

DEBT MANAGEMENT COMMISSION BY LAWS, RULES, POLICIES AND PROCEDURES

Article I: PURPOSE AND AUTHORITY GENERAL POLICIES – COMMISSION DETERMINES POLICIES

The Debt Management Commission ("DMC" or "Commission"), pursuant to ~~under Nevada Revised Statutes ("NRS") Chapter 350 of the Nevada Revised Statutes,~~ has the is responsibility for ~~reviewing and either approving~~ determining whether to approve or disapprove ~~enying a proposal to incur debt issuance by local government entities, and is responsible for overseeing the indebtedness and debt management plans of the entities. The DMC establishes the percentage of limitation on ad valorem tax and establishes priorities among essential and non-essential facilities and services. It considers proposals by municipalities to incur general obligation debt, to enter into an installment purchase agreement with a term of more than 10 years, or to levy a special elective tax.~~ The DMC also contemplates proposals by general improvement districts to issue medium-term obligations, to borrow money, and to issue certain types of securities. Additionally, the DMC receives and considers annual statements of current and contemplated general obligation debt and special elective taxes, statements of debt management policies and plans for capital improvements, and for initiating a determination as to whether the proposed debt or special elective tax is sought to accomplish a public purpose or to satisfy a public need. (See attached Chapter 350 of NRS for further explanation).

Article II: DUTIES, COMMISSION MEMBERSHIP; MEMBER RESPONSIBILITIES, AND ATTENDANCE, AND ALTERNATE MEMBERS

1. The DMC shall consist of seven members, as follows:
 - a. One (1) representative of Washoe County;
 - b. One (1) representative of the Washoe County School District;
 - c. One (1) representative of the City of Reno;
 - d. One (1) representative of the City of Sparks;
 - e. One (1) representative of the general improvement districts (jointly); and
 - f. Two (2) representatives of the public at large.

- ~~1.2.~~ Any ~~all~~ DMC members of the Commission shall fully inform themselves concerning the requirements of NRS Chapter 350-NRS, the governing law for this Commission.

- a. 3. ~~Members shall be prompt and diligent in attendance. If in the case of any member who misses two free (2) consecutive meetings or three (3) meetings during a calendar year without an excused absence, (an excused absence is a call to the Chairman or County Clerk that they will be absent)~~ the Chairman shall contact the entity represented by the member and

request that the entity appoint another representative be chosen person to sit on the Commission. The seven (7) Commission member shall express concern for, and represent, the best interest of local government, and the public at large. **Note: An excused absence is a call or email to the Chair or County Clerk that the member will be absent.

Commented [GJ1]: Changed to be consistent w/ NRS 350.012(4)(b)

Commented [GJ2]: I'm not sure what this last sentence is meant to say.

b. Each appointing body shall maintain a procedure for appointing alternate members.

Commented [GJ3]: The enabling legislation does not provide for alternates.

e. Except as otherwise provided herein, Robert's Rules of Order as amended shall govern Commission meeting procedures when a question or controversy arises.

Commented [GJ4]: This was moved to Article VII.

Article III: PREJUDICIAL ACTIONS - COMMISSIONERS

It is the DMC's policy of the Commission that each member shall endeavor to be as completely informed as possible on each matter to be considered by the Commission. Therefore, ex parte (outside of noticed meeting) contact (communication which occurs outside of a noticed meeting) shall not automatically result in the disqualification of a contacted Commission member from discussion and/or voting on an item under consideration by the Commission.

Any member who has a financial interest in any matter under discussion by the Commission shall disclose the full nature and extent of such interest and shall declare their/his/her ability to fairly discuss, deliberate, and vote on the subject matter. A financial interest means any ownership interest, either directly or through a household member, in a matter to be considered by the Commission.

Article IV: QUORUM AND DUTIES OF COUNTY CLERK VOTING – NUMBER OF COMMISSIONERS REQUIRED TO CONDUCT BUSINESS

1. A simple majority of the members (four (4) Commissioners) shall constitute a quorum necessary to consider general matters of business.
2. Not less than two-thirds (2/3) of the full Commission, which is five (5) members, must be present to consider a matter requiring a two-thirds vote.
3. Per NRS 350.003, the County Clerk is the ex officio secretary of the Commission. The County Clerk, or designee, shall attend meetings, record the proceedings, draft agendas and minutes, distribute agendas and supporting materials, and maintain Commission records, among other duties.

Commented [GJ5]: Citation is NRS 350.012(1).

