracts manager: creation; appointment; term; staff.

1. The position of purchasing and contracts manager is hereby created. The purchasing manager shall be appointed by the county manager upon recommendation of the director of finance and serves at the pleasure of the county manager. The manager shall be appointed into the unclassified service of the county.

2. The purchasing and contracts manager is the head of the division of purchasing and shall appoint, in accordance with any applicable provisions of law regulating county personnel, such technical, clerical and operating staff as required.

SECTION 3. Chapter 15 of the Washoe County Code is hereby amended by adding the following section 15.495 to read as follows:

15.495 Duties of purchasing and contracts manager. The purchasing and contracts manager shall, subject to the

provisions of Washoe County Code and applicable provisions of state law:

1. Purchase all supplies, materials, equipment and contractual services required by the agencies in annual amounts or estimated annual amounts of \$100,000 or less, and submit to the board of county commissioners for award all purchases of supplies, materials, equipment and contractual services in annual amounts or estimated annual amounts in excess of \$100,000 in accordance with the provisions of the Local Government Purchasing Act.

2. Execute non-exclusive emergency child protective shelter care agreements with individual foster homes and with organizations which provide foster homes, if the agreement meets the following:

(a) The agreement is for a term of no more than one year; and

(b) The daily rate contained in the agreement does not exceed the board approved rate.

3. Use standard specifications wherever they are applicable to purchase orders and contracts, and insure compliance with such specifications through adequate inspection of deliveries.

4. Transfer between agencies supplies, materials and equipment which are no longer needed by a holding agency but which can be used by the receiving agency.

5. Sell personal property in compliance with NRS and the Local Government Purchasing Act.

6. Develop, with the approval of the district attorney as to legal sufficiency, standard forms and conditions to invitations to bid and purchase orders and contracts, develop and prescribe the use by agencies of other forms required in carrying out the provisions of sections 15.460 to 15.505, inclusive, and amend or eliminate such forms.

7. Prepare and propose to the board of county commissioners rules and regulations regarding purchasing policies, practices and procedures not in conflict with or inconsistent with the Local Government Purchasing Act or other applicable state statutes. Such rules and regulations and amendments thereto upon approval by the board of county commissioners shall be in full force and effect and shall be adhered to by every employee and officer of the county.

8. Be responsible for administration of the county's capital assets inventory as required by sections 15.090 to 15.130, inclusive.

SECTION 4. Chapter 15 of the Washoe County Code is hereby amended by adding the following section 15.500 to read as follows:

15.500 Purpose. The purpose of sections 15.460 to 15.505, inclusive, is to secure for the county taxpayers the advantages and economies which will result from centralized control over

the expenditures of county funds for supplies, equipment and contractual services, from the application of modern businesslike methods to such expenditures, and from better utilization of the articles procured at public expense.

SECTION 5. Chapter 15 of the Washoe County Code is hereby amended by adding the following section 15.505 to read as follows:

15.505 "Agency" defined. As used in sections 15.460 to 15.505, inclusive, "agency" means any of the departments, offices or other organizational units of the county government, and any special district whose affairs and funds are under the supervision and control of the board of county commissioners and for which the board of county commissioners are ex officio the governing body.

SECTION 6. Section 15.100 of the Washoe County Code is hereby amended to read as follows:

15.100 Definitions. As used in the Property Control Ordinance:

1. "Consumable supplies" means tangible personal property which has a useful life of less than 1 year, but does not include property determined to be a high risk item.

2. "Capital assets" means tangible real or personal property which has a useful life of 1 year or more, and includes all property determined to be a high risk item. Examples of real property are land, buildings, improvements to land, buildings or leaseholds, and buildings or improvements under construction. Examples of personal property are furniture and equipment.

3. "Generally accepted accounting principles" has the meaning ascribed to it in sections 15.010 to 15.050, inclusive.

4. "High risk items" means property which is designated by the purchasing and contracts manager as being subject to a high incidence of loss.

5. "Proprietary funds" has the meaning ascribed to it in sections 15.010 to 15.050, inclusive.

