

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

OCTOBER 28, 2014

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson*
Marsha Berkgigler, Commissioner
Kitty Jung, Commissioner
Vaughn Hartung, Commissioner (Via Telephone)

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 10:05 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

Chairman Humke explained Commissioner Weber's absence was due to her attendance at a Regional Transportation Commission (RTC) event.

14-0908 AGENDA ITEM 3 - PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole."

Stuart Mackie stated his concerns about the Truckee River Operating Agreement (TROA) and the Truckee Meadows Water Authority (TMWA). He said TMWA should be regulated by the Public Utilities Commission (PUC). He thought the Board was creating an illegal enterprise and not allowing fair hearings for people who owned water rights. He said only the State had the power to transfer water.

James Kozera expressed frustration that he could not vote for any City of Reno offices as a resident of Cold Springs.

Alex Fuller provided some handouts, which were placed on file with the Clerk. He asked the Board to reconsider the decision regarding the Request for Proposal (RFP) for office supplies, which was made during a previous Board meeting. He said staff recommendation was to award the RFP to multiple vendors; however, the Board

chose to award the highest and least experienced bidder, It's My Community Store. He said the decision would cost County taxpayers more than \$30,000. He talked about Office Depot/Max's long relationship with the County and said the company employed more than 80 County residents.

10:14 a.m. Commissioner Hartung's telephone connection was lost during Mr. Fuller's comments.

Sam Dehne wondered why the *Reno Gazette Journal* (RGJ) did not have to comply with the Open Meeting Law. He said he filed a complaint against RGJ with the Attorney General's office.

14-0909 **AGENDA ITEM 4 – ANNOUNCEMENTS**

Agenda Subject: "Commissioners'/Manager's announcements, reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to. Requests for information, topics for future agendas and any ideas and suggestions for greater efficiency, cost effectiveness and innovation in County government. (No discussion among Commissioners will take place on this item.)"

Commissioner Jung said she would be meeting with the Mayors of both Reno and Sparks regarding the Community Assistance Center Transitional Governing Board. She announced she was appointed as Chairperson to the District Board of Health and said the Health District would be partnering with area hospitals to identify goals and create a strategic plan based on the health of the community. She said obesity was the primary focus, but they were also looking at tobacco usage. She said the Open Space and Regional Parks Commission meeting was cancelled because of Election Day and the Truckee Meadows Water Authority (TMWA) Board was going to create an informational campaign about drought.

Commissioner Berkbigler reported the Tahoe Regional Planning Agency (TRPA) was working on the completion of the stateline-to-stateline bike trail. She said the Tahoe Transportation District was working on a location for the bike trail in Crystal Bay and would be doing some fund raising for it. She said the TRPA would also be discussing the Martis Creek growth plan because a California development was being proposed that would impact the visual beauty of Lake Tahoe and affect traffic in Crystal Bay and Incline Village.

10:25 a.m. Commissioner Hartung returned to the meeting via telephone.

Commissioner Hartung said he wanted to remind everyone that the Truckee Meadows Water Authority (TMWA) was owned by three entities. He said the Board was reviewing plans for water conservation in the future and planning for anticipated growth.

10:27 a.m. Commissioner Hartung's telephone connection was lost.

Chairman Humke said the Investment Committee met and reported County investments were strong. He said the Nevada Association of Counties (NACO) would be meeting on Nevada Day, which would be the 150th anniversary of the State. He reported Elko County Commissioner Grant Gerber passed away and suggested the Board adjourn the meeting in his memory. He stated the Regional Transportation Commission (RTC) would be receiving the Federal Tiger Grant and he thanked Senator Reed, Senator Heller and Congressman Amodei for their service to the State. He said the Reno Sparks Convention and Visitors Authority (RSCVA) Board met and reviewed the President and CEO services, which were continued. He said the Washoe County Stadium Authority had not met yet.

John Slaughter, County Manager, announced a Nevada Sing event would be held at 10:00 a.m. on Thursday, October 30th. He said County employees, staff, Commissioners and the public were invited to meet in Chambers to participate in the celebration of Nevada's sesquicentennial (150th year). The State was hoping to set a record for the most people in the United States to sing their state song at once.

Nancy Parent, County Clerk, noted there were technical difficulties with Commissioner Hartung's telephone connection and said he would monitor the meeting and call in when he had something to say.

Chairman Humke asked the County Manager to review Mr. Kozera's concerns regarding issues with voting and Mr. Fuller's concerns regarding the office supply contract. He asked for a report back to the Commission on both issues.

Commissioner Berkbigler reported Assemblyman Pete Livermore passed away and she asked for a moment of silence, which was observed.

14-0910 AGENDA ITEM 15

Agenda Subject: "Introduction of new Washoe County Employees."

Chairman Humke invited 11 new Washoe County employees to come forward and introduce themselves to the Board:

Darcy Chappel, Social Services Department; Dianna Karlicek, Environmental Health; Candice Prosser, Juvenile Services; Virginia McDonald, Health Department; Elizabet Munoz, Health Department; Tania Ewing, Community Services; Jackie Ivanchich, Manager's Office; Jennifer McCauley, Clerk's Office; Jonathan Lujan, Clerk's Office; Janet Caviezel, Sheriff's Office; Joyce Garrett, Comptroller's Office.

Commissioner Berkbigler thanked John Slaughter, County Manager, for bringing the new employees forward so they could meet the Board.

There was no public comment on this item.

14-0911 AGENDA ITEM 6

Agenda Subject: “Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses--Human Resources.

John Slaughter, County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

Essentials of Personal Effectiveness

Steve Gresko, Criminalist

Drema Smith, Deputy Clerk III

There was no public comment on this item.

14-0912 AGENDA ITEM 7 - PROCLAMATION

Agenda Subject: “Proclamation--October as Breast Cancer Awareness Month. Requested by Commissioner Berkgigler.”

Commissioner Berkgigler read and presented the Proclamation to Niki Patin, Executive Director of Susan G. Komen Foundation of Northern Nevada.

Ms. Patin thanked the Board for their support. She said the Foundation just completed their 16th annual Race for the Cure. She said one woman in eight would be diagnosed with breast cancer and 75 percent of the funds collected by the Foundation stayed in northern Nevada to fund local programs.

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Hartung and Commissioner Weber absent, it was ordered that Agenda Item 7 be adopted.

14-0913 AGENDA ITEM 8 – PROCLAMATION

Agenda Subject: “Proclamation--November 2014 as Family Caregivers Month. (Senior Services.)”

Commissioner Jung read and presented the Proclamation to Dr. Larry Weiss, Director of the Center for Healthy Aging; Barry Gold, Director of Governmental Relations for the American Association of Retired Persons (AARP); and, Grady Tarbutton, Senior Services Director.

Commissioner Jung reported there was discussion at a recent Continuum of Care meeting about the issue of inadequate respite for caregivers and how that affected the health of those being cared for. She said the issue would be part of the legislative agenda for the next session.

Mr. Tarbutton thought it was important to recognize the contributions that caregivers made to their families and to the community. He wanted to remind caregivers that Senior Services was a good place to start with questions about aging. He said Senior Services had an aging/disability resource center and could help caregivers with access to services, information about group homes and assisted living facilities. He said they could also provide information about Medicare, Medicaid and Veterans benefits. He said some case managers went into homes to provide assistance and he talked about the Daybreak Program, which provided essential care to people who were severely disabled.

Dr. Weiss said the Center for Healthy Aging provided critical training to caregivers around the State. He reported more than 40 percent of caregivers died before the person they were caring for.

Mr. Gold thanked the Board for the recognition and said caregivers performed complex medical tasks with little or no training, so it was important to support them.

In response to the call for public comment, Sam Dehne said he was a caregiver for many years and performed concerts for seniors and Veterans.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Weber absent, it was ordered that Agenda Item 8 be adopted.

14-0914 AGENDA ITEM 9 – RESOLUTION

Agenda Subject: "Resolution--Celebrating Tahoe Fund for the Nevada Stateline to Stateline Bikeway Project. Requested by Commissioner Berkbigler."

Commissioner Berkbigler read and presented the Resolution to former County Manager, Katy Simon and Amy Berry, CEO of the Tahoe Fund. She said it was important to reduce traffic at Lake Tahoe by increasing bike access.

Ms. Berry explained the Tahoe Fund was created to inspire the private community to work together with public agencies to make great projects happen. She said County dollars were going to help fund the most spectacular three miles of bike path in the County and that the groundbreaking would take place in May.

There was no public comment on this item.

On motion by Commissioner Berbigler, seconded by Commissioner Jung, which motion duly carried with Commissioners Weber and Hartung absent, it was ordered that Agenda Item 9 be adopted.

14-0915 AGENDA ITEM 10 – RESOLUTION

Agenda Subject: “Resolution--Supporting Wild Horse and Burro Protection in Northern Nevada. Requested by Chairman Humke.”

John Slaughter, County Manager, said there was a request to remove this agenda item and move it to a future agenda.

There was no public comment or action taken on this item

14-0916 AGENDA ITEM 11 – RESOLUTION

Agenda Subject: “Resolution--In support of Ending Veteran Homelessness. Requested by Chairman Humke.”

Chairman Humke read and presented the Resolution to Robin Mason, US Air Force Veteran.

Mr. Mason thanked the Board and said it was a momentous event because, through collaboration with Reno and Sparks, Washoe County was on track to reduce Veteran homelessness to zero by 2016.

11:06 a.m. Commissioner Hartung returned to the meeting by telephone.

In response to the call for public comment, Sam Dehne spoke about his military service. He said corporations should not receive any Federal money until all Veterans had food and shelter.

On motion by Commissioner Berbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 11 be adopted.

11:10 a.m. Commissioner Hartung's telephone connection was lost.

14-0917 AGENDA ITEM 12 – RESOLUTION

Agenda Subject: “Resolution--In support of Prescription Drug Take Back. Requested by Chairman Humke.”

Chairman Humke read and presented the Resolution to Undersheriff Tim Kuzanek, Reserve Lieutenant Deputy Teresa Aquila and Reserve Sergeant Carlos Bonilla. He said he witnessed Reserve Lieutenant Deputy Aquila collecting prescription

drugs at a Raley's Supermarket and he thought it was a great service, which kept drugs out of the wrong hands and out of the disposal system.

Deputy Aquila commented it was a great program. She thought the Sheriff's Office did an exceptional job and she thanked the Board for the Resolution.

Undersheriff Kuzanek said that the men and women of the Sheriff's Office Reserves were dedicated individuals who did an outstanding job in every program that they were involved in. He explained the volunteers helped the Sheriff's Office to accomplish things that would otherwise be challenging because of limited resources. He said their commitment to doing things right was appreciated and he thanked them.

11:15 a.m. Commissioner Hartung joined the meeting by telephone.

There was no public comment on this item.

On motion by Chairman Humke, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 12 be adopted.

14-0918 AGENDA ITEM 13 – RESOLUTION

Agenda Subject: "Resolution--Recognition of Reno Mayor Robert A. Cashell Sr. and Council Members Dwight Dortch and Sharon Zadra. Requested by Commissioner Weber."

On the call for public comment, William T. Steward said he wanted to impress upon City and County leaders how important it was to work together.

Sam Dehne wondered why the City of Reno did not recognize Chairman Humke and Commissioner Weber for their service.

Stuart Mackie spoke to the Board about his concerns regarding Truckee Meadows Water Authority (TMWA) and Nevada Revised Statute Chapter 239.

Later in the meeting, after hearing the Truckee Meadows Fire Protection District agenda, the Board returned to this agenda item with Commissioner Weber present.

Commissioner Weber read and presented the Resolution to Reno City Councilwoman Sharon Zadra. She explained Reno Councilman Dwight Dortch and Reno Mayor Robert A. Cashell Sr. were unable to attend the presentation.

Ms. Zadra said it was her honor to accept the Resolution on behalf of Mayor Cashell and Councilman Dortch. She said she was blessed to work in the Region and that County staff recognized the spirit of working together. She said big and

challenging changes would be coming, but she was confident good living conditions would continue with team effort. She thanked the Board.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 13 be adopted.

CONSENT ITEMS – 14A THROUGH 14I

On the call for public comment, Sam Dehne talked about the cancellation of future Board meetings and asked if there would be any more meetings before the end of the year. He thanked Chairman Humke and Commissioner Weber for their service.

John Slaughter, County Manager, stated the remaining meetings for 2014 would be on November 12th and December 9th.

14-0919 AGENDA ITEM 14A

Agenda Subject: “Cancel November 11, November 18, November 25, December 16 and December 23, 2014 County Commission meetings.”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14A be approved.

14-0920 AGENDA ITEM 14B

Agenda Subject: “Approve a reclassification request of a vacant Office Support Specialist, pay grade H, to an Administrative Assistant I, pay grade K (Manager’s Office); a vacant Custodial Worker, pay grade B, to an Administrative Secretary Supervisor, pay grade K (Community Services Department); and a Water Rights Manager, pay grade P, to a Water Management Planner Coordinator, pay grade P (Community Services Department), as evaluated by the Job Evaluation Committee. Net annual cost [estimated at \$44,157]--Human Resources. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14B be approved.

14-0921 AGENDA ITEM 14C(1) - ASSESSOR

Agenda Subject: “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2012/2013, 2013/2014, 2014/2015 secured tax

roll and authorize Chairman to execute the changes described in Exhibit A and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease \$43,904.92]. (Parcels are in various Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14C(1) be approved, authorized and directed.

14-0922 AGENDA ITEM 14C(2) - ASSESSOR

Agenda Subject: “Approve roll change requests for errors discovered for the 2014/15, 2013/14, 2012/13, and 2011/12 unsecured tax rolls and authorize Chairman to execute the Order and further direct the Washoe County Treasurer to correct the error(s) and notify the taxpayer if an adjustment to the tax bill is necessary [cumulative amount of reduction \$25,233.39]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14C(2) be approved, authorized and directed.

14-0923 AGENDA ITEM 14D(1) - COMMUNITY SERVICES

Agenda Subject: “Request that the Chair appoint, and the Board of County Commissioners approve the appointment of, Mr. Clay Thomas to the Washoe County Board of Adjustment representing District 3 for a term beginning on appointment and ending June 30, 2017, or until such time as a successor is appointed. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Mr. Clay Thomas (District 2) be appointed to the Washoe County Board of Adjustment representing District 3 for a term beginning on appointment and ending on June 30, 2017, or until such time as a successor is appointed.

14-0924 AGENDA ITEM 14D(2) – COMMUNITY SERVICES

Agenda Subject: “Approve Interlocal Agreement Regarding Regional Road Impact Fees Pursuant to NRS Chapter 277 and Chapter 278B between Washoe County, the Cities of Reno and Sparks and the Regional Transportation Commission for the

continuation of the Regional Road Impact Fee Program. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14D(2) be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

14-0925 AGENDA ITEM 14D(3) – COMMUNITY SERVICES

Agenda Subject: “Approve a Revocable License Agreement between New Cingular Wireless PCS, LLC, a Delaware Limited Liability Company (“Licensee”), and Washoe County (“Licensor”) to allow New Cingular Wireless PCS, LLC to occupy a small portion of the property at 625 Mt. Rose Highway, for the purposes of locating, equipping and providing cellular connectivity equipment and services for area residents for an initial ten year term commencing upon certificate of occupancy. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14D(3) be approved.

14-0926 AGENDA ITEM 14E(1) – MANAGER

Agenda Subject: “Acknowledge Receipt of Reno Justice Court Minimum Accounting Standards Audit Report from the Internal Audit Division. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14E(1) be acknowledged.

14-0927 AGENDA ITEM 14E(2) – MANAGER

Agenda Subject: “Approve 2014 Department of Homeland Security (DHS) Sate Homeland Security Program (SHSP) grant passed through the State of Nevada, Division of Emergency Management [\$75,000] for a Continuity of Operations and Continuity of Government project; no match required; [\$10,589] for non-County travel for attendance to Planning and Training events; retroactive from September

1, 2014 through March 31, 2016; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14E(2) be approved and directed.

14-0928 AGENDA ITEM 14F(1) – SENIOR SERVICES

Agenda Subject: “Authorize the purchase of coffee and associated supplies for Department of Senior Services morning coffee service at all Senior Centers [not to exceed \$15,000] for fiscal year 2014/2015. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14F(1) be authorized.

14-0929 AGENDA ITEM 14F(2) – SENIOR SERVICES

Agenda Subject: “Accept the resignation of Donna Clontz from one of the two Senior Services Advisory Board District 1 Member appointments; appoint Dr. Larry Weiss to the vacancy created by the resignation, and appoint Ms. Clontz to the Advisory Board Alternate Membership vacancy created by Dr. Weiss’ appointment, for the balance of the terms of both positions through September 30, 2017. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered to accept the resignation of Donna Clontz from one of the two Senior Services Advisory Board District 1 member appointments; appoint Dr. Larry Weiss to the vacancy created by the resignation and appoint Ms. Clontz to the Advisory Board Alternate Membership vacancy created by Dr. Weiss’ appointment, for the balance of the terms of both positions through September 30, 2017.

14-0930 AGENDA ITEM 14G(1) - SHERIFF

Agenda Subject: “Approve a grant award from the State of Nevada, Department of Public Safety, Office of Criminal Justice Assistance (OCJA) 2014 Paul Coverdell Forensic Science Improvement (FSI) grant [\$18,000, no County match required] to provide travel and training for staff; grant period is retroactive to 10/1/14 through

9/30/15; and authorize Comptroller's Office to make necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14G(1) be approved and authorized.

14-0931 AGENDA ITEM 14G(2) - SHERIFF

Agenda Subject: “Approve the Joining Forces 2015 grant from the Nevada Office of Traffic Safety (OTS) to cover overtime costs related to conducting Traffic Enforcement Checkpoints and events and for limited travel expenses, [\$99,000, no cash match required; 25% in-kind match required]. Grant term is retroactive to 10/1/14 through 9/30/15; and direct Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14G(2) be approved and directed.

14-0932 AGENDA ITEM 14H - SENIOR SERVICES

Agenda Subject: “Accept cash donations [\$2,074.08] for the period of July 1, 2014 through September 30, 2014 for the first quarter of FY 14/15; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)”

Commissioner Jung said the donations were going to the Senior Services revenue fund and though many of them were anonymous, she noted there was one from United Way and another one made in memory of Bernie Minogue.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14H be accepted and directed.

14-0933 AGENDA ITEM 14I – SOCIAL SERVICES

Agenda Subject: “Accept cash donations [\$1,912.26] for the period of July 1, 2014 through September 30, 2014; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

Commissioner Jung explained this donation would go to the Kid's Cottage emergency fund for their emergency shelters and to families who were clients of the Department of Social Services. The program also allowed jurors to donate their fees to Child Protective Services, which amounted to \$1,552.26 in the previous quarter. She thanked the jurors for their generosity.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 14I be accepted and directed.