4. In the absence of the Chair~~man~~, the ex officio Secretary will open the meeting and then turn the meeting over to the Vice Chair~~man~~.

Article V: VOTING

1. For the purpose of approving a statement of policy, not less than five (5) ~~c~~Commissioners must vote in the affirmative to adopt said ~~motion~~.
2. An affirmative vote by a majority of the ~~c~~Commissioners present at the meeting is required to approve all other matters.
3. The Chair shall be a voting member.
4. The Chair may call for, or a ~~c~~Commissioner may request, a roll call vote on any ~~issue matter under consideration~~.
5. A tie vote on a matter shall automatically result in reconsideration ~~per Chapter 350 of the Nevada Revised Statutes~~ of the matter at the next scheduled ~~DMC meeting of the Commission~~, unless a member of the Commission makes a motion, which is approved by a two-thirds (2/3) vote of the Commission, to reconsider the matter at the same meeting.
6. ~~Voting shall be in reverse order with the Chairman voting to break ties.~~

Commented [GJ6]: What would be considered a "statement of policy"?

Commented [GJ7]: This would only come into play if every vote was roll-call vote.

Article VI: MEETINGS - GENERAL

1. All DMC meetings are open to the public and shall comport with Nevada's Open Meeting Law, as set forth in NRS 241.010 through 241.040, inclusive.
- ~~1.2.~~ Except in an emergency, written notice of all meetings will be given at least three working days before the meeting. The public notice will consist of the agenda and include the date, time, place and location of the meeting, among other requirements.
 - a. Each aAgenda shall be approved by the Chair~~man~~ and reviewed by ~~l~~legal coun~~sel~~ prior to ~~sending of packets to Commissioners and posting for public.~~

Commented [GJ8]: Most of this section is Open Meeting Law- which doesn't have to be spelled out in the bylaws.

b. ~~The public notice will include the following statements: "In accordance with NRS 241.020, this agenda closes three (3) days prior to the meeting date. Only items of interest and not requiring Commission action may be added to the agenda within the three-day period." The chosen place of meeting, shall be accessible to the handicapped. With 24-hour advance request a sign language interpreter may be made available (call 328-3600).~~

Commented [GJ9]: Agenda does not close 3 days before meeting— Must be posted AT LEAST 3 days before meeting. Does DMC want a deadline for adding new agenda items?

c. ~~A copy of the public notice will be posted in at least three (3) other separate prominent places within the County, readily available to the public.~~

d.b. ~~Any person who requests notice of the DMC's meetings will be advised that the request for notice will lapse after six (6) months after it is made, unless the person requests a continuance is requested in writing.~~

~~2. Regular and called meetings of the Commission shall be open to the public.~~

3. Meetings shall not be scheduled prior to fifteen (15) days of mailing of packets to the Commissioners.

Commented [GJ10]: Is this referring to supporting materials? Not all supporting materials are available 15 days before the meeting. The agenda isn't even set at that time.

~~4. Regular, special, workshop, caucus, and administrative meetings of the Debt Management Commission shall be open to the public, unless properly noticed and closed pursuant to NRS 241.030 or other applicable statute.~~

Does this board want rules about supporting materials?

Commented [GJ11]: NRS 241.030 pertains to meetings held to consider the character, competence, misconduct or physical/mental health of a person. The DMC shouldn't be considering those things, so we don't need this section.

Article VII: REGULAR MEETINGS

1. Meetings will be held in accordance with NRS Chapter 350 ~~of NRS~~. Meetings will be held each calendar ~~quarterly, four (4) times a year or five (5) times a year on odd numbered years per Chapter 350 of the Nevada Revised Statutes, or at the call of the Chair whenever business is presented, as provided in NRS 350.014 and 350.0145 (i.e., if called by a government entity, to discuss a tax levy for debt service or special elective tax to accomplish a public purpose or to satisfy a public need).~~
2. All regular DMC meetings shall be scheduled at each annual meeting in August of the Commission shall begin at 4:00 p.m. and shall be scheduled to last not more than three (3) hours. At the end of the three (3) hour time limit, the meeting can be extended by a simple majority vote of the cCommissioners present.

~~3. Should the Chairman deem it necessary, the Commission may hold an open caucus on the day prior to the regular meeting or at any other time when called by the Chairman. The purpose of the caucus shall be for the Commission to inform itself on meeting items. If a caucus is to be called, it will be noticed as part of the regular meeting public notice.~~

Commented [GJ12]: Not sure what the point of this is... When was the last time this was done? An "open caucus" must conform w/ OML requirements. So, essentially the DMC is simply holding two meetings back-to-back.