SECTION 7. Section 15.120 of the Washoe County Code is hereby amended to read as follows:

15.120 Policies.

1. An annual inventory must be taken by each department of all capital assets (other than real property) which are in the department's possession in that calendar year. The inventory must be completed and a certificate signed by the responsible department head must be submitted to the purchasing and contracts manager before the start of the next calendar year.

2. The comptroller shall annually account for all capital assets not included within the inventories required by each department.

3. Every addition to the capital asset inventory must be recorded and labeled as soon as is practicable after being placed into services.

4. Any transfers of a capital asset from one department to another must be documented by the responsible department heads or their designees and reported promptly to the purchasing and contracts manager.

5. Any capital asset which no longer is useful to a department must be transferred to the purchasing division. Authorization of the purchasing and contracts manager must be obtained before the sale or other disposition of surplus personal property.

6. An inventory of all capital assets within the department must be taken upon a change in the responsible department head. Such inventory must be forwarded to the purchasing and contracts manager after the new department head accepts responsibility for the department.

7. Capital assets may be deleted from a department's inventory only after a memorandum to the purchasing and contracts manager or designated employee. The memorandum must be from the department head or a designated employee. The asset may then be deleted from the active file and moved to the inactive history file of the computer-oriented system.

8. The purchasing and contracts manager has authority to establish control over inventories of consumable supplies.

9. The comptroller and the purchasing and contracts manager will establish policies to carry out provisions of sections 15.100 and 15.120 which policies may differentiate between capital assets reported for inventory purposes and capital assets for financial reporting purposes. All policies must meet the requirements of state law, but may be more stringent than those required by state law. Policies established by the comptroller and purchasing and contracts manager shall be submitted to the board of county commissioners for review and approval.

SECTION 8. Section 15.130 of the Washoe County Code is hereby amended to read as follows:

15.130 Responsibilities: Department heads; county comptroller; purchasing and contract manager; director of human resources.

1. It is the duty of each department head to insure that his department is in full compliance with the Property Control Ordinance. Nothing in this ordinance relieves a department head

from responsibility for controlling all assets in the department's custody, regardless of cost.

2. The county comptroller shall:

- (a) Insure that documented procedures are in effect to implement the provisions of sections 15.110 and 15.120;
- (b) Notify the county manager of any noncompliance with the Property Control Ordinance;
- (c) Establish a general capital asset account group in accordance with generally accepted accounting principles; and
- (d) Maintain detailed depreciation schedules for all capital assets accounted for within a proprietary fund.

3. The county manager may, when deemed necessary, appoint a county department or employee to conduct a review of the implementation and effectiveness of the Property Control Ordinance and make a report covering the review to the manager. Such review shall concentrate on the purposes of the Property Control Ordinance, as set forth in section 15.110.

4. The purchasing and contract manager shall maintain a computer-oriented system to account for property and issue reports. The system must include a means of labeling all capital assets other than real property.

5. The director of human resources shall notify the purchasing and contract manager promptly whenever any change in department heads takes place.

SECTION 9. Section 15.162 of the Washoe County Code is hereby amended to read as follows:

15.162 Definitions. As used in sections 15.161 to 15.169, the words and terms defined in this section shall have the following meanings unless the context otherwise requires.

1. "Custodian" means the sheriff, county purchasing division, private towing or storage company or any other person which has actual custody of the found property.

2. "Finder" means any person who delivers found property to the sheriff or who directs the sheriff to the location of such property.

3. "Found property" means any property of value other than real property or fixtures thereon, which is abandoned, lost or left unattended in a public place including, without limitation, a street, alley or parking lot.

SECTION 10. Section 15.163 of the Washoe County Code is hereby amended to read as follows:

15.163 Delivery to sheriff.

1. Any person finding found property may turn such property over to the sheriff or may direct the sheriff to the location thereof.

2. If the property has an apparent value in excess of the costs of removing and storing it, the sheriff shall take possession of the property and issue a receipt to the finder acknowledging the name of the finder and the date, location and circumstances of the finding and a description of the property.

3. The sheriff may place the property in his storage facility, deliver it to the county purchasing division or deliver it to a private towing or storage company. Delivery to such a private company shall relieve the county of any further responsibility for or claim to the property except that it shall remain on the record of found property as provided in section 15.167.

