

Assembly

GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

MAY 8, 1975

4-1948

MEMBERS PRESENT:

CHAIRMAN DINI  
VICE-CHAIRMAN MURPHY  
ASSEMBLYMAN CRADDOCK  
ASSEMBLYMAN HARMON  
ASSEMBLYMAN MAY  
ASSEMBLYMAN MOODY  
ASSEMBLYMAN SCHOFIELD  
ASSEMBLYMAN FORD  
ASSEMBLYMAN YOUNG

ALSO PRESENT:

Ron Aguirre  
Elinor Strong  
Dick Miles  
Robert H. Oldland  
James H. Berry  
Joe H. Latimore  
Woody Riggan

The following bills were discussed: S.B. 419, S.B. 491 and S.B. 498, A.B. 509, S.B. 535, S.B. 562).

Mr. Dini called the meeting to order. Mr. James Berry of the City of Reno testified on S.B. 419. Mr. Olin, the City Manager also testified. Their comments are that S.B. 419, as amended, does not create technical difficulty that it was intended to do in its original form. That referendum spelled out the duties and responsibilities of the city manager. In the charter adoption that occurred, it was left out. S.B. 419 was submitted to correct it. If you delete the first part they are right back where they started from. see attachment

Mr. Latimore testified. In 1963 they had a referendum and this was put in with that wording. The legislature, in the last two sessions have revised the charter and on the latest revision, this paragraph was left out. Up until July, when the new charter went into effect, this was in the charter.

Mr. Murphy moved to rescind the action for the deletion of Section 1. The motion carried unanimously.

Mr. Murphy then moved for a do pass with regard to S.B. 419, which was seconded by Mr. Harmon. The motion carried unanimously. Mr. Schofield was not present at the time of the vote.

Mr. Dini referred to S.B. 491 and S.B. 498 and indicated that some work has been done to make these two bills workable. He stated

that a motion to reconsider action was in order. Mrs. Ford moved to rescind the action of indefinite postponement. Mr. Murphy seconded the motion. The following committee members were in favor of the motion: Mr. Murphy, Mr. Craddock, Mrs. Ford and Mr. Dini. The following committee members were opposed to the motion: Mr. Moody, Mr. Young, Mr. Harmon and Mr. May.

Mr. Ogelvie testified. He stated that it requires a petition by 3/5 of residents owning property to form the board. It is an unworkable procedure to form a new town under Chapter 269. There are four areas in Clark that have requested Board of County Commissioners to establish unincorporated towns. If some revision is not made, 269 is what we are stuck with. He stated that it is very cumbersome and practically impossible to form a town with these provisions. There is no provision for expansion of an unincorporated town. It stymies the growth of any existing town. He stated that he has not had an opportunity to read S.B. 491. He requested that some consideration be given to some method by which the provisions of 269.010(2) be relaxed.

Mr. Broadbent testified next. He stated that he felt that this was the concern that the county commissioners association shares. If there is a reluctance to pass this because it is too specific, it should be amended to make it more general and to leave it up to the commissioners. They would like to expand some of the towns. It is impossible to do this now. In some areas, an unincorporated town is not wanted to be formed because there may be a tax levied on the property. He referred to the services. They felt that it would be easier and simpler to amend 491 so that there is permissive legislation to allow them to form a town board and to expand or decrease boundaries as are necessary to expand the services. There is a need for clarification. It is restrictive.

Mrs. Ford stated that she felt that there was some misunderstanding as to the intent of the bill. It does not intend to do away with the unincorporated towns. It is to strengthen that mechanism.

Mr. Broadbent stated that the people could have more authority under this bill in unincorporated towns.

Mr. May stated that he is not adverse to solving a situation. He indicated that maybe it should be for Washoe or Clark Counties only. If there is something workable, we can work on it.

Mr. Broadbent then stated that if you took page 3, section 14, line 5 through 17 and deleted that provision and then left the method of choice of the advisory town board up to ordinance by the board of town commissioners. Mr. Broadbent then discussed the bill with the committee.

Mrs. Ford stated that this was a Senate bill and that they thought that we would clean it up.

Mr. Young stated that they had met with Senator Monroe and that he said to fix it up. All of the counties had met with him.

Mr. Dini stated that it is an important bill but that the form was unworkable and all comments were against it.

Mr. Broadbent stated that he feels that regardless of whether we do it with this bill, the county commissioners have to get some language to provide that they can do something with the town board.