BLOCK VOTE – AGENDA ITEMS 18, 19, 20, 21, 22 & 23

14-0934 AGENDA ITEM 18 - COMPTROLLER

Agenda Subject: “Recommendation to approve the removal of uncollectible accounts receivable [totaling \$977,792.56]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 18 be approved.

14-0935 AGENDA ITEM 19 – HUMAN RESOURCES

Agenda Subject: “Recommendation to approve a settlement agreement dismissing Supreme Court Case no. 66249 and Second Judicial District Court case number CV13-02479, both brought by the Washoe County Sheriff's Supervisory Deputies Association (WCSSDA) and Washoe County Sheriff's Deputy Association (WCSDA), by amending the collective bargaining agreements between the County and Associations to provide a .75% wage increase to employees represented by the WCSSDA and WCSDA effective January 1, 2015, and a one-time payment of \$1,250 for current employees represented by the WCSSDA and WCSDA and covered by the WCSSDA and WCSDA collective bargaining agreements who were so employed and represented on July 1, 2011 – payment to be made on or before December 1, 2014. The fiscal impact associated with this action is estimated at \$313,200 for the .75% wage increase and \$442,500 for the one-time payment of \$1,250 for a total fiscal impact of \$755,700. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 19 be approved.

14-0936 AGENDA ITEM 20 – SOCIAL SERVICES

Agenda Subject: “Recommendation to approve a 2013 Continuum of Care Grant from the United States Department of Housing and Urban Development (HUD) [\$112,787; cash match up to \$52,704] retroactive to August 1, 2014 through July 31, 2015 to provide housing and supportive services to homeless individuals; authorize the Subgrant agreement for Continuum of Care services between Washoe County and Volunteers of America-Greater Sacramento and Northern Nevada, Inc., [not to exceed \$165,491]; approve resolution necessary for same; and direct the Comptroller’s Office to make the appropriate budget adjustments (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 20 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0937 AGENDA ITEM 21 – COMPTROLLER/MANAGER

Agenda Subject: “Recommendation to approve the May 14, 2014 recommended revisions to the Washoe County Evacuation Policy and Procedures and rename the policy to the Washoe County Emergency Action Plan Policy. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 21 be approved.

14-0938 AGENDA ITEM 22 - MANAGER

Agenda Subject: “Recommendation to approve a 2014 Department of Homeland Security (DHS) State Homeland Security Program (SHSP) grant passed through the State of Nevada, Division of Emergency Management [\$112,500] for sustainment to a school crisis planning project; no match required; [\$21,950] for non-County travel for attendance to Planning and Training events; retroactive from September 1, 2014 through March 31, 2016; and direct the Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 22 be approved and directed.

14-0939 AGENDA ITEM 23 - MANAGER

Agenda Subject: "Recommendation to approve a 2014 Department of Homeland Security (DHS) State Homeland Security Program (SHSP) grant passed through the State of Nevada, Division of Emergency Management [\$155,000] for a Public Information/Public Warning Project; no match required; [\$34,520] for non-County travel for attendance to Planning and Training events; retroactive from September 1, 2014 through March 31, 2016; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)"

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 23 be approved and directed.

11:33 a.m. The Board of County Commissioners adjourned and convened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD).

12:12 p.m.* Commissioner Weber arrived during the Fire Board meeting.

1:30 p.m. The Board of Fire Commissioners adjourned and reconvened as the Board of County Commissioners with all members present.

14-0940 AGENDA ITEM 16

Agenda Subject: "Recommendation to adopt a Resolution declaring the intent of Washoe County, Truckee Meadows Fire Protection District and Sierra Fire Protection District to withdraw all use of the property commonly known as the Boomtown Fire Station, APN 038-120-10, including of all improvements, and relinquish all rights thereto back to the owner, PNK Development 7 LLC, due to the relocation of the fire station to the new Mogul location at 10201 W. Fourth Street; and other matters properly related thereto. (Commission District 5.)"

Fire Chief Charles Moore said this Resolution formally gave what had been the Verdi Fire Station, including all improvements, back to the PNK Development 7 LLC.

Commissioner Hartung asked if the District was walking away from things that could be used elsewhere. Chief Moore said all of the reusable equipment was transferred to the new station.

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 16 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

1:35 p.m. The Board recessed.

2:39 p.m. The Board reconvened with Commissioner Hartung absent.

14-0941 AGENDA ITEM 17 – HEALTH DISTRICT

Agenda Subject: “Presentation on Enterovirus D68 and Ebola Preparedness Activities.”

Kevin Dick, District Health Officer, provided some handouts which were placed on file with the Clerk. He talked about the national outbreak of the Enterovirus D68. He said the virus was confirmed in 47 states and in the District of Columbia, but had not been confirmed in Nevada. He explained treatment for the Enterovirus was the same as for other viruses, and that lab results usually came back after patients were already in recovery.

Mr. Dick also spoke about the Ebola Virus, stating the Health District was actively working with hospitals, health care facilities, emergency medical service (EMS) agencies and law enforcement to prepare for any suspected Ebola cases. He said there was one person in the community whose travel activity put them at risk of contracting the disease. That individual was participating in an active monitoring program and was not showing any symptoms.

He reported the Centers for Disease Control and Prevention (CDC) announced they were going to begin screening all passengers who were traveling from west African countries where Ebola outbreaks occurred and that incoming flights from those countries would be limited to arrival at five designated airports. He said passengers would provide information about their travel plans during the twenty-one day incubation period and the Health District would be alerted about any individuals who would be traveling to Washoe County so they could be monitored for symptoms.

Mr. Dick said the Health District had set up a command structure in order to manage any outbreaks that might occur and said the Governor established a State task force. He thought people should compare the risk of contracting the Ebola virus to the risk of contracting influenza because there were only four confirmed cases of Ebola in the Country, but every year tens of thousands of deaths occurred from the flu. He said flu symptoms could be confused with those of Ebola, so it was important for people to get a flu shot to avoid the greater risk and to help alleviate potential strains on the health care system.

Chairman Humke said several states instituted their own form of quarantine. He asked Mr. Dick if he thought the Nevada Department of Health and Human Services (DHHS) would recommend a similar process to the Governor. Mr. Dick said he did not know if a quarantine process would be recommended. He said the Health District was working closely with the State and the consensus was that active monitoring was the appropriate approach to take with the one case they had, due to the individual's cooperative nature. He said quarantine was one option to consider and he had discussed the idea with Judge Hardy.

Chairman Humke asked if Mr. Dick received a legal opinion there was statutory authorization to control a person's movement if it was necessary. Mr. Dick said, under State Law, the State Health Officer could issue an order providing for 72-hour isolation and could petition the court to extend that time.

Chairman Humke asked if there were people from northern Nevada who were traveling to western Africa to offer their medical services, and Mr. Dick replied he was unaware of any. He said the Health District communicated with the University of Reno (UNR), the National Judicial College (NJC) and the School District regarding protocols and procedures and he thought there was good information being provided by the CDC as people arrived from affected countries.

Commissioner Berkbigler was curious why the CDC was taking a position that was drastically different from the military's. She wanted to know why military personnel were required to be quarantined for 21 days upon their return from affected African countries. Mr. Dick said he did not know the answer to that, but he thought it sent mixed messages. He said the Health District tried to be consistent in the way it communicated the risks. He explained the risk of transmission occurred when a person who was exposed to the Ebola virus became symptomatic. He thought it was important for people to know that a person who was just beginning to have symptoms was not as contagious as a person whose symptoms were more severe.

Commissioner Berkbigler said she appreciated that the Health District was taking a lead position on the issue and thought citizens should know the District was being proactive. She asked whether Nevada was still one of the few states without a confirmed case of the Enterovirus, and Mr. Dick confirmed that was true.

Mr. Dick said he wanted to commend the Health District's regional partners for working together to shape protocols for dealing with contagious diseases.

Chairman Humke asked Mr. Dick to come back to the Board from time to time to report on the situation.

John Slaughter, County Manager, said the Sheriff's Office and the Regional Emergency Medical Services Authority (REMSA) would be coming to the Board at a later date to provide updates on preparedness activities.

There was no public comment on or action taken on this item.

2:57 p.m. Commissioner Hartung returned to the meeting by telephone.

14-0942 AGENDA ITEM 24 - MANAGER

Agenda Subject: "Recommendation to appoint two individuals as regular members to serve on the Washoe County Board of Equalization with terms to expire June 30, 2018; and appointment of an individual as an alternate member with term to expire June 30, 2015. (All Commission Districts.)"

John Slaughter, County Manager, noted there were several individuals who submitted applications to fill the positions, which were listed on the second page of the staff report.

Commissioner Berkbigler wondered if it would be appropriate to select representatives from Districts 4 and 5, since the other Districts were already represented.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Mr. James Ainsworth (District 5) be appointed to the Washoe County Board of Equalization with a term to expire June 30, 2018.

On motion by Commissioner Hartung, seconded by Chairman Humke, which motion duly carried, it was ordered that Benjamin Green (District 4) be appointed to the Washoe County Board of Equalization with a term to expire June 30, 2018.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Eugenia Larmore (District 2) be appointed as an alternate member with a term to expire June 30, 2015.

14-0943 AGENDA ITEM 25 – COMMUNITY SERVICES

Agenda Subject: "Presentation, discussion and possible direction to staff concerning business licenses issued for special events, outdoor community events, or outdoor festivals. (All Commission Districts.)"

John Slaughter, County Manager, explained Agenda Items 25 and 26 were related and recommended they be heard by the Board simultaneously.

Kevin Schiller, Assistant County Manager, said the two agenda items were in response to previous Board discussions regarding customer service and the new regional license and permit process, contracted through Accela, Inc. He said there were

some things to look forward to in the coming year which would create efficiencies and make the process better for customers.

Bob Webb, Community Services Department (CSD) Planning Manager, provided a PowerPoint presentation, which was placed on file with the Clerk. He said the presentation focused on customer service in the business license process and he thought the highlighted improvements would affect other services offered by CSD as well.

The highlighted improvements included encouraging customers to call ahead to make appointments so staff could be prepared and asking staff to be proactive by engaging customers in conversations, acknowledging them as they waited for service and calling for backup as needed. He said the new information counter was designed to invite the public to check in so staff could appropriately direct customers. He talked about efforts to cross-train employees to provide for better coverage and said CSD would soon be accepting utility payments, which would provide another opportunity for cross-training. He explained the new regional license and permit program would allow for the electronic review of applications and for the sharing of information between departments. He said the new process would allow customers to check on the status of their applications and potentially complete the process online.

Commissioner Weber asked why applicants who needed approval from other departments had to walk their applications around themselves. Mr. Webb said the current process was paper-based and it was his hope that the new electronic process, which would take effect in January of 2016, would solve the problem. He thought some business license applicants preferred to have control over their paperwork, especially when inspections were part of the process.

Commissioner Weber thought many constituents would not agree with that concept. She said she had been through the business license process twice and she felt it was poor customer service to require business license applicants to walk their paperwork to all the different departments for approval. She thought the paperwork should be making its way through the system another way, even if staff had to physically walk it around.

Chairman Humke wondered if there was a difference between the preferences of those who were familiar with the process and those who might be new or rarely used the system.

Mr. Webb agreed with Commissioner Weber that there were customers who did not like walking their paperwork around to the different departments. He said it was a top priority to enable electronic review. He said they could look at short-term solutions, but said that the County, along with Reno and Sparks, was excited about having a common approach to the business license process in the future.

Bill Whitney, Planning and Development Director, said he was looking forward to the new automated system, but thought a short-term solution might be to give business license applicants an identifier, perhaps in the form of a colored piece of paper,

that would indicate a person was a business license applicant. He said CSD continued working with employees at the customer service counter to improve service.

Commissioner Weber thought there was a need to be more proactive and did not think it was appropriate to wait until 2016 to improve the process. She said the public did not understand why the County did not already have a regional system in place and she wanted the County to take immediate steps to make the process a positive experience. She suggested improvements on how customers could be treated by staff and thought it was possible to speed up the business license process through email communications between departments.

Mr. Whitney said with Board direction he would look at other ways to improve the process to make it quicker and easier for customers. He thought changes could be made at the customer service counter and he would consider a process that would allow for staff to walk the paperwork around, although he thought that would require more resources and take longer. He maintained the fastest way to get the paperwork through the system would be for people to do it themselves.

Commissioner Weber said it did not make sense to her that there was not an online application that people could complete and send in. She thought staff should contact repeat business license customers to remind them it was time to complete a new application. She thought there should be a process allowing people to complete applications for Reno and Sparks at the County.

Mr. Slaughter said he thought it was important to look at the process from the customer's perspective and offer options so people could choose to either allow staff to walk their paperwork through the steps or do it themselves.

Mr. Webb stated that Reno, Sparks and Washoe County had been using the same business license application form since 2010, so all business license customers in the region completed the same form. He explained if someone wanted to open a business in more than one jurisdiction, they could start the multi-jurisdictional process in either the City or the County. He said CSD was working with Acella, Inc., to create a common customer database, so customers could log in to saved profile information and pre-fill most of the application online.

Commissioner Jung said CSD might not have the resources or enough staff to make recommended improvements and she thought the issue could be addressed at the Strategic Planning Meeting in January. She said providing excellent customer service was a top priority and it was important for public servants to remember that. She said the County had been in survival mode and it was time to refocus priorities. She agreed with Commissioner Weber that the County should not wait until 2016 to improve the process.

Commissioner Hartung thought it was important to have some compassion because the Department had been understaffed. He agreed with Commissioner Weber

that an online process should automatically funnel applications to other departments for approvals in order to streamline the process. He said it might be helpful for customers who came to the office in person to take a number so they would know when their turn was coming. He thought customers should understand it was a process that took time and they would be required to wait for their turn.

Chairman Humke stated this was not an action item, and asked if the Board had provided sufficient direction to staff. Mr. Whitney confirmed that it had.

Mr. Webb mentioned, in addition to the customer service issue, the purpose of discussion for Agenda Items 25 and 26 included a review of suggested improvements to the special event licensure process and a report on the status of the regional licensure program. He said PowerPoint presentations were attached to the Staff Reports for both items.

In regards to the special event licensure, Mr. Webb said recommendations were made for streamlining the process and, if deemed appropriate by the Board, the Department would move forward with those changes and come back to the Board with suggested changes to the Business License Ordinance.

In regards to the regional licensure program, Mr. Webb said the Department was looking for affirmation that they were on the right course, particularly with respect to the Shared Services Elected Officials Committee's (SSEOC) goal of supporting economic development. He said, in the short-term, they were working with Acella, inc., to develop the regional program and they were looking forward to reaching a long-term goal of developing regional policies and processes, which might involve making Code changes so that regional Codes mirrored each other.

Chairman Humke approved of Mr. Webb's statements.

Commissioner Hartung asked how staff dealt with special events licensure for competing events. He wanted to know if there was a standing policy not to allow competing events at regional facilities. He thought there should be clear cut policies regarding the issue.

Mr. Webb said that any event that was held on State or Federal lands, or lands managed by the County Parks Division, did not require special event licensure. He agreed the Board may want to consider those issues for very large events that required Board approval, but for smaller events, the Board might consider providing direction to staff to assist in the evaluation of criteria for license approval.

Chairman Humke said he thought discussion on the two items was meant as direction to staff and that no action was required. Mr. Slaughter agreed with Chairman Humke's statement and thought staff had a good understanding of the Board's direction on both matters.

There was no public comment or action taken on this item.

14-0944 AGENDA ITEM 26 – COMMUNITY SERVICES

Agenda Subject: “Presentation, discussion and possible direction to staff on actions and initiatives to realize a regional licensure program. (All Commission Districts.)”

See Agenda Item 25 for discussion on this item.

There was no public comment or action taken on this item.

14-0945 AGENDA ITEM 27 – COMMUNITY SERVICES

Agenda Subject: “Discussion and possible approval of Addendum to the Interlocal Agreement Governing the Consolidation of the Washoe County Department of Water Resources Water Utility into the Truckee Meadows Water Authority dated January 29, 2010. (All Commission Districts.)”

Dave Solaro, Public Works Director, explained this agenda item represented the culmination of many years of hard work by County staff and the Truckee Meadows Water Authority (TMWA) in an effort to consolidate the water utilities. He said the consolidation process began in 2007 and in 2010 the Interlocal Agreement was approved. He said the purpose of the agenda item was to ask for Board approval of an addendum to the agreement, which detailed the schedule of assets and liabilities to be kept or transferred and disclosures regarding the County water system to TMWA. He said some of the guiding principles that were set forth by staff included assurances there would not be any adverse financial impacts on any customer group, that employees would be treated fairly, that all efforts would be made to limit impacts to employment and that the merger was financially feasible for both organizations. He said staff succeeded in those efforts. He thanked the Board for their direction and support.

In response to the call for public comment, Stuart Mackie talked about \$100 million bonds and the Public Utilities Commission (PUC). He thought someone would be making a lot of money off of his water.

Chairman Humke asked if regulation of TMWA by the PUC was precluded by Nevada Revised Statute (NRS).

Paul Lipparelli, Legal Counsel, said that when the Joint Powers Authority was formed to operate the water, the question of PUC regulation was asked and answered. The lawyers involved for all the entities, including the Attorney General’s office, determined the Joint Powers Authority enjoyed the same exemption from PUC regulation that any other city or county-owned water utility would enjoy. He said people who were aggrieved or concerned about the operations of the water utility had the ability to get public records, to appear and make public comments, and could raise any questions

they had about operations. He said TMWA was a public entity, so their operations were constantly subject to scrutiny by citizens.

Chairman Humke asked if the City Councils of Reno and Sparks and the County Commission, who were working together as the TMWA Board, agreed to those legal opinions.

Mr. Lipparelli replied in the affirmative. He said the Statutes in the Public Utilities Chapter were analyzed by all the lawyers. He said the Bond Council, the underwriters for Sierra Pacific Resources and everyone involved in the transaction also scrutinized the transaction and agreed the PUC did not have jurisdiction.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 27 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

14-0946 AGENDA ITEM 28 – DISTRICT ATTORNEY

Agenda Subject: “Recommendation to approve a Resolution of the Washoe County Board of County Commissioners approving the consolidation of the Washoe County Water Utility with the Truckee Meadows Water Authority on or about December 31, 2014, authorizing actions necessary to effectuate the merger and the closing of various transactions necessary for the merger, stating the intent of County to suspend the application of certain ordinances related to the County’s operation of a water utility following the merger, authorizing County officials to make edits and corrections to the agreements and related documents involving the merger, authorizing County officials to make accounting and budget entries and changes necessary in the Water Resources fund and other County funds that are deemed necessary due to the merger and providing other matters relating thereto. (All Commission Districts.)”