SECTION 11. Section 15.167 of the Washoe County Code is hereby amended to read as follows:

15.167 Record of found property, notice to owner and disposition of property.

1. The sheriff shall keep a record of all found property which contains a description of the property, the location where it was found and the name and address of the person who found and reported it. Any person claiming to have lost property may inquire to the sheriff whether or not his property has been found by or delivered to the sheriff. The sheriff need not respond to such inquiry unless it is made with detailed identification of the property and the approximate time and location where it was lost.

2. If the identity of the owner of the property is not ascertainable from the property itself and if the owner has not claimed and identified it, the sheriff or the purchasing division, whichever has actual custody, shall attempt to locate the owner. If the property has a serial or other identifying number, the attempt shall include an inquiry of any person or agency having a record of ownership. If the owner is identified, the custodian shall attempt to notify the owner by mailing the owner a notice. The notice shall inform the owner that the property may be claimed within 30 days after mailing of the notice upon payment of any costs and expenses incurred in removing, moving and storing and that if the owner does not claim the property within the 30-day period the property may be released to the finder. The notice shall also inform the owner that failure to claim the property will not relieve the owner of liability for expenses in removing, moving and storing the property.

3. If the owner is identified and does not claim the property and pay the expenses of removing, moving and storing it within 30 days after mailing of the notice, the finder may claim the property upon payment of the expenses.

4. If the owner cannot be identified or located within 90 days after receipt of the property by the sheriff, the finder may claim the property upon payment of costs and expenses.

5. If neither the owner nor the finder claim the property and secure its release within the times specified in this section, it becomes the property of the county.

SECTION 12. Section 15.191 of the Washoe County Code is hereby amended to read as follows:

15.191 Billing and collection.

1. The board of county commissioners designates the comptroller's office as the county division responsible for the centralized billing and collection of money owed or due the county except as otherwise required by state or federal laws and regulations or county code.

2. The system may include:

(a) Centralization of part or all of billing and collection aspects of business licenses, personal property and any other activity of any of the offices of the county that involves billing for services, taxes or fees imposed by statute or ordinance, or the collection of money in payment of such billings; and

(b) Centralization of part or all of billing and collection aspects of any fine, fee, bail or forfeiture imposed by a court and any payment ordered by a court in accordance with NRS 178.3975.

3. The system shall include procedures for billing and collection. Such procedures may include all legal means and methods of billing and collection including, but not limited to:

(a) Standardized billing methods.

(b) Establishment of time periods for notice for overdue accounts.

(c) The referral of delinquent accounts receivable to credit reporting agencies.

4. All elected or appointed officers shall provide all necessary information to the comptroller's office and cooperate in all other respects with the billing and collection efforts of the comptroller's office to carry out the provisions of this section.

5. The comptroller may bill and collect for money due other state or local governmental agencies if allowed by law and upon execution of an appropriate agreement between that state or local government agency and the board of county commissioners which agreement must be conditioned upon payment to the county of the collections division's cost for billing and collection.

[\$2, Ord. No. 850; A Ord. No. 1177]

SECTION 13. Section 15.460 of the Washoe County Code is hereby amended to read as follows:

15.460 Department of finance: Creation.

1. The department of finance is hereby created.
2. The department is responsible for the functions and administration of all programs relating to finance, budget, risk management, and purchasing, and to the degree allowed by law, administrative oversight of the functions of the comptroller.

SECTION 14. Section 15.465 of the Washoe County Code is hereby amended to read as follows:

15.465 Divisions of the department of finance. The department of finance shall consist of:

1. The budget division.
2. The purchasing division.
3. The risk management division.
4. The comptroller's office.

SECTION 15. Section 15.480 of the Washoe County Code is hereby amended to read as follows:

15.480 Comptroller: Appointment; salary; duties.

1. The position of comptroller is hereby created. The comptroller, with the confirmation of the board of county commissioners, shall be appointed by the county manager. The comptroller shall be in the unclassified service of the county. The comptroller serves at the pleasure of the board.

