

A RESOLUTION REPEALING RESOLUTION 2690 AND ESTABLISHING THE PROCEDURE FOR APPOINTMENT OF PERSONS TO REPRESENT THE CITY OF SPARKS ON VARIOUS BOARDS, COMMISSIONS, OR SIMILAR GROUPS, AND PROVIDING FOR MATTERS RELATING THERETO.

WHEREAS, various boards, commissions, or similar groups have been established under state or local laws which include representatives from the City of Sparks;

WHEREAS, the appointment of persons to those entities generally requires the involvement of both the executive branch (the Mayor), and legislative branch (the Council) of Sparks government;

WHEREAS, the Council and the Mayor desire to establish a written appointment procedure that assures participation of both branches in the selection of appointees and limits the number of boards, commissions, or similar groups that one appointee may serve on.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPARKS:

Section 1. Applicability

a. General

Except as otherwise provided below, the following procedure shall be followed for the appointment of persons to represent the City of Sparks to all boards, commissions, and similar groups, including, but not limited to:

- Airport Noise Advisory Panel
- Arts & Culture Advisory Committee
- Charter Committee
- Civil Service Commission
- Enterprise Fund Advisory Committee
- Regional Planning Commission
- Reno/Tahoe Airport Authority Board of Trustees
- Sparks Citizens Advisory Committee
- Sierra Arts Foundation
- Sparks Parks and Recreation Commission
- Sparks Planning Commission
- Truckee River Fund Advisory Board
- Reno/Tahoe Airport Authority Board of Trustees
- Washoe County District Board of Health
- Western Nevada Development District

b. Exceptions

(1) If a provision in any constitution, statute, charter, regulation, ordinance, resolution, rule or agreement (heretofore or hereafter enacted) applicable to a particular board, commission, or similar

group provides for another appointment process or conflicts with this resolution, then such provision shall prevail over this Resolution.

(2) If a member of the City Council (or other public body such as the planning commission) is to be appointed ex officio to a particular body by the City Council or other public body, then the selection shall be made by a vote of the Council or other public body.

(3) The Mayor may waive or temporarily change any procedure set forth herein for a particular appointment.

Section 2. Open Applications; retention by Clerk

Any adult resident of the City of Sparks may indicate his or her desire to serve on any board, commission, or similar group of the city whose membership is appointed, in whole or in part, by the Mayor, by filing with the City Clerk at any time an application form provided on the city's website and available at the City Clerk's office for each appointment requested, setting forth the applicant's name, address and telephone number and describing the appointment being sought and the qualifications of the applicant for the appointment. The City Clerk shall retain all such applications for two (2) years for use in filling future vacancies.

Section 3. Solicitation of applications; announcement of vacancy

When a vacancy occurs on a board, commission, or similar group due to reaching the end of an appointed term, resignation, removal or death of a member, the vacancy will be announced at a minimum of one (1) Sparks City Council meeting (but preferably at three (3) or more meetings) prior to the appointment. The vacancy will also be announced on the city's website and social media channels. The announcement will provide citizens with information to allow them to apply on the city's website or to obtain an application from the City Clerk's office and will give the deadline by which the application should be received.

Section 4. Screening of applications upon vacancy

Upon the expiration of the application period set forth in Section 3 above, the City Clerk or a City Manager designee shall screen all applications received under Sections 2 and 3 above, to determine who is still interested in the appointment and who meets the minimum qualifications. A copy of all the qualified applications for the vacant position shall be sent to the Mayor.

Section 5. Selection by Mayor; ratification by council

The Mayor shall designate one (1) person to fill the vacancy on the board, commission or similar group from the qualified applicants. The Council shall thereafter promptly vote to affirm or reject the Mayor's choice. If the Council rejects the appointment, the Mayor shall designate another person from the remaining applicants and the Council shall consider ratification either at the present meeting or at the next regularly scheduled meeting of the Council.

Section 6. Commencement of selection process

Commencing before the end of the term of office of any member of a board, commission or similar group, the City Clerk or a City Manager designee, and the Mayor, shall each perform the duties and functions prescribed for them in Sections 2 through 5 above.

Section 7. Term limits; application by incumbents

When a vacancy occurs due to the expiration of the term of office of an incumbent member of any board, commission or similar group, the member whose term is expiring may apply for reappointment to said board, commission or similar group; provided, however, that the by-laws or other regulations of that group do not prohibit an additional term for that incumbent.

Section 8. Limitation on service

A person may serve on only one board, commission or similar group at a time, except as otherwise approved by the Mayor, or when the person serves ex officio or has been appointed to serve on another board, commission or similar group because of service on a board, commission or similar group for which he or she was appointed hereunder. If a person chooses an appointment to a second board, commission or similar group, without approval of the Mayor to serve on multiple boards, commissions or similar groups, the person should resign from the previous appointment within 30 days of appointment to the new board, commission or similar group.

Section 9. Nominations by Council members when no applications are on file

When a vacancy occurs and there are no applications on file with the City Clerk for the particular board, commission or similar group, after the solicitation of application per Section 3 above, the Mayor shall so inform the City Council and thereafter within ten (10) days of such notification each council member may nominate up to three (3) people to fill the vacancy that exists. Each such person nominated by a council member shall within three (3) days complete and file an application form as described in Section 2. The City Clerk or a City Manager designee shall forward all completed applications to the Mayor for his consideration in accordance with provisions of Sections 4 and 5 above.

Section 10. Resolution 2690 is hereby repealed.

Section 11. Effective Date

This Resolution shall be effective upon passage.

Section 12. Business Impact

The Council determines that this resolution does not impose any direct and significant economic burden on a business nor is it likely to directly restrict the formation, operation or expansion of a business within the meaning of NRS Chapter 237.

Section 13. General Provisions

The officers of the City are hereby authorized and directed to take all action necessary to effectuate the provisions of this resolution. The provisions of this resolution shall be liberally construed to effectively carry out its purposes. In the event that any provision in this resolution is deemed void, invalid or unenforceable by a court of competent jurisdiction, then such offending provision shall be severed from this resolution and all the remaining provisions shall remain in full force and effect.

PASSED AND ADOPTED on this _____ day of _____, 2017, by the following vote of the City Council:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

APPROVED this _____ day of _____, 2017

Geno Martini, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

By _____
Teresa Gardner, City Clerk

By _____
Chester Adams, City Attorney