Paul Lipparelli, Legal Counsel, said he worked with a team of County officials who were negotiating and drafting the agreements. He said the purpose of this Resolution was to make sure there were authorized individuals to act on behalf of the County for closing purposes. He said it would not be possible for the Board to convene several times during the closing period to get the Chairman’s authorization or signature. The Resolution recognized there were many transactions involved in the merger and it would make clear who was authorized to act on behalf of the County. He said the Resolution also recognized there might be some minor omissions or small mistakes left to resolve and it authorized the correction of minor issues, provided they did not change the scope or intent of the merger agreement. Mr. Lipparelli further explained the Code was full of references to the water utility and its various officials, powers and obligations and though an attempt was made to identify all related Ordinances to ensure they were either already repealed or in the process, the Resolution clearly stated the Board’s intent in the event that any were missed.

Commissioner Hartung asked Mr. Lipparelli if the Board would be required to authorize a specific person or persons in the motion.

Mr. Lipparelli said the Resolution contained several references to the various officials who were authorized, but primarily they were the County Manager and the Board Chairman.

Chairman Humke said the merger was envisioned for a long time and it was logical to effect the merger on December 31st. He thought the Resolution was self-defining and indicated that whatever official was needed to sign a document, they were authorized upon approval of the motion, including the County Finance Officer, Legal Officers and the County Treasurer.

Mr. Lipparelli agreed with Chairman Humke's statement. He added a caveat to the plan for a December 31st closing date, saying there were some public finance aspects to the transaction that might intervene and cause delays, but the target date was December 31st, 2014.

Commissioner Berkbigler asked Mr. Lipparelli to verify there were not any legal issues with regard to assigning the authority to sign documents to individuals who were not members of the County Commission.

Mr. Lipparelli verified Commissioner Berkbigler's statement. He said the Interlocal Agreement and the addendum were very specific and contained extensive schedules and exhibits that listed all the water rights, legal parcels, equipment, assets and liabilities that were being transferred. The Resolution was meant to fill in the spaces that the Interlocal Agreement and addendum might have missed. He said it was very common, even in private sector mergers, because it was not possible to foresee every single detail in a transaction as complicated as this.

In response to the call for public comment, Stuart Mackie talked about Nevada Revised Statute Chapter 239 and said the PUC should take a look at the Interlocal Agreement because he thought there was a lot wrong with it.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 28 be approved and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0947 AGENDA ITEM 29 – COMMUNITY SERVICES

Agenda Subject: "Introduction and first reading of an Ordinance amending Chapter 40 of the Washoe County Code (water and sewage) by revising provisions of the code to rename and restructure the department, and delete reference to the Water Planning Commission based on the consolidation of the Washoe County Water Utility with the Truckee Meadows Water Authority; and other matters

properly related thereto; and, if introduced, set a public hearing for second reading and possible adoption for November 12, 2014, with the Ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger. (All Commission Districts.)”

Nancy Parent, County Clerk, read the title for Bill No. 1727.

There was no public comment on this item.

Bill No. 1727, entitled, "AN ORDINANCE AMENDING CHAPTER 40 OF THE WASHOE COUNTY CODE (WATER AND SEWAGE) BY REVISING PROVISIONS OF THE CODE TO RENAME AND RESTRUCTURE THE DEPARTMENT, AND DELETE REFERENCE TO THE WATER PLANNING COMMISSION BASED ON THE CONSOLIDATION OF THE WASHOE COUNTY WATER UTILITY WITH THE TRUCKEE MEADOWS WATER AUTHORITY; AND OTHER MATTERS PROPERLY RELATED THERETO," was introduced by Commissioner Berkbigler and legal notice for final action of adoption was directed.

14-0948 AGENDA ITEM 30 – COMMUNITY SERVICES

Agenda Subject: “Introduction and first reading of an Ordinance repealing Ordinance 1470, Washoe County Requirements and Schedule of Rates and Charges for Water Service within certain areas of Washoe County; and other matters properly related thereto; and, if introduced, set a public hearing for second reading and possible adoption for November 12, 2014, with the Ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger. (All Commission Districts.)

Nancy Parent, County Clerk, read the title for Bill No. 1728.

There was no public comment on this item.

Bill No. 1728, entitled, "AN ORDINANCE REPEALING ORDINANCE 1470, WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES AND CHARGES FOR WATER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY; AND OTHER MATTERS PROPERLY RELATED THERETO," was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

14-0949 AGENDA ITEM 31 – COMMUNITY SERVICES

Agenda Subject: “Introduction and first reading of an Ordinance adopting the Washoe County Requirements and Schedule of Rates, Tolls, and Charges for the Golden Valley Artificial Recharge Program; providing for Rates, Payments, Procedures and their Enforcement relating to conditions of service; exemptions;

appeal procedures; and other matters properly related thereto; and, if introduced, set a public hearing for second reading and possible adoption for November 12, 2014, with the Ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger. (All Commission Districts.)”

Nancy Parent, County Clerk, read the title for Bill No. 1729.

There was no public comment on this item.

Bill No. 1729, entitled, "AN ORDINANCE ADOPTING WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES, TOLLS, AND CHARGES FOR THE GOLDEN VALLEY ARTIFICIAL RECHARGE PROGRAM; PROVIDING FOR RATES, PAYMENTS, PROCEDURES AND THEIR ENFORCEMENT RELATING TO CONDITIONS OF SERVICE; EXEMPTIONS; APPEAL PROCEDURES," was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

14-0950 AGENDA ITEM 32 – MANAGER/SOCIAL SERVICES

Agenda Subject: “Update on the Community Assistance Center to include a request from the City of Reno for an additional [\$90,000] to fund the winter overflow shelter; a presentation on the Crossroads program by the Department of Social Services; and possible direction to staff on related matters. Requested by Chairman Humke. (All Commission Districts.)”

Kevin Schiller, Assistant County Manager, explained that Reno’s request for money to fund the winter overflow at the Community Assistance Center was reduced to \$48,000 because the bid received from Catholic Charities was for that amount. He provided some history about the Crossroads Program and explained the program was developed after a review of the Social Services General Assistance Program indicated a need to reduce costs. He said the Crossroads Program provided for better client outcomes and lowered costs by reducing the need for emergency medical care, emergency transportation, incarceration, and by reducing the rate of recidivism.

Chairman Humke said he was proud of the cooperation between Social Services, the Sheriff’s Office and other State and private entities, such as Catholic Charities, for the work they were doing for the common good. He knew people were grateful for a chance at sobriety, for opportunities to work and for a place to live.

Ken Retterath, Interim Director of Social Services, recognized Catholic Charities partnership in the Crossroads Program and acknowledged that the program was operated in their facilities. He discussed the hard data in the staff report, which was collected from a group of 100 Crossroads clients. The data reflected a 12-month look-back at the number of times individuals were hospitalized, transported by Regional Emergency Medical Services (REMSA) and how many days they spent in jail. He said

the reported costs represented a significant burden to the community. He noted that chronic users of the system also negatively impacted the availability of services for others. He thought it was important to keep in mind the numbers in the staff report represented real people who were struggling for many different reasons.

Mr. Retterath said the Crossroads Program was designed after a new model and with the goal of providing housing first and then wrapping services around individuals to help them break the cycle of homelessness. He talked about the many services that were provided by Social Services, the Sheriff's Office and by volunteers from outside agencies. He said, since the program's inception, it served almost 400 individuals and most of them were struggling with addiction issues. He said the individuals who lived at Crossroads took great care of the buildings; they cooked, cleaned and took care of the grounds as they would their own homes, and they even looked forward to planting flowers in spring.

Mr. Retterath explained the program's "Token Economy" system, which allowed everyone in the program to be accountable by taking part in chores and earning points that could be used, in lieu of money, to pay rent or purchase items. He spoke about the program's ability to serve as an emergency shelter to vulnerable people who might be confused; allowing them a place to stay until Social Services could arrange wrap-around services to meet their needs. He talked about where Crossroads clients came from, and said though many of them were referred by the jails and through other services, some came of their own accord because they heard good things about the program.

Mr. Retterath showed the Board a two-year comparison of the top five users of the system and noted substantial improvements in the number of jail days, REMSA trips and medical costs. He said the program was successful in assisting people to obtain disability benefits and drivers licenses and even enroll in college courses. He said more than 50 percent of Crossroads clients stayed six months or longer and that they really wanted to be there so they could have a chance at turning their lives around.

Mr. Retterath showed a video featuring the clients of the Crossroads program, a copy of which was placed on file with the Clerk. A few Crossroads clients came forward to talk about their experiences with the program.

Scott said he came to the program about three years ago in order to get out of a problem and into a solution. He said he learned to persevere and not give up. He said it was not easy to change his life, but with the help of the people at Crossroads he was staying out of jail and living a better life, which he was grateful for.

Mike said he wanted to thank the Board and the people who supported him through the program. He said he had been in the program for three years. Prior to that, he had been institutionalized for 25 years and spent five years on the streets. He said he was successful because of his persistence and willingness to change his life, but said he had to learn how to live by getting out of his own way and listening to the people at Crossroads. He said he did not have to look over his shoulder anymore and instead, was able to look

forward. He said if not for Crossroads he would be dead or in prison and he was grateful for the program.

Morgan said she was sent to Crossroads via the court system and at first she was not open or receptive to the program. She said she understood that she was no longer the person she was when she was lost in her addiction and, with the support of Crossroads staff, she was reconnecting with the person she was born to be. She thanked the Board for supporting the program and said it would be a dream to see it grow throughout the State.

Chairman Humke said Sheriff's Deputy Shawn Marston had a big heart and asked him to come forward to speak to the Board.

Deputy Marston said working with the Crossroads program was some of the most rewarding police work he had done. He said Crossroads offered a lot of programs for the mentally ill and that none of it could have happened without Mr. Schiller's vision. He said when the program began the average age of the clients was in the late 40s, but that the average age was coming down and he was happy to see it. He said he and Specialty Court Judge Pearson were looking at a young offender program in Las Vegas and he was looking forward to reaching out to a younger population.

Chairman Humke said Crossroads housing was very clean and looked brand new.

Commissioner Weber said it was obvious the Crossroads program worked. She wondered how more funding could be made available to the program so it could help more people.

Mr. Retterath said they were always looking for funding, but the biggest need was to find places to provide housing. He said when they looked at the cost breakdown, they figured out that it costs the community approximately \$200 per day to provide services, such as REMSA transport and incarceration costs, etc., to individuals who could be served by the Crossroads program for about \$19 per day.

Commissioner Weber asked Mr. Retterath if he had any ideas that the Board could ponder as they looked toward the next budget cycle.

Mr. Schiller said when they found buildings for housing they came before the Board for help in expanding the program. He thought it was important for the public to know the program was started during the economic downturn and resulted in increased services to the County, while making taxpayer money stretch further. He thought the challenge was to try and continue to do things differently and use dollars wisely. He talked about working with regional partners to continue to provide supportive housing and positively impact the downtown corridor.

Chairman Humke wanted more specific information about where the program might go in the future and wondered what the ratio of females to males was. He asked if there were any plans to house families. Mr. Retterath was not sure if family units needed the same kind of program, but they were considering how they could help other populations. Chairman Humke thought some generous citizens might be wondering how they could help and Mr. Retterath said they worked very closely with Catholic Charities who handled the donations for them.

Chairman Humke remarked that he did not think it was hard to offer support to the program given the result. Mr. Retterath replied he could not thank the Board enough and said it was one of the most rewarding things he had been involved with during his career.

Commissioner Hartung noted the program saved area hospitals and REMSA a tremendous amount of money and asked Mr. Schiller if those entities were participating in the program in any way. Mr. Schiller said they collaborated where they could and explained they cooperated by jointly funding a triage center, which was meant to reduce emergency room traffic. Commissioner Hartung thought it should go deeper than that because the people who were in the program were not using the triage center. He said the goal was to get people back into society so they could be accountable for themselves. Chairman Humke thought a lot of the Crossroads clients were referred to the program through Justice Court. Commissioner Hartung said he understood that, but he was wondering how they could get more participation from the other entities that were directly affected. He said the program was saving them a lot of money and if that could be effectively demonstrated to them, they might be more inclined to participate.

Commissioner Berkbigler said it was a wonderful program and she extended congratulations to the three individuals who came forward to address the Board for their accomplishments.

Mr. Schiller said he was very proud of the County and the staff who worked so hard on the program.

Chairman Humke asked about the staff recommendation and Mr. Schiller reminded the Board that the monetary request for support of the overflow shelter was lowered to \$48,000. He said the County historically participated in funding the overflow shelter and that was the only action requested for this agenda item.

Commissioner Berkbigler thought it was important to do a better job of letting the public know the County was a major player in supporting the homeless and she supported giving the money to the shelter.

Chairman Humke pondered the idea of withholding the money from Reno and saving it for a possible expansion of the Crossroads Program instead. He inquired as to whether the Crossroads Program resulted in a reduction of client flow into the ReStart Nevada program (on Record Street). Commissioner Berkbigler thought the homelessness

problem was significant in the community and the City might need the money to set up the overflow shelter. She said she was concerned about the possibility of winter snow and did not want people to be left out on the streets. She said she agreed with Chairman Humke about looking for ways to expand the Crossroads Program.

Chairman Humke said he remembered that the County previously used some old commercial buildings, which were closed up because of flood control issues, for overflow shelters. He said that was an example of using resources the County already had. Commissioner Weber said she thought Reno was depending on the County to provide the money for the overflow shelter. She wondered, since Reno reduced its monetary need from \$90,000 to \$48,000, if the remaining dollars could be used for the Crossroads Program. She agreed with Commissioner Berkbigler's comment about making sure the public knew the County was supporting Reno's homeless shelter and had a great program of its own.

Commissioner Jung agreed that Reno needed the money and said \$48,000 was much less than the County spent on overflow shelters in past years. She said she could not bear the thought of someone dying from the cold because the County did not fund the shelter; however, she was not sure that giving any remaining money to the Crossroads Program necessarily represented the best use of those funds. She said she thought Crossroads was a wonderful and innovative program. She commended the individuals who spoke about their experiences for their willingness to participate in the program and for being part of the solution.

Commissioner Hartung was in support of funding the overflow shelter, but wondered where the money was going to come from. Mr. Slaughter replied that with Board direction the money would be found and they could move forward. He said as a last resort they could use the Contingency Fund.

Commissioner Weber shared her thoughts about the number of people who she witnessed walking around on 4th Street. She said it was important to know those people had a place to go.

Chairman Humke said the three people who spoke to the Board about their experiences at Crossroads were clean, sober, working, participating in treatment, maintaining their own households and perhaps would be independent taxpayers one day. He thought that was the kind of program his constituents wanted to see and said they were on the right track.

Mr. Schiller said there was an indigent fund that could be utilized to offset costs and said the County would be working with Catholic Charities on a strategic plan. He informed the Board that the Request for Proposal (RFP) for the Community Assistance Center would no longer exclude the winter overflow.

Commissioner Berkbigler made a motion to acknowledge the update on the Community Assistance Center and the presentation on the Crossroads program and to

approve the request from the City of Reno for \$48,000 to fund the winter overflow shelter, which was seconded by Commissioner Jung.

Commissioner Hartung inquired if the money would be given directly to Reno or to Catholic Charities and if the Board had any oversight. Mr. Schiller replied the money would go to Reno for disbursement to Catholic Charities and said the Transitional Governance Board had some oversight of the process. Chairman Humke said Commissioner Jung had a seat on that Board and would be a part of that oversight. Commissioner Hartung was satisfied with that answer.

There was no public comment on this item.

On call for the question, the motion passed on a 5 to 0 vote.

5:21 p.m. Commissioner Weber left the meeting.

14-0951 AGENDA ITEM 33 - MANAGER

Agenda Subject: “Update and discussion regarding the 2014 Nevada Legislative Interim Committees and Studies, legislation or legislative issues proposed by legislators, or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County for the 2015 Legislative Session. (All Commission Districts.)”

Al Rogers, Management Services Director, said there had not been substantive change in the legislative process during the interim period, but he wanted to give a brief update and introduce the new Government Affairs Manager, Liane Lee. He said he was very excited to have her on the team.

Ms. Lee said her duties and responsibilities were similar to what the County Manager did in his previous position. She talked about her work history and said she was excited to work with the Board, the County Manager and Department Directors to advocate for local government in the upcoming legislative session. She explained there were several meetings going on during the interim session, including the Interim Finance Commission and the Economic Forum, which she would monitor. She said she already identified 250 Bill Draft Requests (BDR)'s that might have an impact on the County regarding issues such as child welfare, animal services, fire services and items related to taxes and campaigns.

There was no public comment or action taken on this item.

14-0952 AGENDA ITEM 34 – HUMAN RESOURCES

Agenda Subject: “Performance evaluation for the Washoe County Manager, including (but not limited to) discussion of goals and results of County Manager;

consider and possibly take action regarding current compensation and approve corresponding changes to existing [or] approve new employee agreement. (All Commission Districts.)

John Slaughter, County Manager, explained the staff report had several items attached to it, including the introduction, the current employment agreement, a list of 2013-2014 results, proposed 2014-2015 goals, the legally required notice of evaluation and the performance feedback survey results. He said the survey was broken out into several topic areas including leadership, communication, community relations, intergovernmental relations, Board of County Commissioner relations and an overall evaluation where participants had the ability to provide ratings and comments.

Commissioner Berkbigler noted Mr. Slaughter's contract was set to expire on June 30th, 2015. She thought the expiration date would coincide with the end date of the legislative session and did not think that would be a good time to terminate his contract. She proposed a contract with a two or four year term instead.

Commissioner Hartung thought Mr. Slaughter was doing a phenomenal job and he was pleased with the decisions that brought Kevin Schiller and Joey Orduna Hastings on as Assistant County Managers. He suggested changing the term of Mr. Slaughter's contract to four years.

5:34 p.m. Commissioner Weber returned to the meeting.

Commissioner Jung agreed with Commissioner Hartung and said she was glad that Commissioner Berkbigler brought up the issue regarding the contract termination date because it had never been considered before. She said she supported a long-term contract for Mr. Slaughter. She thought Mr. Slaughter had done a terrific job of standing up a new management system and working out some of the bugs. She said she was also pleased with the decision to bring Ms. Orduna Hastings over from the District Court and she was very happy with Kevin Schiller's performance as well. She commended Mr. Slaughter for putting Al Rogers in his new position as Management Services Director because she thought he was doing a great job. She said she was pleased with Nancy Neuenhagen, Community Relations Manager, and thought the entire Management team really pulled together. She said Mr. Slaughter exceeded her expectations.

