

SENATE BILL NO. 101—SENATORS MATHEWS
AND WASHINGTON

FEBRUARY 19, 2007

Referred to Committee on Government Affairs

SUMMARY—Amends the Charter of the City of Sparks.
(BDR S-335)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the City of Sparks; authorizing the City Council to employ Special Counsel under certain circumstances; revising certain provisions governing the qualifications of members of the Civil Service Commission; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill authorizes the City Council of the City of Sparks, by majority vote, after conducting a public hearing, to employ attorneys to perform any civil or criminal duty of the City Attorney. **Section 1** further provides that those attorneys are responsible only to the City Council and that the City Attorney does not have any authority over the employment of an attorney hired by the City Council pursuant to this section of the bill.

Section 2 of this bill amends the Sparks City Charter to prohibit a person from serving as a member of the Civil Service Commission if the person is: (1) an employee of the City of Sparks; (2) serving as an appointed member of any other board, commission or committee of the City; or (3) related within the third degree of consanguinity or affinity to a person who is an employee of the City of Sparks. (Sparks City Charter § 9.010) **Section 3** of this bill exempts current members of the Civil Service Commission from these provisions until their current terms expire.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The Charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, at page 724, is hereby amended by adding thereto a new section to be designated as section 3.055, immediately following section 3.050, to read as follows:

Sec. 3.055 Employment of Special Counsel. The City Council may, by majority vote, after conducting a public hearing, employ attorneys to perform any civil or criminal duty of the City Attorney. Such attorneys are responsible only to the City Council, and the City Attorney shall have no responsibility or authority concerning the subject matter of such employment.

Sec. 2. Section 9.010 of the Charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, as last amended by chapter 350, Statutes of Nevada 1987, at page 791, is hereby amended to read as follows:

Sec. 9.010 Civil Service Commission: Appointment; *qualifications*; removal; compensation.

1. There is a Civil Service Commission consisting of five residents of the City who must be appointed by the Mayor, subject to confirmation by the City Council. They shall serve terms as established by ordinance.

2. *A person may not serve as a member of the Commission if he is:*

(a) An employee of the City;

(b) A member of the City Council or an appointed member of any other board, commission or committee of the City; or

(c) Related within the third degree of consanguinity or affinity to a person who is an employee of the City.

3. Every person appointed as a member of the Commission shall, before entering upon the duties of his office, take and subscribe the oath of office prescribed by the Constitution of this State, and file it, certified by the officer administering it, with the Clerk of the City.

~~3.~~ 4. Any member of the Commission may be removed by a majority vote of the Commission for cause, including the failure or refusal to perform the duties of the office, the absence from three successive regular meetings of the Commission, or ceasing to meet any qualification for appointment to the Commission as *set forth in this section or* provided by the City Council.



1 ~~[4.]~~ 5. Vacancies on the ~~{Civil Service}~~ Commission
2 from whatever cause must be filled by appointment by the
3 Mayor, subject to confirmation by the City Council.

4 ~~[5.]~~ 6. The City Council shall provide the services of
5 such employees as are necessary to enable the ~~{Civil Service}~~
6 Commission to carry out its duties in a timely and proficient
7 manner.

8 ~~[6.]~~ 7. The City Council shall provide by ordinance the
9 amount of compensation each member of the ~~{Civil Service}~~
10 Commission is entitled to receive for each full meeting he
11 attends.

12 **Sec. 3.** The amendatory provisions of section 2 of this act do
13 not apply to the current term of a person who is a member of the
14 Civil Service Commission on October 1, 2007.