~~4.3. The Chairman may call for an alternate meeting dates and caucus dates when a scheduling conflicts arise, including but not limited to holidays.~~

~~5.4. The Commission's secretary, shall keep, available for reference at meetings, a copy of Robert's Rules of Order, a current copy of the Nevada Open Meeting Law (NRS Chapter 241); and a current copy of NRS Chapter 350 of the Nevada Revised Statutes.~~

~~6.5. Applicants shall apply for meeting dates, 30 days after submittal of a proposal.~~

Commented [GJ13]: This doesn't appear to conform with NRS 350.0145. Applicant notifies secretary and submits statement of proposal. Within 10 days, secretary gives notice of meeting, which must be held no more than 20 days thereafter.

~~Administrative or workshop meetings may be held at 3:00 p.m. prior to the regularly scheduled 4:00 p.m. meeting of the Commission.~~

~~7.6. Except as otherwise provided herein, Robert's Rules of Order, as amended, shall govern Commission meeting procedures when a question or controversy arises.~~

Article VIII: SPECIAL MEETINGS

Special meetings may be held as required, upon call of the Chairman or Acting Chairman.

Commented [GJ14]: Other boards say at the Chair's request or by written request of at least 3 commission members.

Article IX: EMERGENCY MEETINGS

1. An emergency ~~or special~~ meeting may be called by the Chair, or an emergency item may be added to any regular or special meeting when unforeseen circumstances require immediate action. ~~Unforeseen circumstances and~~ include, but are not limited to:
 - a. Disasters caused by fire, flood, earthquake, or other natural causes; or
 - b. Any material impairment of the health and safety of the public.

Article X: ORDER OF BUSINESS

1. The order of the following agenda items may be changed as necessary at the discretion of the Chair.

~~1.a.~~ Roll call and determination of q Quorum.

b. Public Comment.

~~2.c.~~ Approval of a Agenda.

Commented [GJ15]: Not necessary to include on agenda. Do we want to keep this or not?

~~3.d.~~ Review, possible amendment and approval of minutes from previous meeting.

~~4. Chairman and Commissioners' Items, (These are non-action items unless listed on the agenda for action).~~

Commented [GJ16]: Can include a standing item for Chair and Commissioners'- correspondence received, etc.

5. Administrative items.

~~6.e.~~ Business of the day (p Public hearings, etc.). Old business previously considered by the Commission_r will normally be considered before new business. Public hearings will normally be scheduled before items that do not require a public hearing.

~~7. Written communications. (These are non-action items unless listed on the agenda for action).~~

~~8.f.~~ Public comments. — (These are non-action items unless listed on the agenda for action).

g. Adjournment.

~~9.2.~~ Public Comment. Public comment on matters not specifically agendized should be limited to three (3) minutes per person. The Chair may grant further time at their discretion.

Article XI: PROCEDURES FOR BUSINESS ITEMS

A. General (for meeting items other than public hearings):

1. The Chair~~man~~ shall introduce the agenda items and then ~~the Chairman~~ call upon staff members for a presentation.
2. Speakers wishing to testify before the Commission shall sign a Request to Speak slip and deliver the slip to the rRecording sSecretary.
3. Speakers ~~may present information to the Commission with the consent of the Chairman and~~ shall limit their presentation to five (5) minutes if representing a group and three (3) minutes if speaking as an individual. Exceptions to this may be permitted if:
 - a. The Chair~~man~~ establishes a different speaking time limit prior to opening a hearing ~~to~~ for testimony; or
 - b. An individual requests permission to speak longer than the above-noted speaking limit and submits a written request to the Chair~~man~~ at least 24 hours prior to the Commission meeting. The Chair has the discretion to grant or deny such a request.
4. Persons addressing the board shall direct their comments to the Chairman Commission as a whole, and shall refrain from any personal, inflammatory or accusatory attacks toward any member of the Commission.
5. The procedure for presenting testimony at public meetings and public hearings shall be available at each regular and special meeting of the Commission.
6. Recesses, as necessary, may be called by the Chair~~man~~. In general, they should be taken at least every 2 hours.

Commented [GJ17]: Do we want to keep this requirement?

Commented [GJ18]: Do we have a written procedure for presenting testimony?