Commissioner Weber said she believed Mr. Slaughter was a great County Manager and understood the needs of the community. She appreciated his legislative experience and thought it would be beneficial during the next legislative session. She said he was the right person at the right time and had a great team. She thought he was very receptive and everyone responded well to him.

Chairman Humke said he had lots of positive feedback from County employees as well as from elected officials, department heads, business people and others in the community regarding the Board's selection of Mr. Slaughter for County Manager.

He said Mr. Slaughter had his own style and great values, was doing everything right and would work well with the new Commissioners who would be coming to the Board.

Commissioner Hartung commended Mr. Slaughter's ability to work with the County's regional partners in a seamless manner. He appreciated what was done to keep those relationships viable and the lines of communications open and constant.

Commissioner Hartung made a motion to extend Mr. Slaughter's contract to four years. Commissioner Berkgigler seconded that motion and added a request for Commissioner Hartung to amend the motion to remove the compensatory time language from the contract. Commissioner Hartung agreed to amend the motion to that effect and said he also wanted to give Mr. Slaughter the ability to change when he would like to schedule his evaluation. The seconder agreed.

Commissioner Jung asked for procedural clarification. She inquired if the Board was accepting Mr. Slaughter's performance review with changes to the contract including the removal of the compensatory time language and extension of the contract. She mentioned there was no discussion about merit. She said she wanted the public to understand the County allowed an increase of up to five percent when staff received an outstanding evaluation and the Board wanted to extend that same benefit to non-represented employees. She stated her support of a five percent merit increase for Mr. Slaughter and asked if an amendment to the motion could be made to include that.

Commissioner Hartung said he was happy to amend the motion as stated by Commissioner Jung and the seconder agreed.

Mr. Slaughter said he thought his position was all about bringing together the right individuals and putting trust in his team to work toward making Washoe County the best place to live. He said he was humbled by his position and the opportunity to work with the Board and staff to represent the County. He said he took to heart all the comments that were made and knew there were some things that could be improved upon. He said he would continue to seek those things out and thanked the Board for their confidence.

Chairman Humke restated the details of the motion. He said the motion included a four-year extension, an amendment to the contract regarding compensatory time and a five percent merit increase.

Commissioner Weber asked if Mr. Slaughter would continue to have the ability to come back to the Board to ask for wage increases and Commissioner Hartung said he wondered the same thing. Chairman Humke pointed to the contract language on Page 3, Section 4(B) regarding salary and said it provided the opportunity for that. He asked Paul Lipparelli, Legal Counsel, if that was a correct statement. Mr. Lipparelli agreed with Chairman Humke.

Nancy Parent, County Clerk, noted the motion included that the Manager could change the date of his evaluation. Chairman Humke said he thought there was discussion about when the annual review would take place but did not think the Board wanted to directly quantify that. Mr. Slaughter said he thought there was some flexibility in the contract under existing terms and that he and the Chair of the Board could discuss when the evaluation would take place and make adjustments. Commissioner Hartung said his intent was to give the Manager the flexibility to move the timing for his evaluation around. Chairman Humke thought the discussion cleared up the general intent of the motion.

Mr. Lipparelli explained the agenda item allowed for the changes the Board made in its motion and that under those terms the Board would effectively be approving a new employment agreement, which the Chairman and the Manager could sign. He said the term of the original employment agreement began on November 12th, 2013 and it contemplated the annual evaluation to occur on that date in paragraph B of Section 9 of the contract. He said if the Board wanted to change that date, it would have to be included in the motion, or it would remain as stated in the contract.

Chairman Humke said he understood that an indefinite reference in the motion would not assist in affecting a change unless the Board made a direct change to the contract. Mr. Lipparelli said the language in the existing contract, which would be amended for the salary change and contract duration, would also contain the November 12th language unless it was changed in the motion. His suggestion was to tie it to some other moment during the year, perhaps a season or a budget adoption.

Commissioner Hartung asked if the Board could revise the language to say "within 30 days of the anniversary date" so the review could be either before or after that date. Mr. Lipparelli was not sure why the November 12th date was unsatisfactory, but said Commissioner Hartung's suggestion would work and would allow for the review to take place sometime between October 12th and December 12th. Chairman Humke recollected that Commissioner Hartung thought an evaluation scheduled on or around an election was not a great time.

Commissioner Hartung reiterated his intent was to give the Manager some flexibility because election time could be a busy time. Chairman Humke asked if Commissioner Hartung wanted to amend his motion to allow for the evaluation date to take place within 30 days of the contract anniversary date and Commissioner Hartung affirmed that statement. The seconder agreed.

There was no public comment on this item.

On call for the question, the motion passed on a 5 to 0 vote.

5:57 p.m. The Board recessed.

6:13 p.m. The Board reconvened with Commissioner Hartung absent.

PUBLIC HEARINGS

14-0953 AGENDA ITEM 35 – COMMUNITY SERVICES

Agenda Subject: “Second reading and adoption of an Ordinance amending Chapter 40 of the Washoe County Code (Water and Sewage) by authorizing the Truckee Meadows Water Authority to participate in the Water and Sanitary Sewer Financial Assistance Program by allowing eligible residential property owners to obtain a loan funded by and to connect to the Truckee Meadows Water Authority’s retail water service facilities, revising the dollar threshold for County Commission loan approval and other matters properly related thereto. (Bill No. 1726) (All Commission Districts.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Nancy Parent, County Clerk, read the title for Ordinance No. 1726, Bill No. 1545.

On motion by Commissioner Berkbigger, seconded by Commissioner Weber, which motion duly carried, with Commissioner Hartung absent, Chairman Humke ordered that Ordinance No. 1545, Bill No. 1726, entitled, " AN ORDINANCE AMENDING CHAPTER 40 OF THE WASHOE COUNTY CODE (WATER AND SEWAGE) BY AUTHORIZING THE TRUCKEE MEADOWS WATER AUTHORITY TO PARTICIPATE IN THE WATER AND SANITARY SEWER FINANCIAL ASSISTANCE PROGRAM BY ALLOWING ELIGIBLE RESIDENTIAL PROPERTY OWNERS TO OBTAIN A LOAN FUNDED BY AND TO CONNECT TO THE TRUCKEE MEADOWS WATER AUTHORITY’S RETAIL WATER SERVICE FACILITIES, REVISING THE DOLLAR THRESHOLD FOR COUNTY COMMISSION LOAN APPROVAL AND OTHER MATTERS PROPERLY RELATED THERETO. (BILL NO. 1726)," be adopted, approved and published in accordance with NRS 244.100.

14-0954 AGENDA ITEM 36 – COMMUNITY SERVICES

Agenda Subject: “Amendment of Conditions Case Number AC14-007 (Reno Christian Fellowship) – Approve Amendment of Conditions Case Number AC14-007 regarding Special Use Permit Case No. SPB6-18-84 to amend with conditions as identified in Exhibit A to the staff report, approved Special Use Permit Case Number SPB6-18-84 to increase the maximum number of children in attendance at any one time from 30 to 120; to align the Special Use Permit with the provisions of the child care license issued by Washoe County Department of Social Services to include a change of facility type from “Preschool” to “Child Daycare”; and to expand the hours of operation to 7:00 a.m. to 6:00 p.m. (Commission District 2.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Amendment of Conditions Case Number AC14-007 (Reno Christian Fellowship).

Grace Sannazzaro, Planner, provided a presentation, which was placed on file with the Clerk. She said this agenda item was in regards to a preschool operated by Reno Christian Fellowship on Zolezzi Lane in south Reno. She said they had been operating a preschool for 30 years and were asking for an amendment to their special use permit so it would match their license from Social Services. The amendment would include an increase in the number of children, the expansion of their hours of operation and a change to the type of facility, from preschool to child daycare. She said they had been operating that way for many years and were just trying to make things consistent.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried with Commissioner Hartung absent, it was ordered that the Amendment of Conditions Case Number AC14-007 (Reno Christian Fellowship) be approved based on the findings in the staff report.

14-0955 AGENDA ITEM 37 – COMMUNITY SERVICES

Agenda Subject: “Public Hearing: Appeal Case Number AX14-004 (Crossbow Court Neighborhood Center) – To consider an appeal of the Washoe County Board of Adjustment’s decision to deny Special Use Permit Case Number SB14-013 (Crossbow Court Neighborhood Center), requesting to construct a ±12,000 square foot Neighborhood Commercial Center comprised of two separate ±6,000 square foot buildings on two contiguous parcels, to be located at the northeast corner of Crossbow Court and Arrowcreek Parkway. Possible action to confirm the denial, or reverse the denial and directly grant the requested special use permit with or without modifications. (Commission District 2.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Appeal Case Number AX14-004 (Crossbow Court Neighborhood Center).

Sandra Monsalve, Senior Planner, explained Helvetica CTV Crossbow, LLC was requesting reversal of the Board of Adjustments decision to deny Special Use Permit Case SB14-013 to construct a neighborhood commercial center on two contiguous parcels at the corner of Crossbow Court and Arrowcreek Parkway. The applicant requested an appeal because they felt the Board of Adjustment did not consider their proposals for traffic impact mitigation measures, a redesign of the property, a reduction in hours and the Conditions of Approval, which were specified in Exhibit A of the staff report.

Ms. Monsalve provided a presentation to the Board, which was placed on file with the Clerk. She said the parcels totaled approximately 1.8 acres in the Southwest Truckee Meadows Planning Area and were zoned Low Density Suburban (LDS). A vicinity map showed the project site in relation to Hunsberger Elementary School, Sage Ridge School and U.S. Forest Service land.

Ms. Monsalve described the proposed shopping center would be directly across from Hunsberger Elementary School and would consist of two buildings with four to five tenants at full lease. She said the driveway into the center would be a “right-turn in only” and there would be a second driveway, which would be an “exit only”. She said the applicant agreed to limit the use of the northern building, designated as building 2 on the project site plan map, to non-retail uses, such as daycare, office space, and veterinary services. She showed proposed elevations for the buildings and said the applicant proposed extensive site improvements to include landscaping, building design and lighting to comply with dark sky standards. She said if the project went forward the applicant would be required to go before the Design Review Committee to review lighting, signage, landscaping, irrigation design, features and colors. The applicant also proposed to record CC&R’s for the center, which would provide guidelines related to site maintenance, signage, lighting, hours of operation and overall appearance.

Ms. Monsalve talked about the history of the project proposal explaining that it went before the South Truckee Meadows/Washoe Valley Citizens Advisory Board (CAB) meeting on July 10th, 2014, where it was denied. Subsequently, the proposal went to the Board of Adjustment where it was again denied by unanimous vote. The majority of concerns were related to traffic, hours of operation, the proximity to schools, noise, lighting impacts, types of businesses, view impacts and overall sustainability. She said, since the Board of Adjustment meeting on September 21st, the applicant attended the Arrowcreek Homeowner’s Association (HOA) meeting, where the project received favorable support. She said she had been asked to identify other areas that had elementary schools near commercial neighborhood centers and she showed some examples in Incline Village and Woodland Village.

Ms. Monsalve said the recommendation in the staff report was for the Board to either confirm the denial of the Special Use Permit (SUP) or reverse it based on its review of the record and additional evidence. She explained that if the Board chose to reverse the denial, the Conditions of Approval, listed in Exhibit A of the staff report would become an effective part of the SUP. She mentioned there was a petition opposing the SUP attached to the staff report and said she received some additional correspondence from community members who were opposed to the project. Copies of the correspondence were placed on file with the Clerk.

Commissioner Berkbigler described another example of an area that had a school which backed up to a commercial center. She said Hunter Lake Elementary School was situated directly behind a Raley’s supermarket.

Ms. Monsalve said Mike Boster, School Planner, asked her to reiterate his concerns about school police and safe routes. She said if the project was approved, the School District (WCSD) would request the developer to work with school police, the Safe Routes to School Program and the Transportation Department on how best to manage traffic flows in and out of the center.

Chairman Humke said the WCSD had not commented about land-use projects in the past. He noted that in Mr. Boster's letter he seemed confident strategies could be mitigated for some of the project's shortcomings. He asked Ms. Monsalve if the mention of the school police was in reference to traffic safety or if there were other matters that were being referred to. Ms. Monsalve said the concern was about traffic matters and child safety. Commissioner Weber said some legislation had passed requiring School Districts to be involved in planning issues and she thought that was why the WCSD was participating at a different level. Chairman Humke thought their participation was positive and would help with planning.

Ken Krater, representative of the applicants for the Crossbow Neighborhood Commercial Center, came forward to address the Board. He said the center would be comprised of two 6,000 square foot buildings for a total of 12,000 square feet, which was smaller than the typical neighborhood commercial center. He explained it was a permitted use within the LDS Zoning District with a Special Use Permit. He said he knew change was difficult for well-established single-family residential neighborhoods, but said it would be a good project. He said the impacts were mitigated with good design, with work that had been done with respect to traffic impacts and with the restrictions on land use that were being proposed with the appeal.

Mr. Krater said the application was reviewed by individuals with substantial expertise and he felt confident in the traffic mitigations which were being proposed. He said he met with the Principal of Hunsberger Elementary and MJ Cloud, who was in charge of safe route to school plans, and he felt the project would not be detrimental to public health nor injurious to the property or the character of the area. He knew it was an emotional issue for many people, but said it would be well received once it was built. He said many people were concerned about having too much retail in the area, which was why they proposed limiting the uses in the northerly building to non-retail uses, such as daycare, veterinary services and offices. He said if there were homes on the property, people would be backing up onto Crossbow Court, so commercial use made more sense because access to the property could be better controlled. He said CC&P's would be recorded on the project, which would govern the lighting, signs, architecture and landscaping. He said he knew the neighbors had concerns, but he was confident that he was presenting a project that would be a good fit for the neighborhood. He said people who were opposed would see it was a good project and would go to the center for a cup of coffee.

Chairman Humke asked Mr. Krater to talk a little more about the transportation plan. He specifically wanted to know about the concerns of the school police and how safety issues would be mitigated.

Mr. Krater said he spent a significant amount of time with Hunsberger School Principal, Jenny Ricci, and MJ Cloud looking at the traffic flow in and out of the school. Ms. Ricci told him that some people parked along the side of Crossbow Court, which increased congestion, so the project would include the placement of no parking signs, the painting of red curbs and lane striping to mitigate those issues. He said there were also concerns about traffic movements at the driveway across from the school, so it made sense to make the first driveway a "right-in only" so that no one would be crossing against the traffic trying to go to the school. He said the center's exit would be at the north driveway, which was 150 feet from the school driveway.

Chairman Humke wanted to know what the population was at the school and if many children took the bus. Mr. Krater said most of the 800 students either took the bus or were driven to school and very few of them walked. He said there were a lot of parents picking up or dropping off their children during a 30 to 45 minute period, twice a day. He pointed out that most of the retail uses in the center would not open up until 10 o'clock, except perhaps a coffee shop and he thought many of the parents who took their kids to school would go to the coffee shop. He said other types of retail uses would likely open after school was already in session. Chairman Humke asked if there might be an impact on the afternoon school rush and Mr. Krater said that rush would typically occur before peak retail hours.

Commissioner Berkbigler noted that competition for parking was among the concerns that people had. She said it appeared there was significant parking for the center and that the buildings were set back on the property. Mr. Krater confirmed her statement and said the owner of the property agreed to allow parking in their lot during special events at the school, so he thought his clients had been very accommodating.

Chairman Humke noted that Sage Ridge School was private and did not have access to the busing program. He wondered about the population at that school. Mr. Krater said he thought the school had between 400 and 600 students. Chairman Humke asked if the two schools had the same schedules and wondered if Mr. Krater discussed the project with anyone from Sage Ridge School. Mr. Krater replied he did not know about the schedules, but he did have conversations with the Principal at Sage Ridge as well as with two Board members.

On call for public comment, Bill Kockenmeister addressed the Board about his concerns. He took issue with Mr. Krater's comment about residential housing being more dangerous than a commercial center with respect to traffic. He did not think the Board had heard sufficient evidence to make the finding that the project would not be detrimental to public health and safety or to the character of the neighborhood. He said there were over 130 signatures of individuals who opposed commercial development in the area and the project had no support from the surrounding community.

Leona Kockenmeister argued against the comparison made to other areas with commercial areas near schools because those areas were in the midst of many roadways, whereas the project on Crossbow Court was not easily accessible and on a

dead-end road. She showed a hand-drawn map regarding issues with traffic coming from Sage Ridge School. She thought the project would create traffic problems and would not benefit the neighborhood.

Marylyn Parmelee said she lived directly across from Hunsberger Elementary School and that she and her husband moved there for the peace and quiet. She said area philosophy was about participating in nature and she thought the commercial center was in direct conflict with that. She was concerned about increased traffic, lighting and noise.

Charles Parmelee said he had concerns about traffic and he did not think business would want to move into that area because it was not a good location. He would not like to see the buildings go in and then sit empty.

Donna F. Perez stated her opposition to the proposed project for safety reasons. She said the development was not needed by the people who lived in the area. She said she would not open a business in that location and expect it to be successful because the only clientele would be Arrowcreek residents. She urged the Board not to reverse the Board of Adjustment's decision.

Steven B. Perez said it took 40 to 45 minutes for parents to get in and out of the area to pick up their kids from the schools and the proposed center would put many more cars in the area. He said he attended the Arrowcreek HOA and only heard negative comments from residents, so he did not understand how the developer could say they received favorable support. He hoped the Board would uphold the Board of Adjustment's decision.

Howard Buchler said he was involved in circulating the petition against the development and most of the individuals who signed it were concerned for the residential integrity of the neighborhood. He said people were also concerned for the safety of the children in the area. He thought the only way to mitigate the impact to the community was for the Board to deny the developer's request.

Elizabeth Buchler said the increased traffic would create safety issues and she hoped the Board would not allow the project to go forward.

Rosie Mann was concerned about safety issues and thought there might be an increased risk of crime.

Chairman Humke asked Ms. Monsalve if Crossbow Court was a dead-end street and she confirmed that it was. He wondered if there was a plan for that street to go through to somewhere and Ms. Monsalve said she did not know. He noted the land to the east of the proposed center was Forest Service land and wondered if it was subject to land withdrawal.

Bill Whitney, Planning and Development Director, said the Forest Service land in question had been vacant for a very long time and there were no plans for it. He said it was subject to a potential withdrawal through federal legislation, but what would happen to it if it came out of Forest Service ownership was unclear. Chairman Humke wondered if it was reasonable to assume that land could be developed someday and Mr. Whitney said that could happen, which was why they gave the area the designation of LDS, like the areas around it.