2. The comptroller shall be the chief fiscal officer of the county and perform all the duties required of county auditors and comptrollers under chapter 251 of NRS, or any other applicable law of the State of Nevada, including the Washoe County Code.

3. The comptroller shall oversee the centralized billing and collections system as provided in section 15.191.

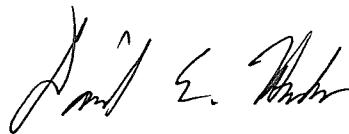
4. The comptroller shall be under the day-to-day management and administrative oversight of the county manager through the director of finance, to the extent allowed by law.

5. The comptroller's salary shall be fixed by the board of county commissioners within the range approved by the board and upon recommendation of the county manager.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the 13th day of October, 2009.
Proposed by Commissioner Larkin.
Passed on the 27th day of October, 2009.

Vote:
Ayes: Humke, Larkin, Becker, Jung, Breternitz
Nays: None
Absent: None



David E. Humke, Chairman
Washoe County Commission



ATTEST
Amy Harvey
Amy Harvey, County Clerk

This ordinance shall be in force and effect from and after
11-6, 2009.

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STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper of general circulation published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **10/31/2009 - 11/06/2009**, for exact publication dates please see last line of Proof of Publication below.

Subscribed and sworn to before me

Signed: *Tana Luotte*



Linda Anderson

NOV 06 2009

Proof of Publication

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1423 BILL NO. 1603 An Ordinance amending Chapter 15 of the Washoe CountyCode (County Finances; Purchasing; Collections; Comptroller) by eliminating the County Purchasing Departmentand creating the Purchasing and Contracts Division as aDivision of Finance by eliminating the Collections Divisionof the Finance Department, by assigning the collectionsfunction to the Comptroller's Office and other mattersproperly related thereto. (Bill No. 1603). PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance areavailable for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at heroffice at the County Courthouse, Virginia and CourtStreets, Reno, Nevada; and that said ordinance was proposed by Commissioner Larkin on October 13, 2009, andfollowing a public hearing, was passed and adopted without amendment at a regular meeting held not more thanthirty-five (35) days after the close of the hearing, i.e., atthe regular meeting on October 27, 2009, by the followingvote of the Board of County Commissioners: Those Voting Aye:David Humke, Bonnie Weber, Bob Larkin, John Breternitz, Kitty Jung Those Voting Nay: None Those Absent: None This Ordinance shall be in full force and effect from andafter November 6, 2009, i.e., the date of the second publication of such Ordinance by its title

1423 ✓

only. IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only. DATED: October 28, 2009. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 668982 Oct. 31, Nov. 6, 2009

**NOTICE OF ADOPTION
WASHOE COUNTY ORDINANCE NO. 1423
BILL NO. 1603**

An Ordinance amending Chapter 15 of the Washoe County Code (County Finances; Purchasing; Collections; Comptroller) by eliminating the County Purchasing Department and creating the Purchasing and Contracts Division as a Division of Finance by eliminating the Collections Division of the Finance Department, by assigning the collections function to the Comptroller's Office and other matters properly related thereto. (Bill No. 1603).

PUBLIC NOTICE IS HEREBY GIVEN that typewritten copies of the above-numbered and entitled ordinance are available for inspection by the interested parties at the office of the County Clerk of Washoe County, Nevada, at her office at the County Courthouse, Virginia and Court Streets, Reno, Nevada; and that said ordinance was proposed by Commissioner Larkin on October 13, 2009, and following a public hearing, was passed and adopted without amendment at a regular meeting held not more than thirty-five (35) days after the close of the hearing, i.e., at the regular meeting on October 27, 2009, by the following vote of the Board of County Commissioners:

Those Voting Aye: David Humke, Bonnie Weber, Bob Larkin, John Breternitz, Kitty Jung
Those Voting Nay: None
Those Absent: None

This Ordinance shall be in full force and effect from and after November 6, 2009, i.e., the date of the second publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the Board of County Commissioners of Washoe County, Nevada, has caused this Ordinance to be published by title only.

DATED: October 28, 2009.

AMY HARVEY, Washoe County Clerk and
Clerk of the Board of County Commissioners

No. 668982 Oct. 31, Nov. 6, 2009