Article XII: PROCEDURES FOR THE CONDUCT OF A PUBLIC HEARING

1. The Chair~~man~~ shall advise the audience of general hearing procedures.

2. ~~The~~ Chairman may request a show of hands of those in attendance for the agenda item under consideration, and ~~of those~~ who wish to provide testimony.
3. ~~The Ex-Officio (County Clerk) recording secretary~~ introduces the agenda item.
4. ~~The~~ Chairman opens the public hearing for the presentation of testimony.
5. Speakers will be permitted to testify in the following order:
 - a. The agenda item advocate will speak first. Following this presentation, other speakers will be heard.
 - b. Initial speakers for the agenda item under consideration are requested to provide their name, address, and their reasons for support~~ing-for~~ the agenda item.
 - c. Subsequent speakers in favor are requested to provide their name, address, and any new pertinent information not covered by previous speakers.
 - d. Initial speakers opposed to the agenda item are requested to provide their name, address and reasons for oppos~~ing-to~~ the agenda item.
 - e. Subsequent speakers ~~against opposed to~~ the agenda item are requested to provide their name, address, and any new pertinent information not covered by previous speakers.
 - f. Questions asked by speakers and dialogue addressed to individual Commissioners will be directed, and limited as necessary, by the Chair~~man~~.
6. ~~Commission~~~~The~~ Chairman closes the public hearing to the presentation of testimony.
7. Commissioners may ask questions of those who have testified or members of the audience.
 - a. At the Chair's discretion ~~of the Chairman~~, any individual may be asked to comment on any factual or procedural issues discussed during the public hearing.

8. The Chair~~man~~ calls for Commission discussion leading to a motion. If a motion is made and seconded, it shall be voted on.
9. If the original motion has been amended, the Chair~~man~~ shall call for a vote on any amendments to the motion. Following votes on amendments, the original motion will be voted on.
10. Any entity which presents a board proposal to the Commission for consideration shall first mail, or transmit by email/electronic facsimile, a copy of the proposal to any other taxing entity within Washoe County and must include all relevant debt requirements in the proposal.

Commented [GJ19]: This is the old way of doing it.

Article XIII: AMENDMENT OF BYLAWS

1. Amendment. The Debt Management Commission Bylaws, Rules, Policies and Procedures may be amended by a majority vote of a quorum at a regular meeting and become effective upon signature of the Chair.
2. Failure to Follow. If the Commission fails to follow one of its own bylaws, rules, policies or procedures, the Commission's actions are not invalidated so long as the action is in compliance with other law.

Dated: _____

10. _____ CHAIR

**WASHOE COUNTY
BOARD OF COMMISSIONERS**

**RULES OF PROCEDURE
HANDBOOK**



ADOPTED DECEMBER 18, 2018

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ARTICLE 1 - TITLE

This document shall be known as the Rules of Procedure - Washoe County Board of Commissioners.

ARTICLE 2 - PURPOSE

The purpose is to adopt a Parliamentary Authority and to establish supplemental rules of procedure for the conduct of meetings and members of the Board of County Commissioners where such rules are not inconsistent with the laws of the State of Nevada.

ARTICLE 3 - POLICY

The Rules of Procedure are not intended to legally bind the Washoe County Commission and are only for the benefit of the Commission and do not confer any rights upon third persons.

ARTICLE 4 - PARLIAMENTARY AUTHORITY

Where consistent with state law and not otherwise provided in these Rules of Procedure, the conduct of the meetings of the Board of County Commissioners shall be governed by the most recent edition of Robert's Rules of Order.

ARTICLE 5 – COMMISSION MEETING PREPARATION

- 5.1 **Commission Meeting** – Time and Location. All regular meetings of the County Commission shall be held at the times and locations specified by Washoe County Code 5.017 and in compliance with Nevada Revised Statutes (NRS) Chapter 241 Open Meeting Law.
- 5.2 **Commission Meetings** – Open to the Public. All meetings of the County Commission and of committees thereof shall be open to the public, except as provided in compliance with NRS 288.220
- 5.3 **Presiding Officer.** The Chair shall preside at meetings of the Commission and be recognized as the head of the County for all ceremonial purposes. The Chair shall have no regular administrative or executive duties. In case of the Chair's absence or temporary disability, the Vice-Chair shall act as Chair during the continuance of the absence. In case of the absence or temporary inability of the Chair and the Vice-Chair, an acting Chair selected by members of the Commission shall act as Chair during the continuance of absences. The Chair or Vice-Chair is referred to as "Presiding Officer" from time-to-time in these Rules of Procedure.
- 5.4 **Quorum.** At all meetings of the Commission, a majority of the Commission members who hold office shall constitute a quorum for the transaction of business.
- 5.5 **Meeting Item Requests.** Any Commissioner may place an item on the agenda by so requesting in a public meeting or by contacting the County Manager, all Commissioners will be advised by the County Manager as soon as reasonably possible, of any Commissioner's request to place an item on the agenda.
- 5.6 **Requests of Staff.** Commission members will not request any staff project that entails over two hours of staff work without seeking approval of the Commission through an item placed on the Board agenda. Commissioner requests that are considered on an agenda for this purpose should identify the Strategic Objective/Fiscal Goal that is related. If no Strategic Objective/Fiscal Goal is related it must be noted.