Chairman Humke said an additional street in the area might help to provide for better ingress and egress for the schools. Mr. Whitney said if Crossbow Court went further north it would most likely connect to a residential street. Chairman Humke said he was thinking about an additional street on the back side of the school, instead of continuing Crossbow Court north. Ms. Monsalve said it made sense to her, but there was no one from engineering to ask about that idea and there were no conditions received which indicated the developer would be required to connect Crossbow Court to a collector street.

Chairman Humke disclosed he met with Mr. Krafer on several occasions. He said he also attended the South Truckee Meadows/Washoe Valley CAB meeting and the Board of Adjustment meeting.

Commissioner Berkgigler said she knew the area really well and asked if the lighting had to comply with dark skies lighting requirements. Ms. Monsalve affirmed that and said the lighting would be down-shielded and could not exceed 12 feet in height if they were within 100 feet of any residentially zoned parcels. Commissioner Berkgigler asked if there could only be two houses on the parcels if they were used for residential purposes and Ms. Monsalve said yes, the zoning would allow for one house on each parcel.

Commissioner Berkgigler said there were a number of schools throughout the community that backed up to or were next to major developments and she did not believe that was a major traffic concern.

Commissioner Jung pointed out that all of the schools in her District were near commercial areas. She said she agreed with a comment that was made about the center resulting in reduced vehicular trips and, as Chair of the District Board of Health, she found that critical. She asked about viewsheds in the County and wanted to know if people owned their views. Ms. Monsalve replied there might be different requirements in Lake Tahoe because of the Tahoe Regional Planning Agency (TRPA), but Washoe County did not have viewsheds. Commissioner Jung asked about the allowed use for the property and Ms. Monsalve explained the parcels were zoned as Low Density Suburban (LDS), which was a designation intended to create and preserve areas for single-family detached homes. She said commercial uses were allowed when they served the needs of the residents and matched the character of the neighborhood. She said the pattern of development desired by the community, as stated in the area plan's character statement, was to encourage and promote a mix of quality commercial services tailored to the

growing needs of the local residents. Commissioner Jung said she thought the proposed project fit the character statement. In response to an issue brought up during public comment, Commissioner Jung said the Board could not make a finding based on whether or not they thought a commercial business would be successful.

Commissioner Weber disclosed that she had conversations with Mr. Krater, but they had not discussed the project in question. She said she did not think safety was an issue, but thought it would be a good idea to postpone the item to see if there was some way to improve access in and out of the area.

Commissioner Berkbigler asked Chairman Humke if his suggestion was to add a driveway off of Arrowcreek Parkway, behind the development, to allow access that way rather than from Crossbow Court. Chairman Humke replied that could be a possibility. Commissioner Berkbigler wondered if it would be possible for the developer to put the driveway behind the development to ease the concern about traffic at the school. She said she thought there were some workable solutions that could help resolve some of the issues that people had. She agreed with Commissioner Weber's suggestion to pull the item from the agenda so the developer could work Mr. Whitney and engineering staff to resolve homeowners concerns. She said she was a proponent of economic development and felt that growth was positive for the community.

Commissioner Jung stated she never met with the developers on the project and said the Board took the position of endorsing economic development as a top priority.

Mr. Whitney said if the Board continued the item, they would have 60 days to bring it back for consideration and he asked legal counsel to confirm that.

Paul Lipparelli, Legal Counsel, said the County Code gave the Board 60 days to hold a hearing from the time of the filing of an appeal and he thought, in order to continue the item to a different day, they might need the concurrence of the appellant. He suggested the Board continue their discussion while he conferred with Greg Salter, Deputy District Attorney, about the issue.

Mr. Krater drew the Board's attention to an area on one of the maps which showed the project site and some white boxes, which were part of a utility structure that included above-ground vaults for Nevada Bell, AT&T and Charter Communications. He said they looked carefully at the possibility of putting in a driveway off of Arrowcreek Parkway and they could not because of all of the utilities there. He explained that was also one of the detriments of having single-family homes on those parcels. He said 70 percent of the traffic generated from the site would be from pass-by trips, which were cars that were already on the roadway, so the project would generate very few new trips on the road.

Mr. Lipparelli said he was glad he conferred with Mr. Salter, because he pointed out there was a 60-day time period for the setting of the hearing from the date of

the filing of the appeal, and there would be another 60 day period from the time of the appeal hearing for a decision to be made, so the Board could delay a decision on the appeal for as much as 60 days.

Chairman Humke said that would put the decision deadline at December 28th, 2014. He asked Mr. Kockenmeister if he had anything else to say. Mr. Kockenmeister commented he did not see how it would be possible for there to be less traffic as a result of the commercial development. Chairman Humke said he thought the point was that if some traffic went to the new development rather than driving further to the Raley's center, there might be a slight decrease in traffic.

Chairman Humke pointed out that the only street going in or out of the Saddle Creek area was Thomas Creek Road, so he did not think the people who lived in that area would take Thomas Creek Road over to Crossbow Court to go to the small community shopping center. He thought they would likely go to the Raley's instead. He thought looking at the map of the area helped him to understand the point the people of the neighborhood were making.

Commissioner Berkbigler asked Chairman Humke if he attended the Arrowcreek HOA meeting where there was no opposition to the project. Chairman Humke replied he was not there, but saw accounts of the meeting in an email. He said he only attended the Board of Adjustment and the CAB meetings.

Commissioner Berkbigler said she thought the Board should support the reversal of the denial by the Board of Adjustment. She said she did not think the project would have as negative an impact as the homeowners thought it would. She made a motion to reverse the denial and grant the SUP based on the conditions that were included in Exhibit A of the staff report, but she wanted the developer and the owner of the property to take another look at attempting to resolve remaining concerns with the homeowners. She asked Mr. Lipparelli if she could add that language to her motion.

Mr. Lipparelli said he was concerned about the motion because the appeal would effectively be granted and the SUP would be issuable, but it would be difficult to know whether the developer would have achieved success in satisfying the condition. He said if the Board had conditions or wished to modify the decision, that was within the Board's authority under the Development Code and, as earlier discussed, they could take up to 60 days to make a final decision.

Commissioner Berkbigler said she thought Mr. Lipparelli was stating that her motion to ask the developer to work one more time with staff and the homeowners to resolve remaining concerns could not stand because it could not be enforced. She concluded from his statement that if the motion was made to reverse the denial, the Board would have to do it with the conditions as included in attachment A, or add some new conditions. She asked Mr. Lipparelli if that was an accurate statement.

Mr. Lipparelli said the decision could either be overturned and the SUP granted, or the decision could be sustained and the SUP denied, or modifications to the conditions that were proposed by staff could include additional modifications to the application that were within the usual findings for special use permits.

Commissioner Berkbigler asked if she could add requirements to Attachment A that staff and the developer must meet with the homeowners to try to resolve outstanding problems with ingress and egress as well as any other concerns they may have.

Mr. Lipparelli said the motion could include a requirement to meet and attempt to resolve concerns, but it would be difficult to know when that would be achieved and what the result of success or failure would be. He said either the SUP would be granted or not and he was worried about adding a condition that was so indefinite that no one could be certain how it would be satisfied.

Commissioner Berkbigler said she would remove that language from her motion and would just ask the Board to approve a reversal of the denial of decision of the Board of Adjustment and that the SUP be granted subject to the conditions in Exhibit A of the staff report. The motion was seconded by Commissioner Jung.

Commissioner Weber said she would support the motion.

Chairman Humke regretted he could not support the motion. He said he did not recall any previous discussions about the fact that the utility boxes prevented the installation of another road and he doubted the Forest Service would respond to a request for a road on their land within 60 days.

On call for the question, the motion passed on a 3 to 1 vote, with Commissioner Hartung absent and Chairman Humke voting "no".

14-0956 AGENDA ITEM 38 – COMMUNITY SERVICES

Agenda Subject: Public hearing and possible adoption of Regulatory Zone Amendment Case Number RZA14-005 (Reno SOI Rollback, North Valleys) – To affirm the findings of fact of the Washoe County Planning Commission, approve the proposed amendment and adopt the North Valleys Regulatory Zone map, as included at Exhibit A to the staff report, amending the Regulatory Zone designation of 152 parcels on ±88.08 acres from Mixed Use as designated by the City of Reno to Medium Density Suburban (MDS) and Parks and Recreation (PR), and direct the Director of the Planning and Development Division to sign and certify the amended North Valleys Regulatory Zone map. (APNs: 82-650-01, 02, 03, 04, 05, 06, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23; 82-660-01, 02, 03, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 19, 23, 26; 82-262-01, 02, 08, 09, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24; 82-263-02, 08, 09, 10, 15, 17, 22, 26, 39, 42, 43, 45, 46, 50, 51, 52, 54, 55, 56; 82-270-26, 36, 37, 38; 570-241-01, 02, 03, 04, 05, 06; 570-242-01, 02, 03, 04, 05, 06, 07, 08, 09,

10, 11, 12, 13, 14; 570-243-01, 02, 03, 04, 05, 06, 07; 570-251-01, 02, 03, 04; 570-252-01, 02, 03, 04, 05, 06, 07, 08, 09; 570-253-01, 02, 03, 04; 570-261-01, 02, 03, 04, 05; 570-262-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11; 570-263-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17; 570-281-01). (Commission District 5.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Regulatory Zone Amendment Case Number RZA14-005 (Reno SOI Rollback, North Valleys).

Trevor Lloyd, Senior Planner, submitted a presentation, which was placed on file with the Clerk. He said the location of the Regulatory Zone Amendment was at the southern terminus of Lemmon Drive in the Grand View Terrace area and incorporated roughly 152 lots over 88 acres. He said the request was brought before the Board to restore the parcels to the Regulatory Zones of Medium Density Suburban (MDS) and Parks and Recreation (PR).

Commissioner Weber stated her support for the request.

There was no public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried with Commissioner Harung absent, it was ordered that the findings of the Planning Commission be affirmed and that Regulatory Zone Amendment Case Number RZA14-005 (Reno SOI Rollback, North Valleys) be approved.

14-0957 AGENDA ITEM 29 – COMMUNITY SERVICES

Agenda Subject: “Public hearing to affirm the findings of the Planning Commission and adopt Master Plan Amendment Case Number MPA14-002 (Village Green Commerce Center Specific Plan) – To amend Appendix D, Village Green Commerce Center Specific Plan, within the Spanish Springs Area Plan to (1) remove Assessor’s Parcel Number 534-561-09 (located at 365 Calle De La Plata) from the Specific Plan and modify the maps, buffering and other development standards and phasing of the remaining properties; and (2) re-designate the Master Plan category of APN 534-561-09 from Industrial (I) to Rural Residential (RR); and (3) make the appropriate changes on all Spanish Springs Area Plan maps related thereto. To reflect changes requested and to maintain currency of general area plan data, administrative changes to the Spanish Springs Area Plan and the Village Green Commerce Center Specific Plan are proposed. These administrative changes include a revised map series with updated parcel base and updated applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. The subject property is located at 365 Calle De La Plata, (Spanish Springs), and is within Portions of SE ¼ Section 23, & NE ¼ Section 26, T21N, R20E, MDM, Washoe County, NV. (APN: 534-561-09); and if approved, authorize the Chair to sign a Resolution to adopt the amendments to the Spanish Springs Area Plan after a determination of conformance with the Truckee Meadows

Regional Plan by the Truckee Meadows Regional Planning Commission. (Commission District 4.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Master Plan Amendment Case Number MPA14-002 (Village Green Commerce Center Specific Plan).

Sandra Monsalve, Senior Planner, said the request was to remove a parcel from the Village Green Commerce Center Specific Plan and to amend Appendix D in the Spanish Springs Area Plan to re-designate the parcel from Industrial (I) to Rural Residential (RR). She said there was a home on the property, which was legal non-conforming, and the owner/applicant wished to remove the parcel from the Village Green Commerce Center Specific plan and maintain the home as a residence. The change would allow a future buyer to obtain a residential loan on the property. She explained the request went before the Spanish Springs Citizen Advisory Board (TAB), where it was discussed and accepted. The request was also unanimously supported by the Planning Commission. She said if the amendment was adopted, it would go on to the Regional Planning Commission for conformance review and then back to the Chair for signature on the Resolution.

Ms. Monsalve asked if she could also speak about Agenda Item 40, which was a related item. Paul Lipparelli, Legal Counsel, said it would be fine to discuss both items as long as the two agenda items had individual motions.

Ms. Monsalve said Agenda Item 40 concerned a Regulatory Zone Amendment for the same parcel in the above discussion. The request was to change the parcel's designation from Industrial to Medium Density Rural. The change would allow for the parcel to be subdivided in the future; however, Ms. Monsalve was not aware of an intention to do so. She said the purpose of the request was to make the residence on the property legal so that it conformed to the Development Code. She said the justification for the findings from the Planning Commission were in Exhibit B and on pages 3 through 5 of the staff report. She explained the Regulatory Zone Amendment could not be approved until the Master Plan Amendment was adopted and the new Regulatory Zone would not go into effect until the Master Plan Amendment was found to be in conformance with Regional Planning and the Chair signed the Resolution.

Commissioner Berkbigler asked Ms. Monsalve if the property in question would have Industrial parcels all around it. Ms. Monsalve affirmed it would.

There was no public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioner Hartung absent, it was ordered that the findings of the Planning Commission be affirmed and that Master Plan Amendment Case Number MPA14-002 (Village Green Commerce Center Specific Plan) be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0958 AGENDA ITEM 40 – COMMUNITY SERVICES

Agenda Subject: “Public hearing to affirm the findings of the Planning Commission, and adopt Regulatory Zone Amendment Case Number RZA14-003 (Village Green Commerce Center Specific Plan) - To amend the Regulatory Zone map and zoning designation within the Spanish Springs planning area. The amendment request will re-designate Assessor's Parcel Number 534-561-09 from the Industrial (I) regulatory zone to the Medium Density Rural (MDR) regulatory zone on a ±10.45 acre property. The subject property is located 365 Calle De La Plata, and is within Portions of SE ¼ Section 23, & NE ¼ Section 26, T21N, R20E, MDM, Washoe County, NV. (APN: 534-561-09). To reflect changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map series with updated parcel base and updated applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. (Commission District 4.)

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Regulatory Zone Amendment Case Number RZA14-003 (Village Green Commerce Center Specific Plan).

See Agenda Item 39 for discussion on this item.

There was no public comment.

On motion by Commissioner Berkbigler, seconded by Chairman Humke, which motion duly carried with Commissioner Hartung absent, it was ordered that the findings of the Planning Commission be affirmed and that Regulatory Zone Amendment Case Number RZA14-003 (Village Green Commerce Center Specific Plan) be adopted.

14-0959 AGENDA ITEM 41 – CLOSED SESSION

Agenda Subject: “Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.”

There was no closed session.

14-0960 AGENDA ITEM 43 – PUBLIC COMMENT

Agenda Subject: “Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.”

In response to the call for public comment, Garth Elliott expressed his frustration with the voting machines in Sun Valley and talked about cancer screenings.

* * * * *

8:08 p.m. In memory of Elko County Commissioner Grant Weber and there being no further business to discuss, on motion by Chairman Humke, seconded by Commissioner Weber, which motion duly carried with Commissioner Hartung absent, the meeting was adjourned.

Chairman
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Cathy Smith, Deputy County Clerk*

Pending Board Approval

BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA

TUESDAY

8:30 A.M.

NOVEMBER 12, 2014

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson
Marsha Berkgigler, Commissioner
Kitty Jung, Commissioner
Vaughn Hartung, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 8:37 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

14-0963 AGENDA ITEM 3 – PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole."

Cliff Low noted the Canvass of last week's votes in the General Election was on today's agenda. He said many of the contests were decided by big margins, while some were decided by very small margins. He stated there were somewhat vague reports in the media about a potential irregularity involving perhaps a couple thousand votes. He said a thousand votes made for some winners and in many cases much fewer votes meant a candidate was unsuccessful. He said given some of the margins, he hoped the Commission would encourage the Registrar to talk about the issue.

Jeff Church discussed his family's military service. He said the web site, RenoPublicSafety.org, dealt mainly with the City of Reno's financial situation, but it also dealt with Washoe County. He felt Washoe County was well run and served as an example of how to do things right. He said his one issue was the City of Reno owed the County \$1.4 million per year for crime lab services, and \$8 million was past due. He stated the County either needed to get that money or not provide the services, especially since the City of Reno was suing the County for fire services. He said \$1.4 million could

do a lot towards putting Deputies in Incline Village and elsewhere in the County, along with providing other services. A copy of his handout was placed on file with the Clerk.

Donald Kaplan noted he was a WWII veteran. He requested the Commission authorize a recount of the votes for Assembly District (AD) 26, because he did not feel he should be represented in the Assembly by anyone who won by 11 votes. He believed the 2 percent sampling would not prove whether or not the count was correct.

Gary Duarte said he was the Director of the U.S. Nuclear Energy Foundation, and a couple of months ago letters were written to the Commissioners indicating eight rural counties in Nevada supported the technical completion of the Yucca Mountain application process. He felt it was disrespectful that this Commission was approached with something like this and appeared they were not interested in listening to the grass roots people. He said this was a nonprofit foundation and had hundreds of supporters nationwide in the science and engineering fields, which should at least warrant some type of response. He stated this was a nationwide issue based on science and engineering and it should not be determined by politics. He said the Commissioners were being asked to look at the material, because the Yucca Mountain facility would be a \$90 billion public-works project that would be important to the State.

8:45 a.m. Chairman Humke left the meeting and Vice Chairperson Weber assumed the gavel.

Ken Koepe congratulated the Commissioners who won their elections and said it was a shame to lose Commissioner Weber. He requested a recount of the votes cast for AD 26 due to the race being so close. He said in most cases across the nation, when a race was that close a recount would take place automatically. He complimented the Registrar of Voter's staff and said it was a delight to sit with them last week to observe the process.

Levi Hooper said he had been attending the Reno Area Alliance for the Homeless meetings to relate his experiences. He stated the Point-in-Time meetings provided counseling for the homeless, and he had been offering any assistance he could. He thanked the Commissioners for their help in getting him the job.

Cathy Brandhorst spoke about issues of concern to herself.

Alex Christopher asked for a recount of the votes cast in AD 26.

Sam Dehne spoke about the manipulation of the General Election results by the news media.

Gary Schmidt offered his congratulations and condolences where appropriate to the Commissioners. He said he had been in business since 1968 for himself and was on the Board of the Nevada Republican Assembly where he was elected to Chair

the Campaign and Elections Committee. He stated the press noted there had been a problem with absentee balloting. He said he made a public records request regarding how the problem was resolved, but those records had not yet been provided. He requested the Commission not approve the Canvass at this time, because it had not been disclosed how that problem was resolved. He felt there needed to be a public report and discussion regarding what happened. He said because of his computer background, he was aware that when there was one error there were often additional errors. He stated there needed to be more information on how the absentee ballots were retrieved and transferred to the main computer. He said for that reason there should be a total recount paid for by the County.