Mrs. Ford stated that the committee should take it under advisement.

The next bill to be discussed was A.B. 394. Mr. Dini indicated that the City of Sparks got together with Mr. Trounday. He stated that the committee had indefinitely postponed the bill. He stated that an amendment was being prepared. Mr. Dini indicated that he would like to revive this bill.

Mr. Murphy moved to rescind the indefinite postponement on A.B. 394 which was seconded by Mr. May. The motion carried unanimously.

Mr. Harmon moved for an amend and do pass which was seconded by Mr. Murphy.

Mr. Murphy moved for a rescision of the action that the committee took on A.B. 509 (indefinite postponement) which was seconded by Mr. Moody. The motion carried. Mr. Harmon voted no. Mrs. Ford and Mr. Schofield were not present at the time of the vote.

Mr. Bob Warren asked if the committee would prefer to have a subcommittee work with his people. Mr. Dini stated yes. Mr. Moody stated that he had time after the session today and so did Mr. Young. It was decided that upon the afternoon recess there would be a subcommittee meeting with regard to A.B. 509.

The next bill to be discussed was S.B. 535. Mr. C.W. Riggan testified. He stated that this bill was submitted for the benefit of the small counties. There is nothing that would allow Douglas County to take original maps off premises to have them reproduced on to a milar in order for them to use this in place of the original.

Mr. Young moved for a do pass, which was seconded by Mr. Harmon. The motion carried unanimously.

The next bill to be discussed was S.B. 562. Mr. Riggan testified. He stated that in the original bill they asked for \$50. or \$25., plus 25¢ a unit, whichever was greater. The builders objected to this. \$50.00 is not unreasonable. When the county recorders are doing the job of record keeping they should receive a fee that would be commensurate with the job they are doing. This price should be commensurate with what they must do with the documents. It is costing the counties too much money.

Mr. May asked for a written amendment on both of these bills. Mr. Riggan stated that he could do it this afternoon.

There being no further business, the meeting adjourned.

Respectfully submitted,

Barbara Gomez  
Committee Secretary

ASSEMBLY

4- 1447

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

Thursday,

Date.....May 8, 1975.....Time.....8:00 AM.....Room.....214.....

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

THE GOVERNMENT AFFAIRS COMMITTEE WILL  
DISCUSS BILLS THAT HAVE BEEN INDEFINITELY  
POSTPONED and CLEAN UP WORK ON BILLS  
THAT HAVE BEEN HEARD BEFORE THE COMMITTEE  
AND WHICH ARE PRESENTLY BEING HELD BY THE  
COMMITTEE, AND ANY ALL ALL OTHER MATTERS  
THAT THE COMMITTEE MAY WISH TO CONSIDER.

\*Please do not ask for counsel unless necessary.



Print  
-711 session  
by referendum SB419

ARTICLE III-A.  
CITY MANAGER

4-1452

Section 1. Appointment—Removal—Compensation and Bond. (1) The city manager shall be chosen by the council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth.

(2) At the time of his appointment the city manager need not be a resident of the city or state, but during his tenure of office he shall reside within the city.

(3) The city manager shall receive such salary as may be prescribed by ordinance, and shall be reimbursed for all expenses incurred in the conduct of his official duties.

(4) The city manager shall hold office at the pleasure of the council, but he shall not be removed from office until after he has been granted a public hearing on reasonable notice.

(Ch. 71, Stats. 1905 p. 98; Added—Ch. 223, Stats. 1945 p. 401; A—Ch. 83, Stats. 1951 p. 92; Ch. 317, 1953 p. 541; Ch. 323, 1961 p. 623; Ch. 242, 1963 p. 413)

Section 2. General responsibilities—Appointment and removal of officers, employees. The city manager shall be the chief executive officer and the head of the administrative branch of the city government. He shall be responsible to the council for the proper administration of all affairs of the city and to that end, subject to the civil service provisions of this charter, he shall have the power and shall be required to:

1. Appoint all officers and employees of the city and, when necessary for the good of the service, remove any officer or employee of the city except as otherwise provided by this charter and except as he may author-

ize the head of a department or office to appoint and remove subordinates in such department or office. No appointment of a head of a department or office by the city manager pursuant to this subsection shall take effect until it has been confirmed by a majority vote of all the members elected to the city council; and if the person so nominated is not confirmed, the city manager shall nominate another, and so on until the place is filled. The city council may at any time, by a majority vote of all the members elected, remove any head of a department or office appointed by the city manager.