- 5.7 **Attendance.** Commission members are expected to attend all scheduled meetings. Members may be excused from meetings by complying with this section. If a member is unable to attend a scheduled meeting, the member shall contact the Chair and County Manager prior to the meeting and state the reason for his/her inability to attend the meeting. If the member is unable to contact the Chair, the member shall contact the County Manager who shall convey the message to the Presiding Officer.
- 5.8 **Special Commission Meetings.** A special meeting may be called by the Chair or upon written request of a majority of the members in accordance with the provisions of NRS 244.090
- 5.8 **Concurrent Meetings.** In the absence of extraordinary circumstances, concurrent meetings with other governmental entities should be scheduled for dates and times on which all five Washoe County Commissioners have indicated their ability to be present. However, meetings that can be attended by only three Commissioners shall not be scheduled without formal action by the Commission to approve that participation.
- 5.9 **Commission Material.** Commission members and affected staff should read the agenda material in preparation for the Commission meeting. If a Commission member needs clarification on an issue, the Commissioner should contact the County Manager, Assistant County Manager or Department Head for clarification prior to the Commission meeting, when possible.
- 5.10 **Commission Packets.** Commission members may personally pick up their agenda packets from individual offices or download the packet from the website, unless otherwise arranged by the member or further directed by the Commission.
- 5.11 **Commission Meeting Agenda.** The County Manager shall arrange a list of proposed matters according to the order of business and prepare an agenda for the Commission. After the proposed agenda has been approved by the presiding officer, a copy of the agenda and supporting materials shall be prepared for Commission members, the County Manager, County Clerk and District Attorney.
- 5.12 **Consent Agenda.** The County Manager, in consultation with the Presiding Officer, shall place matters on the consent agenda which: (1) have been previously discussed by the Commission; or (2) based on the information delivered to members of the Commission by administration can be reviewed by a Commission member without further explanation, (3) have a financial impact to the organization of \$150,000 or less; or (4) are so routine, technical or “housekeeping” in nature that passage without discussion is likely.
- 5.13 **Ordinances.** All draft ordinances will be shared with the entire Board at a minimum of twenty one (21) days prior to the proposed ordinance introduction.

ARTICLE 6 – COMMISSION MEETING PROCEDURES

6.1 Motions and Discussion

- 6.1.1 All items of business before the Commission that require the expenditure of Commission and/or administration resources shall be in the form of an affirmative motion. Affirmative motions are preferred to prevent “approval by default” of a failed negative motion.
- 6.1.2 All items requesting action and before the Commission will require a motion by one Commissioner and a second by another Commissioner to continue and be complete with an action.

6.1.3 When possible, Commission members should direct questions primarily to the County Manager, legal issues/questions should be directed to the District Attorney.

6.2 **Order of Business.** The agenda should be arranged to best serve the needs and/or convenience of the Commission and the public. The Presiding Officer may rearrange items on the agenda to conduct business before the Commission more expeditiously. The ordinary order of business is:

- 6.2.1 Salute to the Flag
- 6.2.2 Roll Call
- 6.2.3 Employee Recognition (Non-Action)
- 6.2.4 Appearance/Presentations (Non-Action)
- 6.2.5 Public Comment
- 6.2.6 Commissioners'/County Manager announcements
- 6.2.7 Proclamations/Declarations
- 6.2.8 Donations
- 6.2.9 Consent Items
 - 6.2.9.1 Includes approval of minutes of previous meetings
- 6.2.10 Standard Department Items
- 6.2.11 Public Hearing
- 6.2.12 Public Comment
- 6.2.13 Possible Closed Session – Labor Negotiations
- 6.2.14 Commissioner/County Manager Comments
- 6.2.15 Adjournment

6.3 **Closed Session.** It may be necessary to conduct closed session meetings of the Commission for the purpose of discussing Washoe County labor issues. During any closed session of the Washoe County Commission, the Caucus Room shall be reserved solely for the use of the members of the Commission and selected staff of Washoe County. No other person or persons shall access thereto, whether they be member of the press, news media or members of the public at large. These meetings will be compliant with NRS 288.220.