Carole Fineberg said most states did an automatic recount when the difference in the votes cast was under a certain percentage, and .0005 was the difference in the total votes cast. She urged the Commission to consider doing a recount of at least AD 26 or of the whole election based on the glitch in the system on election night.

Vice Chairperson Weber said there would be a presentation and discussion regarding the General Election during Agenda Item 5, and she hoped everyone would stay and listen to the discussion.

14-0964 AGENDA ITEM 4 – ANNOUNCEMENTS

Agenda Subject: “Commissioners’/Manager’s announcements, reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to. Requests for information, topics for future agendas and any ideas and suggestions for greater efficiency, cost effectiveness and innovation in County government. (No discussion among Commissioners will take place on this item.)”

9:03 a.m. Chairman Humke returned to the meeting.

John Slaughter, County Manager, said Regional Animal Services was sponsoring a public reception tomorrow night, so the public could meet the candidates for the Regional Animal Services’ Director.

Mr. Slaughter advised the State Public Health Division released information about the medical marijuana establishments (MMEs). He said the County was in discussion with the State about getting as much information as possible about the selection of the provisional licenses for the MMEs. He said a briefing would be presented to the Board at the December 9th meeting.

Commissioner Hartung stated he walked in the Veteran’s Day Parade, and he thanked those who attended. He said it was a pleasure to honor the Veterans.

Commissioner Jung requested further clarification about MMEs. She asked if a staff point person and an attorney could be assigned to answer questions from

the Commissioners or their constituents, because questions had come up about the State laws regulating monopolies. She stated she needed to know who she could contact to get an issue clarified. She asked that any clarifications be sent to all of the Commissioners, because they would probably be getting similar questions. She said the process was highly competitive and the Commission decided not to politicize it, but instead to have the State make the decisions based on the credibility and performance of the applicant. She stated she was concerned about getting drawn into arguments that did not belong with the Commission, but she wanted to be able to provide clarification or at least have the ability to send someone to a subject matter expert.

Commissioner Jung said the Community Assistance Center's Transitional Governing Board met and was working on a plan to provide emergency shelter for the homeless during the winter when the temperatures dropped below freezing, so it would not be necessary to get emergency funding every winter. She stated homeless people were carrying an electronic benefits card, which kept track of the services they had. She said that helped to project what services the people did and did not use, which would help during the budget planning process and during the preparation of the new Request for Proposal (RFP). She believed there should be some sort of cell-phone application that could be used to push information to a cell phone, such as appointment and job interview reminders, because most homeless people had cell phones so they could be contacted if they were looking for a job. She said there was a federal mandate that required working towards permanent housing for the homeless, and she would like to get any feedback the Commissioners might have on doing that.

Commissioner Jung advised the District Health Officer, Kevin Dick, was awarded a five percent increase during his review. She said he was not a physician, but was chosen because he was a great administrator, and the Health District was many things besides being a clinic. She stated the District Board of Health would be paying for courses designed to help him understand the medical perspective when people from the Center for Disease Control (CDC) were speaking about health issues.

Chairman Humke stated next week's Nevada Association of Counties (NACo) annual meeting in Ely, Nevada was being hosted by White Pine, Eureka, Lincoln, and Esmeralda Counties. He said he would be speaking on the legislative panel, which dealt mostly with legislation at the State level. He congratulated Assemblyman and Speaker Designate Ira Hansen and Senate Majority Leader Designate Michael Roberson, for being named to those posts. He said it would be an interesting session due to a lot of people not being reelected, but it was good for the process to have new people in the Legislature.

Commissioner Berkbigler thanked Levi Hooper for being the Board's ears on the ground as far as the homeless situation went, because sometimes it helped to have someone out there to bring the Board information about what was going on.

Commissioner Berkbigler requested staff arrange a meeting to have those people certified to have an MME in Washoe County come before the Board to make a

presentation. She said she was extremely frustrated because the Commissioners were being contacted by their constituents, and she did not know how to answer their questions. She stated she had concerns about the entire appointment process and where the dispensaries would be located. She said this issue needed to be resolved to move things forward.

Commissioner Berkbigler said she also walked in the Veteran's Day Parade, and it was amazing how many WWII Veterans were present. She stated it was wonderful to be able to thank the veterans for their service. Vice Chairperson Weber said this was the 16th year of holding the Veteran's Parade in Reno, and she felt it was awesome the City of Reno held this event.

Vice Chairperson Weber thanked Commissioner Jung for her Nevada Legislative Subcommittee report on Nevada's elder issues, which was available online at the Aging and Disability Services Division's web site.

Vice Chairperson Weber said at the last NACo meeting, a handbook was provided by NACo that discussed ethics and Nevada's Open Meeting Law. She stated a copy would be provided to all of the current and newly elected Commissioners.

9:20 a.m. Chairman Humke assumed the gavel.

14-0965 **AGENDA ITEM 5 – REGISTRAR OF VOTERS**

Agenda Subject: "Declaration of Canvass of Vote and Order for 2014 General Election--Registrar of Voters. (All Commission Districts.)"

Luanne Cutler, Registrar of Voters, said the Commissioners were provided a disc containing the Election Abstract from the General Election, which listed the precinct-by-precinct results. She said that could not be released to the public until the General Election was declared official. She stated a copy of the Election Summary report was attached to the staff report along with a fact sheet about the General Election. She said the fact sheet noted 10,225 voters cast absentee ballots, while the Election Summary put the count at 10,266. She stated that difference was due to the Congressional District 2 provisional ballots that were cast since Election Day. She said the provisional ballots were paper ballots, which was why they were reflected in the absentee reporting.

Ms. Cutler introduced Greg Neuweiler, Election Certification Accuracy Board Chairman, and noted he would be speaking about the post-election audit of the Voter Verified Paper Audit Trail (VVPAT).

Mr. Neuweiler discussed his background and introduced two of the members of the Certification Board present: Jean Stoess and Bob Legoy. He said the remaining member, Steve Davidek was not present. He stated the Certification Board had done over 23 elections.

Mr. Neuweiler said the staff report contained the VVPAT Audit report, which showed the 27 precincts that were randomly polled through a double-blind test. He said the five-digit number in front of the precinct was the number of the memory card. He stated the NRS required a minimum of 20 precincts or 2 percent to be polled, whichever was greater. He said the Certification Board always did more than the State's minimum. He stated a request was made to sample more cartridges from AD 26, which was granted by Ms. Cutler and resulted in a total of 27 precincts being polled. He said there were seven observers present on Certification Day and all of their questions were answered, so they left content. He stated the Certification Board's members could not do their jobs without the support and help of Ms. Cutler's staff. He said he could attest that not one vote was lost during this election and they balanced on every vote cast and in the cartridges.

Mr. Neuweiler stated John Slaughter, County Manager, suggested the Certification Board take the Commission through the actual process used for certifying an election, which would help everyone understand the process and to get a feel for how accurate the process was.

Ms. Cutler reviewed her PowerPoint presentation highlighting some fast facts about the General Election, a photo of some of the poll workers, the detour on Election Night, the results upload, post-Election items, what was next, and the possible recount.

Ms. Cutler said reporting of the results did not begin until well after 8:00 p.m. because people were still in line in Lyon County and Clark County.

Ms. Cutler said the six people in the Registrar's Office could not put on the elections by themselves. She stated it also took the volunteers, the temporary employees, and the staff of many departments to conduct an election.

Ms. Cutler said an error message was received that had never been seen before when the absentee voting results were being uploaded into the main server. She stated Brian Takemoto, Sr. Business Systems Analyst and the Registrar's IT expert, along with the vendor's software technician, accessed the backup information, loaded it so it could be put into the main server, and upload the results. She advised there was never any doubt about whether or not all of the absentee ballots were counted. She stated there were more systems of redundancy in elections than most people could imagine. She said both the absentee ballots' envelopes and the absentee ballots were counted by hand, and then they were counted again before they went through the counting machine. She advised it was not the counting machine that created the error, but was one of the two servers. She said this error had not been encountered before, so they were not sure how to get the results from point A to point B. She stated Mr. Takemoto and the vendor's technician were able to access the backup data and upload it. She stated the numbers were exactly 10,225, and that number never varied from the beginning of the evening to the very end of the evening. She said instances just like this were the reason there were backups.

Ms. Cutler said the VVPAT audit found no errors, which meant there were no differences between the paper printout the voter verified and the count recorded by the machine for that voter. She stated the final Abstract was compiled and printed and the voting history was posted for everyone who voted in the General Election.

Ms. Cutler advised there might be a request for a recount for AD 26 due to the 11 vote difference being a very narrow margin. She said she was supplying Lisa Krasner with information that would help her make an informed decision on whether or not to move forward with requesting a recount. She stated the formal demand for a recount could be made after the completion of this Canvass and up until Monday at 5:00 p.m. She said per Nevada Revised Statute (NRS) 293.403, the candidate must submit the demand for a recount, which should include a list of the precincts to be recounted and would be five percent of the total number, which was seven precincts for AD 26. She stated she provided Ms. Krasner with the estimate of the cost of doing the recount and a deposit would be required when she submitted the formal demand for the recount. She said if the recount resulted in overturning the results, Ms. Krasner's money would be refunded. If not, then the bill would be tallied at the end of the process and she would either be invoiced for an additional amount or refunded any overage. She advised if a recount request was submitted, the Registrar's Office had five days to start the process and five days to complete it.

Chairman Humke congratulated Ms. Cutler on running a relatively efficient and clean election. He thanked her staff of six, the itinerant staff, the volunteers, and the County employees who volunteered for their efforts. Ms. Cutler introduced her staff members and spoke about their roles. Those employees were: Cate Salim, Heather Carmen, Sara Warr, Deanna Spilula, and April DeLong, who was not present. She introduced Mr. Takemoto and stated the Recorder's Office could not get along without his help. She also introduced Herbert Kaplan, Deputy District Attorney, who provided legal counsel when necessary.

Commissioner Hartung asked if Randy Kirner could ask for a recount if a difference was found. Ms. Cutler said she understood once a District was recounted, it could not be recounted again. Paul Lipparelli, Legal Counsel, said there was no statutory provision for doing a recount of a recount, and Mr. Kirner would have to go to court to seek redress if he thought there were irregularities in the process. Commissioner Hartung asked if there was any precedent for the County asking for a recount or was it just not allowed. Mr. Lipparelli stated the right to request a recount was given to the defeated candidate, and the statute did not provide for anyone else to request a recount. He said it would be illogical for a County to seek a recount of its own count of the election. He stated without a statutory basis for doing it over again, the County might risk more legal peril by seeking to recount an election it did not have authority to recount than it would in allowing a person with the right to do that to make that decision.

Commissioner Weber asked what the cost to Ms. Krasner would be to do a recount of AD 26. Ms. Cutler replied the cost would be approximately \$2,000 due to the necessity of having vendor support on site, but there would be no staff costs involved.

Commissioner Weber said there had been numerous recounts over the years, and had there ever been one that resulted in the numbers changing. Ms. Cutler replied she had not seen that happen in Washoe County. Commissioner Weber asked about the recount in 2000 or 2002. Mr. Neuweiler said he was a part of that recount, and he recalled the numbers did not change.

Commissioner Weber felt it would be important to discuss whether the County could ask for any sort of NRS change through the Legislature where a percentage or a difference in the vote count could trigger a recount. Ms. Cutler replied a number of states had an automatic recount provision in statute, and at least two other Nevada counties were facing the same situation. She stated there could be an appetite for seeking a change.

Commissioner Weber stated \$2,000 was a lot of money just because vendor support was needed, and she asked what the process involved. Ms. Cutler reiterated the process by which a defeated candidate could request a recount. She said if a recount was to be done, all of the cartridges would be pulled that contained the requested precincts as well as all of the early voting cartridges. She stated they would be re-uploaded in the system's post-election mode. She said all of the absentee ballots and the original ballots that had been duplicated would be pulled and rerun through the machine. She advised the process would be open to observers.

Commissioner Weber encouraged the candidate to move forward with the recount, because she felt she owed it to the people who voted for her due to the vote being so close. She said everyone who worked on the General Election did an excellent job, and she felt the County had the best process in the State. She stated she believed the Registrar of Voter's Office was very transparent, and she hoped those supporting the recount would be a part of the process.

Chairman Humke asked what statutory provision would take a recount from a five percent sampling to a 100 percent recount. Ms. Cutler believed a variance of 1 percent would trigger a full recount. Chairman Humke noted that would be a decision that would be made after consulting legal counsel. Ms. Cutler replied that was correct.

Chairman Humke asked if the voting trend Ms. Cutler reported would continue or did it have more to do with the properties of this General Election. Ms. Cutler said the voter turnout seemed a little curious. She stated the 2012 General Election was a perfect example of what it was believed the trend was. She said in Clark County the trend was normally double the number of people voted early as opposed to voting on Election Day. She stated that was why the last minute uptick on Election Day surprised everyone.

Chairman Humke said early voting increased every election as a percentage of the total votes cast. Ms. Cutler replied that was true. Chairman Humke asked if the absentee ballots had remained the same. Ms. Cutler said the number of absentee ballots went down as early voting became more popular. Chairman Humke asked if absentee ballots included active-duty military, and he asked what that percentage

was. Ms. Cutler said she did not know what that percentage was offhand. She said when the Office got a request from someone who was in the military or overseas, staff dropped everything else they were doing to make sure that person got a ballot. She stated their ballots could be submitted via e-mail or through a new system in the Secretary of State's Office that allowed them to mark a ballot without having to mark the ballot, scan it, and e-mail it to the Registrar's Office. She said that was important because many active-duty military might not have access to printers and scanners, and she felt that new system would service those voters very well. She said those voters were allowed to submit their ballots through 7:00 p.m. on Election Day, and she was certain every one of those ballots were counted.

Chairman Humke said there were people obtaining signatures on petitions, and he felt their being located just outside a polling location meant they stood a better chance of finding a registered voter, and he asked if that caused any hassle. Ms. Cutler said it was a little alarming to some people and some of the signature gatherers were a little more aggressive than others, but they did stay outside of the 100-foot marker once they were told to do so.

Commissioner Hartung asked Mr. Takemoto to explain the issue with uploading the absentee ballots. Mr. Takemoto said there were two servers on the back end of the absentee-balloting system and everything written to the first server was written to the second server. He stated there were several levels of redundancy in the system so, if there was a complete breakdown of the first server, the second server would continue running. He said it appeared what happened on the first server was the data file that accumulated the data had a problem. He stated the systems were shut down, and he and the vendor's software technician started reviewing the options available. He stated there were several backups taken on both servers throughout the day, as well as the occurrence of automatic backups in a redundant fashion, which meant writing to both servers at the same time. He said something appeared to have happened to the first file, so they reviewed what was on the second server as well as the current backups, and found there were intact files, which they were able to load. He stated when the file was exported from the first server, it was exported in a format it was unhappy with. He said they did have the complete data and were able to re-export it using the backup files with 100 percent of the 10,225 votes. He stated they knew that number before going into it and they were able to verify the file had the complete set with the complete number. He said the vendor's software technician assisted with double-checking to make sure everything was correct, while he was double-checking the vendor to make sure everything appeared to be legitimate. He stated the file was reloaded and everything went from there. Commissioner Hartung thanked Mr. Takemoto and said that was a great explanation.

In response to the call for public comment, Sam Dehne spoke about the media trying to manipulate the elections, especially the City of Reno's mayoral race. He noted the Sequoia Voting Machines were outlawed years ago in California, they should be gotten rid of here, and we should return to using paper ballots due to computers getting hacked and getting viruses.

Gary Schmidt said he supported using paper ballots because the machines could be hacked. He noted one of the biggest problems of the software being proprietary was no one could go in to see what the software did and meant there could not be a fair election under that parameter. He stated Mr. Takemoto said three times that it “appears...” He said he did not want the election to “appear” to be anything, but wanted it to be absolute. He believed the Canvass should not be certified until the vendor corrected the error and the absentee-ballot count was redone starting from square one. He said if that was not done, we would have what “appeared” to be a valid election.

David O’Marra stated he had been involved in all of the elections for the last 10 years as an attorney. He said he was impressed with Washoe County’s Registrar of Voters and the Board should be proud of this Registrar. He asked the Board to approve the Canvass. He stated there were a lot of people asking the Board to not approve the Canvass and to do certain things that the law did not allow. He said approving the Canvass was what the law required and then the law allowed for a candidate to seek relief through the system. He stated the General Election was well run by the Registrar of Voters and there were observers watching everything through the entire process.

Gary Duarte asked if there were any changes in the number of votes during the recount done 10 years ago and what that number was. Commissioner Weber asked Mr. Neuweiler if he could answer that question. Mr. Neuweiler replied he did not remember due to it being too long ago.

Commissioner Berkbigler said staff did a superb job of showing there was not a broad-based problem, and the Board needed to move forward with approving the Canvass.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 5 be approved.

14-0966 AGENDA ITEM 6 – PROCLAMATION

Agenda Subject: “Proclamation--November 10-15, 2014 is designated as Northern Nevada Flood Awareness Week.”

Commissioner Hartung said the area was in a drought, but even so it was not a matter of if the community would flood, but when. He read and presented the Proclamation to Kimble Corbridge, Washoe County Flood Plain Manager. Mr. Corbridge said it had been found that all droughts usually ended with a flood and now was the perfect time to prepare for one. He stated several brochures, pamphlets, and a children’s workbook were available in the Community Services Department’s Engineering Division. A copy of the brochures, pamphlets, and workbook were placed on file with the Clerk. He said everyone needed a 72-hour kit and needed to be prepared for floods and possible evacuation.

10:37 a.m. Commissioner Weber left the meeting.

In response to the call for public comment, Sam Dehne discussed Flood Awareness Week.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 6 be adopted.

10:38 a.m. Commissioner Weber returned to the meeting.

CONSENT AGENDA – ITEMS 7A THROUGH 7G

14-0967 **AGENDA ITEM 7A**

Agenda Subject: “Approve minutes for the Board of County Commissioners’ September 23, 2014 meeting.”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7A be approved.

14-0968 **AGENDA ITEM 7B – DISTRICT ATTORNEY**

Agenda Subject: “Approve payments [816,418.32] to vendors for assistance of 95 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims, victim’s spouses and other eligible persons. District Attorney. (All Commission Districts.)”

Commissioner Weber said she had been concerned because the numbers had gone up so much and she asked the Manager to find out what the situation was. She stated she was informed the numbers were for two months, which was why the numbers were higher than normal. Chairman Humke stated sexual assault was a highly underreported crime, because it was hard for the victims to come forward.