2. Prepare the budget annually and submit it to the council and be responsible for its administration after adoption.

3. Prepare and submit to the council as of the end of the fiscal year an inventory of all city-owned property and a complete report of the finances and administrative activities of the city for the preceding year.

4. Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem to him desirable.

5. Perform such other duties as may be prescribed by this charter or required of him by the council, not inconsistent with this charter.

6. Be bonded, the amount to be determined by the council.

7. Observe the official conduct of all officers and employees of the city, especially with respect to the collection, management and disbursement of public funds. All books, papers, records and documents of the city shall be open to his inspection at all times.

8. Report any official misconduct or willful neglect of duty to the city council.

9. Give to the city council from time to time information relating to the state of the city, and recommend such measures as he deems beneficial to the city.

10. See that the general laws, the provisions of this charter, and all ordinances, rules and regulations of the city are observed and enforced.

11. See that all contracts are faithfully performed.

12. Cause such legal proceedings to be instituted or defended and may be necessary or proper to protect the interests of the city.

*(Ch. 71, Stats. 1905 p. 98; Added -- Ch. 223, Stats. 1945 p. 401; A-Ch. 83, Stats. 1951 p. 93; Ch. 323, 1961 p. 633; Ch. 85, 1967).*

**Section 3. Absence or disability.** To perform his duties during his temporary absence or disability, the city manager may designate by letter filed with the city clerk a qualified administrative officer of the city. No such designation shall take effect until it has been confirmed by a majority vote of all the members elected to the city council. In the event of failure of the city manager to make such designation, the council may by resolution appoint an officer of the city to perform the duties of the city manager until he shall return or his disability shall cease. During any vacancy in the office of the city manager, the mayor, with concurrence of city council, shall appoint an acting city manager who shall have the powers and duties of the city manager until a city manager is appointed. No member of the city

council, including the mayor, shall be appointed acting city manager.

(Ch. 71, Stats. 1905 p. 98; Added - Ch. 223, Stats. 1945 p. 401; A-Ch. 83, Stats. 1951 p. 93; Ch. 323, 1961 p. 634; Ch. 85, 1967)

#### ARTICLE IV.

#### CITY CLERK

**Section 1. Qualifications, election and term of city clerk.** There shall be a city clerk, who shall be appointed by the city council, and he shall hold office for the term of four years and until his successor has been duly appointed and qualified. Any person elected to the office of city clerk before the effective date of this amendatory act shall continue to hold office until the expiration of the term for which he may have been elected. No person shall be eligible for said office who shall not be a bona fide resident of the city for a period of at least one year next preceding his appointment, and who is not a citizen of the state, and of the age of at least twenty-one years, and a taxpayer and elector in said city.

(Ch. 71, Stats. 1905 p. 102; A-Ch. 202, Stats. 1909 p. 297; Ch. 184, 1915 p. 254; Ch. 287, 1957 p. 391; Ch. 244, 1959 p. 288; Ch. 75, 1971 p. 135)

**Section 2. Duties of city clerk.** The city clerk shall have the custody of all official bonds except his own, which shall be filed with the city treasurer. He shall have the care and custody of all books, papers, documents, the corporate seal, and all records not otherwise specially provided for. He shall be clerk of the council, attend all its meetings, whether regular or special, and record all its proceedings. He shall record in a journal all ordinances, bylaws, rules, or regulations passed or adopted by the council, which journal, after being read and approved at each regular meeting, shall be signed by the mayor and attested under the hand of the clerk. He shall countersign all licenses and permits issued to any person or officer. He shall, when required, make and certify under the seal of the city, copies of any and all papers, documents, or records in his custody, and such copies shall be prima-facie evidence of the matters therein contained, and the clerk shall have the power to administer oaths and affirmations. All claims against the city shall be filed with the clerk, who shall report upon the same, and on all matters pertaining to his office, at each regular meeting of the council, or oftener as may be required. Such reports shall be in writing and under oath. The city clerk shall keep such other records and perform such other duties as the mayor and council shall prescribe by ordinance.

(Ch. 71, Stats. 1905 p. 103; A-Ch. 223, Stats. 1945 p. 402)

**Section 3. Additional duties, clerk to be official license collector.** In