6.4 **Telephonic Appearance.** A Commissioner may participate telephonically in all or part of a Commission meeting if:

- 6.4.1 Prior approval is given by the Chair or presiding officer for good cause, whose approval shall not be unreasonably withheld.
- 6.4.2 All persons participating in the meeting are able to hear each other at the same time by the use of speaker phone.
- 6.4.3 Commissioner participating telephonically shall have reviewed all of the applicable material and participated in the relevant portion of the Commission meeting related to the topic to which the Commissioner is voting on.
- 6.4.4 During any meeting that a Commissioner is attending via telephone, the Chair or presiding officer shall state for the record that a particular Commissioner is attending via telephone and the reasons for such attendance.
- 6.4.5 Commissioners appearing via telephone may participate and vote during the meeting as if they were physically present at the meeting.
- 6.4.6 Commissioners appearing via telephone shall comply with all rules and procedures as if they were physically present at the meeting.

- 6.5 **Recess Due to Emergency or Disruption.** In the event of emergency, such as a fire, threatened violence, or inability to regain good order, the Chair shall forthwith declare the meeting recessed and the County Commission shall immediately leave the premises.
- 6.6 **Permission Required Addressing the Commission.** Persons, outside of scheduled public comment periods, other than Commission members and staff may be permitted to address the Commission upon recognition and/or introduction by the Presiding Officer. The Presiding Officer will acknowledge speakers at the appropriate time during the meeting. Once the Board meeting begins, members of the Board should refrain from engaging in private discussion with any non-staff member of the audience regarding any item before the Board.
- 6.7 **Voting.** The votes during all meetings of the Commission shall be transacted as follows:
- 6.7.1 The Chair has full voting authority as any other Commission member.
 - 6.7.2 All votes shall be taken by voice, except that at the request of any Commission member, a roll call vote shall be taken by the County Clerk. The order of the roll call vote shall be determined by the Presiding Officer.
 - 6.7.3 In case of a tie vote on any proposal, the motion shall be considered lost.
 - 6.7.4 In all cases of voting by other than voice vote, the County Clerk shall record the names of those voting on each side of the question and of those abstaining. In all cases of voting, it shall be sufficient for the Chair to announce, and the record reflect, whether the motion carried or failed.
 - 6.7.5 A Commissioner may only abstain from voting when he or she has a direct personal or pecuniary interest not common to other members of the Commission, which is full expressed to all other members of the Commission during the Commission meeting.
 - 6.7.6 **Exparte Communication.** A Board member will disclose on the record any exparte communication and any relevant information pertaining thereto, on an appeal (e.g., land use application appeal, work card permit appeal, etc.) that is to be decided by the Board.
- 6.8 **County Manager.** The County Manager, as the chief executive officer and head of the administrative branch of County government, or his/her designee, shall attend all meetings of the County Commission, unless excused by the Presiding Officer or Commission. The County Manager shall be responsible to the Commission for the proper administration of all affairs of the County. The County Manager shall recommend for adoption by the Commission such measures as he/she may deem necessary or expedient; prepare and submit to the Commission such reports as may be required by the body or as the County Manager deems it advisable to submit; keep the Commission fully advised as to the business of the County; and shall take part in the Commission's discussion on all matters concerning the welfare of the County. In the event that the County Manager is unable to attend a Commission meeting, the County Manager shall appoint a staff member to attend the meeting in their absence.
- 6.9 **County Clerk.** In accordance with NRS 246.060, the County Clerk shall be the Clerk of the Commission and shall record votes, keep minutes and records and all other duties required by any other law of this State

ARTICLE 7 – ADMINISTRATION

- 7.1 **Election of Officers.** The County Commissioners shall elect one of their members as Chair of the Board and another of their member as Vice-Chair of the Board, both to serve a one year term.