Chairman Humke suggested having a presentation on Nevada Revised Statute (NRS) 217 for the new Commissioners.

In response to the call for public comment, Cathy Brandhorst spoke about this matter and the issue of not having insurance.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7B be approved and authorized.

14-0969 AGENDA ITEM 7C – LIBRARY

Agenda Subject: “Approve State Collection Development funds from the State of Nevada [\$6,929, no local match required] for a retroactive term from October 1, 2014 through June 30, 2015, for the augmentation of Library Collections; direct the Comptroller’s Office to make the necessary budget adjustments and authorize the Director to sign the grant award document--Library. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7C be approved, directed, and authorized.

14-0970 AGENDA ITEM 7D(1) – COMMUNITY SERVICES

Agenda Subject: “Approve the State of Nevada Manufacturer’s Brew Pub License, with recommendations contained in the staff report, for CMZ, LLC (Michael Connolly), dba Brewer’s Cabinet, and if approved, authorize each Commissioner to sign the State of Nevada *Application for Manufacturer’s License* with direction for the County Clerk to attest the license application. (Commission District 5.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(1) be approved, authorized, and directed.

14-0971 AGENDA ITEM 7D(2) – COMMUNITY SERVICES

Agenda Subject: “Approve a State of Nevada Importer and Wholesale Dealer of Beer License for Frederick Ost, dba Fishbowl Imports Inc., and if approved, authorize each Commissioner to sign the State of Nevada *Application for License for Importer and Wholesale Dealer of Wine, Liquor, and Beer* with direction for the County Clerk to attest the license application. (Commission District 3.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(2) be approved, authorized, and directed.

14-0972 AGENDA ITEM 7D(3) – COMMUNITY SERVICES

Agenda Subject: “Approve the State of Nevada Manufacturer’s Brew Pub License, with recommendations contained in the staff report, for IMBIB, LLC (Matthew

Johnson), dba IMBIB Custom Brews, and if approved, authorize each Commissioner to sign the State of Nevada *Application for Manufacturer's License* with direction for the County Clerk to attest the license application. (Commission District 3.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(3) be approved, authorized, and directed.

14-0973 AGENDA ITEM 7D(4) – COMMUNITY SERVICES

Agenda Subject: “Approve a refund to C.B. Maddox for sewer connection privilege fees as a result of the reversion to acreage maps for the Cottonwood Creek Unit 7 [\$74,250] and Unit 8 [\$25,250] residential development projects in the South Truckee Meadows. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(4) be approved.

14-0974 AGENDA ITEM 7D(5) – COMMUNITY SERVICES

Agenda Subject: “Approve the Second Amendment to Lease between Vabadus LLC and Washoe County to acknowledge the transfer of ownership for the property located at 4930 Energy Way, Reno Nevada, to provide lease and payment compliance by acknowledging this transfer of ownership. (Commission District 3.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(5) be approved.

14-0975 AGENDA ITEM 7D(6) – COMMUNITY SERVICES

Agenda Subject: “Accept a Arrowcreek Open Space Fuel Reduction Project-Phase 1 Subgrant award from the Nevada Division of Forestry [\$24,000 - matching funds of \$13,776.80 funded through in-kind and indirect costs] for the period of November 24, 2014, through December 31, 2015; and authorize the Director of the Community Services Department to execute the Funding Agreement and all associated grant related documents; and direct the Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(6) be accepted, authorized, and directed.

14-0976 AGENDA ITEM 7D(7) – COMMUNITY SERVICES

Agenda Subject: “Adopt a Resolution establishing the Washoe County Planning Commission as the Washoe County Capital Improvements Advisory Committee as authorized within NRS 278B.150. (All Commission Districts.) To be heard before Agenda Item #7.D.8.”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(7) be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0977 AGENDA ITEM 7D(8) – COMMUNITY SERVICES

Agenda Subject: “Adopt a Resolution initiating an amendment to the Development Code, Chapter 110 of County Code, at Article 706, Impact Fees recognizing recommended changes to the Regional Road Impact Fee program including the Capital Improvement Program and the General Administration Manual. (All Commission Districts.) To be heard after Agenda Item #7.D.7.”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D(8) be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0978 AGENDA ITEM 7E(1) – HEALTH DISTRICT

Agenda Subject: “Approve and execute the Permit for Disinterment of Human Remains, (Arvid Nels Norman) as allowed under NRS 451.050, Subsection 2. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7E(1) be approved and executed.

14-0979 AGENDA ITEM 7E(2) – HEALTH DISTRICT

Agenda Subject: “Approve and execute the Permit for Disinterment of Human Remains, (Crisostomo DeCastro) as allowed under NRS 451.050, Subsection 2. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7E(2) be approved and executed.

14-0980 AGENDA ITEM 7F – ANIMAL SERVICES

Agenda Subject: “Accept monetary donations to Washoe County Regional Animal Services [\$6,236] for the period of July 1, 2014 – September 30, 2014 to be used for the humane care and treatment of sick and/or injured, stray or abandoned animals received; express appreciation for these thoughtful contributions; and direct the Comptroller’s Office to make the appropriate budget adjustments--Animal Services. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung thanked the donors for their monetary donations to Washoe County Regional Animal Services. She stated Washoe County was the number one County to live in if you were a homeless animal because of the great foster care parents and because Washoe County did not euthanize an animal because of space issues.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7F be accepted, expressed, and directed.

14-0981 AGENDA ITEM 7G – SHERIFF

Agenda Subject: “Accept donation [\$2,500] from Tedesco Pacific Construction, Inc. to the County of Washoe on behalf of the Washoe County Sheriff’s Office to purchase equipment for the K-9 Unit; and authorize Comptroller’s Office to make the appropriate budget adjustments--Sheriff. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung thanked Tedesco Pacific Construction, Inc. for their \$2,500 donation to purchase equipment for the Washoe County Sheriff’s K-9 Unit.

There was no public comment on this item.

On motion by Commissioner Berkgler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7G be accepted and authorized.

BLOCK VOTE – AGENDA ITEMS 9, 10, AND 11

In response to the call for public comment on the agenda items in the block vote, Cathy Brandhorst discussed issues of concern to herself.

14-0982 AGENDA ITEM 9 – COMPTROLLER

Agenda Subject: “Recommendation to approve payment [\$222,355.25] for the Estimated Annual Assessment for Washoe County’s self-funded workers’ compensation program for fiscal year 2015, to the State of Nevada Division of Industrial Relations--Comptroller. (All Commission Districts.)”

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 9 be approved.

14-0983 AGENDA ITEM 10 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to accept a grant [\$1.1 million] from the Nevada Division of State Lands, Conservation and Resource Protection (SQ-1) Grant Program for phase 4 of the Lake Tahoe Bike Path Project, retroactive from September 1, 2014 to December 31, 2017, (required match \$1.1 million from Federal Lands Access Program grant); approve “Agreement Regarding November 2002 State Question 1: Parks and Open Space Bond Issue-Lake Tahoe Bike Path Project Funding” between Washoe County and Tahoe Transportation District, retroactive to November 1, 2014 for the implementation of Phase 4 of the path; authorize the Community Services Department Director to execute all appropriate grant and Tahoe Transportation District related agreements and documents, and direct the Comptroller’s Office to make all necessary budget adjustments--Community Services. (Commission District 1.)”

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 10 be accepted, approved, authorized, and directed. The Agreement for same is attached hereto and made a part of the minutes thereof.

14-0984 AGENDA ITEM 11 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to approve “Federal Lands Access Program Project Memorandum of Agreement” leveraging [\$12.5 million] in Federal Lands Access Program funds for the design and construction of improvements in the SR 28 corridor including the Nevada Stateline to Stateline Bikeway, and authorize the

Community Services Department Director to sign related agreements and documents--Community Services. (Commission District 1.)”

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 11 be approved and authorized.

14-0985 AGENDA ITEM 8 – COMPTROLLER/KAFOURY ARMSTRONG & CO.

Agenda Subject: “Recommendation to acknowledge receipt of the Washoe County Comprehensive Annual Financial Report (CAFR), auditor’s report, and report on internal control for the fiscal year ended June 30, 2014 as presented; approve the re-appropriation of \$15,089,694 for fiscal year 2015 budget, consisting of \$4,055,818 for purchase order encumbrances committed in fiscal year 2014 and \$11,033,875 for spending of restricted contributions and fees; and, authorize the Comptroller to proceed with distribution of the CAFR for public record as required by law--Comptroller/Kafoury Armstrong & Co. (All Commission Districts.)”

Paul McArthur, Comptroller, said Washoe County retained its Triple A rating with the rating agency and the Comprehensive Annual Financial Report (CAFR) was completed on time and received the highest opinion from the independent auditors. He reviewed the County’s financial outlook.

Lynn Broyles, Accounting Manager (Financial Reporting), introduced herself and acknowledged the staff members who were not present: Sandra McGarva, Administrative Assistant; Mary Solorzano, Accounting Manager (Operations); and Tammy Yau, Accountant II; Joyce Garrett, Accountant II; Asta Dominguez, Accountant II; Darlene Delany, Senior Accountant; Crystal Carter, Senior Accountant; Marilyn Urbani, Accountant II; and Russell Morgan, Senior Accountant (Health Benefits).

Mr. McArthur said the team put in almost 1,200 hours of work over five months, and he was very appreciative and proud.

Felicia O’Carroll, Shareholder, Kafoury, Armstrong & Co., said she was pleased the Comptroller presented the audit report himself, because they were the County’s financial statements and that was the way it should be, and she was present to answer questions. She congratulated the County on receiving the Certificate of Achievement again and also for the completion of the audit in a timely manner.

Mr. McArthur concluded Washoe County continued to provide strong financial leadership to its citizens. He stated they were conservatively optimistic about revenue growth and would continue to closely monitor the expenditures from the General Fund.

Commissioner Hartung thanked Mr. MacArthur for doing a great job and he felt John Slaughter, County Manager, made a great choice for Comptroller.

In response to the call for public comment, Cathy Brandhorst discussed an issue of concern to herself.

Garth Elliott asked the Board to not spend the additional \$10 million immediately.

On motion by Commissioner Berkgigler, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 8 be acknowledged, approved, and authorized.

PUBLIC HEARINGS

14-0986 AGENDA ITEM 12 – COMMUNITY SERVICES

Agenda Subject: “Second reading and adoption of an Ordinance amending Chapter 40 of the Washoe County Code (Water and Sewage) by revising provisions of the code to rename and restructure the department, and delete reference to the Water Planning Commission based on the consolidation of the Washoe County Water Utility with the Truckee Meadows Water Authority; and other matters properly related thereto. (Bill No. 1727)--Community Services. (All Commission Districts.)”

Nancy Parent, County Clerk, read the title for Ordinance No. 1546, Bill No. 1727.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Berkgigler, seconded by Commissioner Hartung, which motion duly carried, Chairman Humke ordered that Ordinance No. 1546, Bill No. 1727, entitled, "AN ORDINANCE AMENDING CHAPTER 40 OF THE WASHOE COUNTY CODE (WATER AND SEWAGE) BY REVISING PROVISIONS OF THE CODE TO RENAME AND RESTRUCTURE THE DEPARTMENT, AND DELETE REFERENCE TO THE WATER PLANNING COMMISSION BASED ON THE CONSOLIDATION OF THE WASHOE COUNTY WATER UTILITY WITH THE TRUCKEE MEADOWS WATER AUTHORITY; AND OTHER MATTERS PROPERLY RELATED THERETO," be adopted, approved and published in accordance with NRS 244.100. The ordinance will become affective concurrent with the effective date of Washoe County Water Utility and the Truckee Meadows Water Authority merger.

Agenda Subject: “Second reading and adoption of an Ordinance repealing Ordinance 1470, Washoe County Requirements and Schedule of Rates and Charges for Water Service within certain areas of Washoe County; and other matters properly related thereto. (Bill No. 1728)--Community Services. (All Commission Districts.)”

The Chairman opened the public hearing.

Nancy Parent, County Clerk, read the title for Ordinance No. 1547, Bill No. 1728.

In response to the call for public comment, Kerry Shacklett said he was ripped off by the Truckee Meadows Water Authority (TMWA). He stated there was a bump in his bill for one billing cycle, which cost him an extra \$250. He said he investigated his property and found no evidence of any leak. He stated the amount used was normal for the month prior to the bump and was normal for the month after the bump, and he noted the problem did not fix itself. He said the amount involved was not enough to pursue in court. He said he called TMWA, but all they did was penalize him by taking away their leak forgiveness abatement because he insisted his bill was incorrect. He stated nothing would happen before the water board, and he felt the only way the problem would be addressed was by a governmental authority. He said he was sure this happened before and was sure it would happen again. He stated someone from TMWA came out the next day and walked his property with him. He said they found one little leak in his drip line and they said that must be the problem, but that little leak costing him 70,000 gallons was absurd. He stated he hoped the Board would address this in some way.

Chairman Humke asked Mr. Shacklett to submit his bill to the Washoe County Clerk, which would assist staff with his complaint against TMWA. Commissioner Harung asked Mr. Shacklett to leave his contact information. Commissioner Berkbigler said it was interesting the bill was normal, abnormal, and normal, and she hoped staff could look into this. She believed if it happened to Mr. Shacklett, it was probably happening to someone else.

In response to the call for public comment, Cathy Brandhorst discussed the lack of affordability of city water.

On motion by Commissioner Berkbigler, seconded by Commissioner Weber, which motion duly carried, Chairman Humke ordered that Ordinance No. 1547, Bill No. 1728, entitled, "**AN ORDINANCE REPEALING ORDINANCE 1470, WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES AND CHARGES FOR WATER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY; AND OTHER MATTERS PROPERLY RELATED THERETO,**" be adopted, approved and published in accordance with NRS 244.100. The ordinance will

become affective concurrent with the effective date of Washoe County Water Utility and the Truckee Meadows Water Authority merger.

14-0988 AGENDA ITEM 14 – COMMUNITY SERVICES

Agenda Subject: “Second reading and adoption of an Ordinance adopting the Washoe County Requirements and Schedule of Rates, Tolls, and Charges for the Golden Valley Artificial Recharge Program; providing for Rates, Payments, Procedures and their Enforcement relating to conditions of service; exemptions; appeal procedures. (Bill No. 1729)--Community Services. (All Commission Districts.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Nancy Parent, County Clerk, read the title for Ordinance No. 1548, Bill No. 1729.

Commissioner Weber said she understood the program would be handled by the Truckee Meadows Water Authority (TMWA). Dave Solaro, Community Services Director, explained the program would be staying with Washoe County, but TMWA and the County were working on an Interlocal Agreement to have TMWA do the work of the program, which was in part due to the way the residents were billed for it. He stated since the County's expertise was going to TMWA, there would be an Interlocal Agreement with TMWA to provide the service and the County would be administering the program.

In response to the call for public comment, Cathy Brandhorst discussed matters of concern to herself.

On motion of Commissioner Jung, seconded by Commissioner Berkbiger, which motion duly carried, Chairman Humke ordered that Ordinance No. 1548, Bill No. 1729, entitled, "AN ORDINANCE ADOPTING WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES, TOLLS, AND CHARGES FOR THE GOLDEN VALLEY ARTIFICIAL RECHARGE PROGRAM; PROVIDING FOR RATES, PAYMENTS, PROCEDURES AND THEIR ENFORCEMENT RELATING TO CONDITIONS OF SERVICE; EXEMPTIONS; APPEAL PROCEDURES," be adopted, approved and published in accordance with NRS 244.100.

14-0989 AGENDA ITEM 15 – CLOSED SESSION

Agenda Subject: “Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.”

There was no closed session.

14-0990 AGENDA ITEM 17 – PUBLIC COMMENT

Agenda Subject: “Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.”

In response to the call for public comment, Garth Elliott noted that the campaign signs for those that ran got picked up fairly quickly. He said Luange Cutler, Registrar of Voters, helped get a fix for an issue with the Sequoia Voting Machines that occurred whenever there were multiple positions for one spot, which was an issue with the races for the General Improvement Districts. He said if someone wanted to vote for two candidates and there were three openings, the voter was given the impression their vote would not count if they did not vote for three candidates. He stated a note was put on the voting machines in Sun Valley to alert the voter about the issue and what to do about it. He said it was not up to him to determine if that was adequate or not but, whatever the problem was, it needed to be fixed since it had been an issue for more than four years.

Cathy Brandhorst discussed issues of concern to herself.

COMMUNICATIONS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

14-0991 Complete Informational Report on Pilot Program for Washoe County’s Procurement Card (Pro-Card) Program; original meeting date April 18, 2000, Item 00-310.

QUARTERLY REPORTS

14-0992 Washoe County Sheriff – CORRECTED COPY – 4th Quarter Report of Civil Fees and Commissions for FY 2013/2014.

14-0993 Washoe County Clerk – 2014/15 Quarterly Financial Statement for July 1st through September 30th.

14-0994 Clerk of the Court – Quarterly Financial Statement for quarter ending September 30, 2014.

COMPREHENSIVE ANNUAL REPORTS/FINANCIAL STATEMENTS

- 14-0995 Monthly Statement of Washoe County Treasurer for Month Ending August 31, 2014.
- 14-0996 Monthly Statement of Washoe County Treasurer for Month Ending September 30, 2014.
- 14-0997 FY 2014 Audited Financial Statement: Gerlach General Improvement District.
- 14-0998 Reno-Sparks Convention and Visitors Authority Comprehensive Annual Financial Report, Fiscal Year Ended June 30, 2014.

* * * * *

11:30 a.m. There being no further business to discuss, on motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, the meeting was adjourned.

Chairman
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Jan Frazzetta, Deputy County Clerk*

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

8:30 A.M.
SPECIAL MEETING

DECEMBER 2, 2014

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson*
Marsha Berkbigler, Commissioner
Vaughn Hartung, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

ABSENT:

Kitty Jung, Commissioner

The Washoe County Board of Commissioners convened at 8:45 a.m. in special session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

14-1001 AGENDA ITEM 3 - PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole."

Jeff Church discussed various issues he had regarding the City of Reno. A copy of his comments was placed on file with the Clerk.

8:47 a.m. Commissioner Weber arrived during Mr. Church's public comment.

Cathy Brandhorst spoke about children going hungry and needing help.

14-1002 AGENDA ITEM 4 - ANNOUNCEMENTS/REPORTS/UPDATES

Agenda Subject: "Commissioners'/Manager's announcements, reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to. Requests for information, topics for future agendas and any ideas and suggestions for greater efficiency, cost effectiveness and

innovation in County government. (No discussion among Commissioners will take place on this item.)”