- 7.2 **Reconsideration.** A motion to reconsider any action taken by the Commission may be made only during the meeting at which the action was taken or at the next regularly scheduled meeting, within no more than twenty-five (25) days of the meeting at which the action was taken. A motion to reconsider must be made by a Commissioner who voted on the prevailing side of the motion being reconsidered, but a motion to reconsider may be seconded by any member of the Commission. A previous motion failing by virtue of a tie vote may be reconsidered upon motion of any Commissioner. If a motion for reconsideration relates to an item requiring legal notice, only the motion itself shall be debated and, if passed, reconsideration of the item continued to a future date to allow for the provision of legal notice.
- 7.3 **Board Correspondence.** When a Board member sends out correspondence stating that Board member's official position regarding a constituent complaint or other County issue, a copy of said correspondence, either paper or electronic, will be retained on file in the Office of the County Manager and copies sent to the other Board members.
- 7.4 **Commission Evaluation.** The County Commission will do a self-evaluation every six months
- 7.5 **Commissioner Travel.** Each Commissioner, as a general rule, will be allocated 20% or 1/5 of the annual Commissioner travel/training budget for professional development and attending training and conferences. That amount may be modified based on Commissioners who have been appointed to boards and committees that require travel at the local, state and federal level that may require County financial support.
- 7.6 **Commissioner Auto Expense.** Each Commissioner will submit their individual mileage reimbursement log related to business travel via their personal automobile on a quarterly basis as a minimum with a mandatory 4th quarter deadline of June 30th of each year to align with fiscal budgets.

ARTICLE 8 – BOARDS AND COMMISSIONS

- 8.1 **Board Member Appointment to Certain Boards.** Unless otherwise prescribed by regulation, Board member appointment to boards and committees is limited to two consecutive terms as defined by the respective board or committee. In the event a Board member has served two terms on one of the above Boards, and no other Board member wishes to serve on the Board, then the Board member can be reappointed to the Board for another term. Notwithstanding the above, preference for appointment to TRPA shall be given to the Commissioner whose district includes the Tahoe Basin.
- 8.2 **Terms of Service of County Appointees on Boards.** Except as otherwise provided herein, the limit of service for an individual appointed to a board is two consecutive terms. The limit of service for an individual appointed to a Citizens Advisory Board is three consecutive terms. An individual filling an unexpired term with $\frac{3}{4}$ or more of that term remaining shall be considered as having served for a full term. An additional term may be considered for an individual's appointment if there are no other qualified applicants. Consideration should be given to assuring broad County wide representation on boards. Appointments are not to be limited to individuals from the unincorporated area unless otherwise specified or intended by law.
- 8.3 **Resignations of County Appointees from Boards.** A resignation by an appointee from a County board shall be in writing, addressed to the Board of County Commissioners and filed with the Washoe County Clerk. The resignation is final and effective when received by the Clerk and cannot be withdrawn by the appointee after that time.

ARTICLE 9 – COMMISSION COMMUNICATIONS

- 9.1 **Overview.** All letters, memoranda, and interactive computer communication involving Commissioners which relates to the conduct of government or the performance of any governmental function are public records.
- 9.2 **Written Communication.** Written correspondence received by the Commission, addressed to the Commission as a body will be provided to all Commission members, and a record kept according to the County's records and retention schedule.
- 9.3 **Electronic Communications.** Commission members shall avoid email/text exchanges which ultimately involve three or more Commission members.
- 9.4 **Commissioner Communication.** A Commission member or staff may send an informational email to the entire Commission without creating a meeting subject to the Open Meeting Law. The sender must make clear in the communication that the email is informational only and that no response should be made to all included on the communication.
- 9.5 **Commissioner to Commissioner Communications.**
- 9.5.1 County Commissioners are committed to demonstrating open, honest, and respectful communications with each other, staff and public we all serve.
- 9.5.2 Communication among Commissioners outside of public meetings shall comply with the Nevada Open Meeting Law.
- 9.5.3 The Chair, or in his/her absence, the Vice-Chair, will address any issues or concerns regarding communication protocols involving other Commissioners.
- 9.6 **Commissioner to Staff Communications.**
- 9.6.1 The Board holds the County Manager accountable to exercise the authority and responsibility to manage County staff, and in order to provide for effective communication and direction to staff, Commissioners will go through the County Manager or Assistant County Managers to request staff assistance or to give staff direction in appointed departments. Commissioners will go through elected department heads with any requests in their areas of responsibility. In the event of an emergency that will not permit a Commissioner to go through the Manager or Assistant Managers, Commissioners may request staff assistance or provide limited direction to Department Heads, with a copy to the County Manager as soon as it is reasonably possible.
- 9.6.2 In no case should individual Commissioners give direction to, or seek "substantial staff assistance" directly from staff other than department heads without first contacting management staff. Substantial staff assistance is defined as staff effort requiring more than one employee's time, or more than two hours. Requests for staff time exceeding this definition are covered in Article 7.5 of this document. This does not preclude Commissioners from requesting simple information or asking questions on behalf of constituents, but this should be limited, and requests should always be copied to the County Manager so that problem areas can be identified and efficiency and accountability for performance can be centralized with the Manager.
- 9.6.3 In order to utilize staff resources most efficiently, Commissioners will make every effort to avoid making identical requests of multiple staff members.
- 9.6.4 In the event that a matter is confidential and cannot be communicated to the County Manager, Assistant County Managers or Department Heads, the District Attorney's office should be consulted through the Chair.

- 9.6.5 Staff members will apprise their Department Head, Assistant County Managers or County Manager, as appropriate, whenever they communicate with a Commissioner on official County business.
- 9.6.6 When a request by a Commissioner is made, staff members responsible will demonstrate thorough and responsive follow-up. Requests from Commissioners will be prioritized for action as the highest priority requests, unless identified as lower priority by the requesting Commissioner.
- 9.6.7 Staff will, as soon as possible, advise Commissioners through appropriate channels of any communications from the public, other staff, or outside agencies that may affect their districts and/or their constituents.
- 9.6.8 Staff members will use clear, accurate and timely communication to ensure that Commissioners have information they need in order to effectively fulfill their responsibilities as Commissioners.

9.7 Commissioner to Media & Constituent Communications

- 9.7.1 The Chair, Vice-Chair and/or the County Manager are the official spokespersons for the Board of County Commissioners and Washoe County and/or identify the proper subject matter expert to speak on behalf of the Commission.
- 9.7.2 Commissioner to media communications: Commissioners speaking to the media will clearly indicate whether comments that they are expressing are the official position of the Washoe County Board of Commission or represent their own personal views
- 9.7.3 Commissioners should advise the Chair, Vice-Chair and the County Manager when making comment to the media regarding policy making decisions on Commission/Washoe County related matters.
- 9.7.4 Commissioners media comment must accurately reflect the Commission’s position on the topic as determined by the Commission and in accordance with the current Washoe County Strategic Plan objectives and goals
- 9.7.5 Commissioner to Constituent communications. Any communications to constituents includes transparency communication methods, current events, and identifying the role of staff and County resources for that purpose.

ARTICLE 10 – COMMISSION LOBBYING

- 10.1 **Overview.** Washoe County has determined that in order to provide for the security and welfare of the inhabitants of Washoe County it is necessary for county officers and employees to participate in the State of Nevada’s biennial legislative process, including legislative and lobbying activities, and in so doing, those county officers are carrying out public business. The *Washoe County Lobbying Policy: State Legislature* provides guidelines and requirements that must be followed by all county officers, employees and contract lobbyists while engaged in such legislative and lobbying activities.
- 10.2 **Obligations.** County Commissioners who lobby or act as an issue expert before the Nevada State Legislature on behalf of Washoe County shall:
 - 10.2.1 Abide by all applicable Washoe County policies, including the Washoe County Lobbying Policy: State Legislature;
 - 10.2.2 Abide by all applicable Washoe County Code requirements;
 - 10.2.3 Abide by all applicable State Statutes and Nevada Administrative Code requirements;
 - 10.2.4 Abide by all policies of the Nevada State Legislature.

ARTICLE 11 – USE OF RULES


- 11.1 **Purpose.** These County Commission Rules of Procedure are designed to provide guidance for the Commission. They are not to be considered restrictions or expansions of County Commission authority. These rules have been prepared from review of many statutes, codes, court cases and other sources but they are not intended to be an amendment or substitute for those statutes, codes, court cases or other authority.
- 11.2 **Use.** No action taken by a member or by the Commission which is not in compliance with these rules but which is otherwise lawful shall invalidate such member or Commission action or be deemed a violation of oath of office, misfeasance or malfeasance. No authority other than the County Commission may enforce these rules or rely on these rules. Failure of the County Commission to follow any of these rules shall be considered a Commission decision to waive such rule. No notice of such waiver need be given.
- 11.3 **Public Use or Reliance Not Intended.** Because these rules are designed to assist the County Commission and not to provide substantive rules affecting constituents, it is expressly stated that these rules do not constitute land use regulations, official controls, “appearance of fairness rules”, public hearing rules or other substantive rules binding upon or to be used by or relied upon members of the public. These rules do not amend statutory or other regulatory (such as County Code) requirements.


ARTICLE 12 - AMENDMENTS

Amendments to the Rules of Procedure may be proposed at any regular meeting and voted upon at any succeeding meeting, provided that at least a majority affirmative vote of the membership shall be required for adoption of such amendment.

APPROVED, AMENDED, and ADOPTED this 18th day of December, 2018.

WASHOE COUNTY BOARD OF COMMISSIONERS:


By: MARSHA BERKBIGLER, Chair

Attest

Nancy Parent, County Clerk