John Slaughter, County Manager, noted there would be a concurrent meeting with the Cities of Reno and Sparks on December 8, 2014.

Commissioner Berkbigler said the Veteran’s Parade was wonderful and it was one of the largest crowds she had seen. She stated the Employee Appreciation Breakfast would be held tomorrow morning in the Senior Center.

Commissioner Weber said she was going to the National Association of Counties (NACO) Board of Directors meeting, which was being held in Maui, Hawaii. She stated she attended the Nevada Association of Counties (NACo) meeting in Ely, Nevada, which was the largest conference held in the last eight or nine years. She noted NACo would have a lot of new members, and those Commissioners were given a handbook containing information on everything they would need to know. She said Chairman Humke and herself were recognized for their years of service on the Washoe County Board of County Commissioners.

Chairman Humke said there was a vacancy on the Reno City Council due to Hillary Schieve being elected as Reno’s Mayor. He stated a sitting State Legislator was reported to be on most of the nominating ballots. He felt a process should be established so the Board of County Commissioners (BCC) could fill that vacancy if that Legislator was appointed to the Reno City Council. He said if that situation arose, it would help the State Legislature, the individual, and Washoe County if the appointment was made as soon as possible. He stated there would be a tremendous learning curve for someone to be ready for the Legislative Session starting in February 2015. He said there was also a vacancy due to a judge retiring at the Reno Justice Court in Department 3, and a process should be established for making that appointment.

Later in the meeting after the Board dealt with Agenda Item 5, Chairman Humke stated a special meeting in December would be necessary if the Commission needed make an appointment to fill a vacated Assembly seat.

Commissioner Hartung asked if calling for applicants could be put on the agenda for the concurrent meeting on December 8th, or would it have to wait until the Board’s December 9th regular meeting. Paul Lipparelli, Legal Counsel, said the process of deciding how to fill a vacancy of an Assembly seat was up to the County Commission. He advised the only requirements were the candidate must be from the same district and the same party. He said there were recent examples on filling those types of vacancies, but some of the steps could be overlapped or condensed to give the person a reasonable time to prepare to fill the vacancy. He felt there would be no legal problems and the Board would be acting appropriately to fill the vacancy sooner rather than later. He said to answer Commissioner Hartung’s question, it would not constitute an emergency under the Open Meeting Law and there could not be a meeting without following the three-day posting requirement.

After further discussion about putting the appointment on one of the two upcoming agendas, Mr. Slaughter said the decision by the Reno City Council was expected late in the evening on December 3rd, which would be too late to post for the meeting on December 8th. He said the discussion by the City Council would be monitored and staff would be ready to move to post an agenda with that item included after the City Council's final decision if necessary.

Commissioner Berkbigler stated she was already being approached by people who were interested in being appointed to fill the potentially vacant Assembly seat. She believed the Board should move forward as quickly as possible.

Chairman Humke noted if the Legislator was appointed to the Reno City Council, that individual would need to inform the Governor of his resignation from the Legislature, which would set in motion the process for finding a replacement to fill his Assembly seat.

Mr. Slaughter suggested leaving handling the agenda to the Manager's discretion. He said if it looked like if it could go on the December 8th agenda, staff would do so; otherwise, it would be put on the agenda for December 9th.

Commissioner Berkbigler asked about the Reno Justice Court vacancy. Chairman Humke felt those two appointment processes should work in tandem throughout December.

14-1003 AGENDA ITEM 5 - REGISTRAR OF VOTERS

Agenda Subject: "Declaration of Canvass of Vote (recount of seven precincts in Assembly District 26) and execute Order of the recount--Registrar of Voters."

Luanne Cutler said Assembly District 26 candidate, Lisa Krasner, submitted a formal request for a recount of Assembly District 26 on November 17, 2014 and named the seven precincts she wanted recounted. She stated the recount took place on November 21, 2014, which started with uploading and tallying the early voting cartridges. She said then the Election Day results were uploaded and tallied from the seven precincts chosen. She stated there were 33 absentee ballots within the seven precincts chosen that had been duplicated by the Duplication Board prior to the General Election. She said each of those ballots was opened and a four-man team confirmed that each ballots had been duplicated properly. She stated those paper ballots were run through the counting machines and the results were uploaded to the main server. She advised the result was exactly the same as the result on Election Day. She noted since no discrepancies were found, the recount went no further.

Ms. Cutler said what was being done was explained to the people observing, so everyone understood what was going on.

Greg Neuweiler, Election Certification Accuracy Board Chairman, stated 30 observers were present during the recount and everything went very well. He thanked the County's staff under County Manager John Slaughter's direction, and the Registrar of Voter's staff under Ms. Cutler's direction, for their work. He admitted he was a little nervous when the final report was run, and he went straight to the totals line, which matched. He advised a vote had never been lost in the last 20 plus elections.

Bob Legoy, Election Certification Accuracy Board Member, said the same members had been on the Certification Board since being part of the Election Task Force in 1999. He said the recount coming in the same as it did during the General Election was a testimony to the integrity of the people and equipment Washoe County had.

Jean Stoess, Election Certification Accuracy Board Member, said the recount went very well, and she was proud of Ms. Cutler and her staff. She stated she was optimistic that in two years they would have everything under control during the Presidential Election, which should be a real humdinger of an election. She thanked Commissioner Weber and Chairman Humke for their service.

Ms. Cutler said the recount process reaffirmed to her that the procedures, processes, and people in place to run the elections in Washoe County were the right choice. She stated her staff took a great deal of pride in what they did and it showed. She said she also hoped the recount dispelled any doubts about the election equipment. She stated she was grateful to the Board, the management team, and the District Attorney's Office, especially Herb Kaplan, Deputy District Attorney, for their support. She also thanked the Certification Board. She said it was a fine team, and she was very proud of them.

Commissioner Berkbigler said a terrific staff came from having a terrific boss and Ms. Cutler was doing a wonderful job. She asked why the ballots had to be duplicated. Ms. Cutler said the paper ballots were torn while being mailed or, most often, a voter did not mark their ballot correctly. She stated in this election, a lot of voters made two choices in one place. She said those ballots were rejected by the counting machines and were given to the four-person Duplication Board. She stated the Board members marked all of the voter's choices that had been marked correctly on a fresh ballot, which the counting machines could read. Commissioner Berkbigler said she appreciated the service of the Certification Board and all of Ms. Cutler's team.

Commissioner Weber thanked everyone for doing a great job, and noted it had been a pleasure working with them. She felt having this process available to the candidates was fabulous, along with having the Certification Board. She said if a candidate was concerned, they should go forward with requesting a recount. She asked the Board to consider that if there was a certain small percentage difference in the votes, to possibly seek to change the law so the candidate would not have to come up with the money to do the recount. She said even if this Board never had the appetite to do so, at least the candidate had the ability to request a recount. She stated the best part was that there had never been any change to the vote count due to a recount.

Commissioner Hartung asked if the final figure on what it cost to do the recount was available. Ms. Cutler said before she could finalize Ms. Krasner's bill, she needed the final billing from the vendor, but she believed the estimate given to Ms. Krasner would be spot on. Commissioner Hartung said well done to the team. He stated he was pleased the process was validated and he could not be more proud of the system and the people who ran it in Washoe County.

Chairman Humke said he would like to replicate all of the remarks he made on November 12, 2014, because they still stood. He said Ms. Cutler ran a great department, which provided for a fair and clean election. He thanked Ms. Cutler and the Certification Committee for their service.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that the Declaration of Canvass Recount of seven precincts in Assembly District 26 and Order for the 2014 Assembly District Recount be approved.

9:20 a.m. Commissioner Weber left the meeting.

14-1004 AGENDA ITEM 7 – PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole."

In response to the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

* * * * *

9:38 p.m. There being no further business to discuss, the meeting was adjourned without objection.

Chairman
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Jan Frazzetta, Deputy County Clerk*

Pending Board Approval

BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA

THURSDAY

8:30 A.M.

DECEMBER 8, 2014

CONCURRENT MEETING

PRESENT:

David Humke, Chairman*
Marsha Berkgigler, Commissioner
Kitty Jung, Commissioner
Vaughn Hartung, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

ABSENT:

Bonnie Weber, Vice Chairperson

The Commission convened at 8:32 a.m. in concurrent session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

14-1007 AGENDA ITEM 4 - PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission, Reno City Council and Sparks City Council as a whole."

Frank Partlow said he donated a copy of the book, "Sage Nevada" to each member of the Nevada Legislature in 2010-11, along with copies to the Washoe County Commission and the Reno and Sparks City Councils. He stated he wrote the book to help readers understand what the Nevada Spending and Government Efficiency Commission was about, how it functioned, and what it accomplished. He said that Legislative Session addressed some of the Sage Commission's recommendations and the Legislative Counsel Bureau (LCB) had the information on what did or did not happen to each of the Sage Commission's recommendations. He stated because there were many newly elected officials, he decided to repeat the donations made earlier. He thanked the elected officials for their service, and congratulated those who were just elected.

Kelly Hyatt congratulated everyone who had new jobs after winning their elections. She said she was speaking on behalf of the Wild Horse Alliance, and she thanked the City of Reno and the County for the proclamations they were doing. She stated she was a travel agent and was very involved in promoting wild-horse tourism. She said she had been researching North Carolina's wild-horse tourism and green-growth development. She felt green-growth development was really important and this area should look at doing that type of development. She said it was about sustainable growth that worked to safeguard and improve public safety, while enhancing the quality of life for people and wildlife. She stated if our natural resources were not preserved and protected, future generations would have nothing but a concrete jungle to live in. She said everyone should continue to work with the wild-horse advocate groups to manage the wild horses with the main goal being public safety. She stated if the public was not safe, the horses would not be safe.

Paula Penrod stated that based on whatever decision the Nevada Supreme Court made regarding Uber, the community needed to be proactive rather than reactive. She stated Uber was looking to expand its services to go beyond ride-sharing by providing one-day delivery service, and that service would rival the services of other such providers. She said there were other startups using similar business platforms to provide ride-sharing services to the public. She stated Uber's financial success was a direct result of the general public's desire to choose what form of transportation they wanted to use. She said in some cities, a person could order a taxicab through Uber using Uber's app. She said the Cities of Reno and Sparks had a golden opportunity to set up a joint agency to license and oversee independent-contractor drivers, whether they drove a taxicab or were Uber drivers. She noted most taxicab drivers were independent contractors and not employees of the taxicab companies. She stated a joint licensing agency would ensure public safety and would provide uniformity in dealing with all independent-contractor drivers. She felt the revenues generated would be significant. She said the community needed to be prepared to deal with the new businesses the hi-tech industry would bring to the area, because it would change our business community, demographics, and community needs. She requested the entities to put the issue of creating a joint-licensing agency on their agendas. She said municipalities had the ability to regulate businesses within their own jurisdictions and there were ordinances already in place regarding independent contractors.

Marilee Wintz stated a bullet flew over her head when she was almost back to her car after hiking on Peavine. She requested Peavine be redefined as a congested area. A copy of her comments and photos was placed on file with the Clerk.

Kent Ervin talked about shooters being too close to the trails on Peavine and noted some of the shooting was occurring in the congested areas. He stated the current boundaries for the congested areas made no sense due to the terrain and the location of the trails and roads. A copy of his comments and photos was placed on file with the Clerk.

Dr. Pat Collatti said he was representing all of the wild horse groups in Northern Nevada, and he thanked everyone for their hard work and support during the past year. He said he worked with Mayor Cashell to get a proclamation in favor of wild horse ecotourism and safety. He said since then many County and City officials voiced their support and provided help on how to proceed. He stated soon a new cooperative agreement to manage the wild horses would take affect between the horse groups and the State, which would thrust the nonprofits into a situation where they would be the people managing the wild horses and the public safety issues involving them. He said the wild horse advocates would continue to work with local governments to keep the wild horses on the range and safe, while at the same time working to develop an ecotourism system that would greatly benefit the local economies.

Sam Dehne spoke about attending local government meetings and his issues with the elections and the local media.

14-1008 AGENDA ITEM 5 – APPROVAL OF AGENDA

Agenda Subject: “Approval of the Agenda. (For Possible Action).”

The Reno City Council and the Sparks City Council voted in favor of approving the agenda.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Chairman Humke and Commissioner Weber absent, it was ordered that Agenda Item 5 be approved.

14-1009 AGENDA ITEM 6 – PRESENTATION

Agenda Subject: “Presentation – Background and overview regarding jurisdictional preparedness related to the regional impacts of accelerated economic development, specifically with respect to the upcoming Tesla project. [Andrew Clinger, Manager, City of Reno; Steve Driscoll, Manager, City of Sparks; John Slaughter, Manager, Washoe County].”

Andrew Clinger, Reno City Manager, said the managers for the Cities of Reno and Sparks and the County wanted to provide some context in how this agenda was developed. He stated the managers had been receiving inquiries since September from their elected officials and the media regarding the region’s preparedness for economic growth. He said in light of those concerns, it was thought it would be helpful for the elected officials and the community to hear directly from staff about some of those areas of concern. He stated today’s agenda would cover housing, water resources, and water treatment capacity. He said questions were also received about transportation, K-12 education, workforce, and health care capacity, but those would have to be covered at another time.

Mr. Clinger stated since the middle of 2013, the managers and key staff of the region's public and private agencies had been meeting regularly regarding the Smarter Region project. He said because of that open line of communication, staff could mobilize cooperative efforts like this relatively quickly. He stated the two Cities and the County were also actively implementing the region's new streamlined business license and permitting process, which required a significant level of cooperation.

There was no public comment and no action taken on this item.

14-1010 AGENDA ITEM 7 – PRESENTATION

Agenda Subject: “Presentation and discussion of projected demographic and population changes related to the regional impacts of accelerated economic development, specifically with respect to the upcoming Tesla project, and their implications relating to housing and education. [Kim Robinson, Executive Director, Truckee Meadows Regional Planning Agency]”

Kimberly Robinson, Truckee Meadows Regional Planning Agency (TMPRA) Executive Director, conducted a Power Point presentation focusing on the region's growth, demographics, and housing. A copy of the presentation was placed on file with the Clerk.

9:10 a.m.* Chairman Humke arrived at the meeting.

Ms. Robinson said the region's growth projections were done using consensus forecasting, which combined several forecasts into one. She stated that approach was useful if there was a high degree of uncertainty in the predictions, because pooling forecasts tended to increase accuracy while spreading out the risk associated with using one forecast. She said consensus forecasting also was an agreement by regional partners to share a common vision and to align planning efforts around a shared assumption.

Ms. Robinson stated growth was projected at an additional 127,000 people by 2034, which was a 29 percent increase, along with a projected 81,000 jobs. She said it was important to reassess projections and update them every two years as part of the consensus forecast process. She said assumptions were also being reviewed through a partnership with Economic Development Authority of Western Nevada (EDAWN), which would result in a joint report regarding the potential impacts of enhanced economic development in the region.

Ms. Robinson used a Regional Transportation Commission (RTC) travel-demand model as an example of how the population-projection numbers were used. She stated the model allowed for predicting where traffic constraints would likely occur, so improvements to those areas could be planned.

Ms. Robinson said besides looking at the numbers, it was necessary to understand how the demographic changes might impact regional planning, which meant looking at traits such as age, income levels, and household size. She said a 4 percent shift was predicted between the working and retired populations by 2034. She advised the increase in people over 65 meant 41,000 people, while people 80 and over would see a 124 percent increase. She said those increases would impact transit, housing, and senior and social services.

Ms. Robinson said the largest segments of our population were the millennial and baby-boomer segments. She stated the baby boomers preferred single-family housing. She noted the millennials made up over 30 percent of our total population, which meant we had to pay attention to what their housing preferences would be. She said their preferences and the implications of the growing senior population meant there was some uncertainty about what the future housing needs would be, which would be an important conversation to have moving forward. She said that was why doing a residential lands study was being contemplated, because that study would look at current supply and future demand. She said one of the biggest pieces to understanding housing was to understand what was already approved, so the focus was on the supply of approved future-housing units across the region, which totaled 64,000 units. She stated as of November about 9,000 units had an active tentative map, 54,377 units were planned, and 4,500 units were subdivided. She said 9 percent of the units were in Washoe County, 28 percent were in the City of Sparks, and 63 percent were in the City of Reno.

Ms. Robinson discussed the tentative map and planned development slide, which showed most of the approved units were on the periphery of the community. She said the jurisdictions had not previously had access to the region-wide spatial assessment of approved future units, which was a new data product that would be provided to the jurisdictions via an online viewer and would be updated in partnership with the local governments.

Ms. Robinson said one of the best sources of information on the potential impacts of Tesla on the region was a report by the Governor's Office of Economic Development (GOED), which predicted 6,500 direct jobs, 7,814 indirect jobs, and 8,402 induced jobs by 2018. She stated the short-term construction impact for 2015 through 2018 would be roughly 3,000 direct and 1,500 indirect jobs.

Ms. Robinson reviewed two possible population growth scenarios for Washoe County based on information in the GOED report, which resulted in either 4,454 or 6,241 new residents. She stated more new residents than that were being planned for, and the direct jobs being generated by Tesla were not the whole story. She said that was why the TMPRA was partnering with EDAWN to explore the impacts of induced and indirect jobs that would result from this development. She stated they were also partnering with other agencies to explore new data and develop additional products that would help with understanding the area's potential future.

Commissioner Hartung felt it was time to look at extending the regional perspective to include Storey and Lyon Counties and to potentially go as far south as Carson and Douglas Counties. He stated what we did affected them and what they did affected us and we all needed to know what everyone was doing. He felt there should be a specific organization, which perhaps needed to be created legislatively. Ms. Robinson said the industrial-lands report did look towards Fernley and Carson City. She said they were attempting to take a wider view of the region, and she agreed it involved more than just what happened here.

Commissioner Jung asked if the future housing units slide showed what was approved, but not yet built. Ms. Robinson said that was exactly what it showed. She felt that should be looked at when considering any future residential requests. Commissioner Jung asked if Ms. Robinson worked with the University of Nevada to get this information. Ms. Robinson replied they worked with the three jurisdictions to get the information, and then spent quite a bit of time looking at the zoning to figure this out.

Reno City Councilperson Jenny Brekhus asked if the 2.56 individuals per household being used would change over the next 20 years. She stated the 2010 Census individual household formation showed the strongest growth, but would that number go down. Ms. Robinson said she anticipated over time that number would be reduced and updated numbers would be used.

Commissioner Berkbigler recalled reading millennials were not interested in independent housing, but were more interested in condominiums or high-rise housing located closer to town; and she asked if they were being considered in this study. Ms. Robinson said she heard the same thing. She said part of what would be seen over time was whether that would be accurate as a generational piece or did it have more to do with the time of life they were in. She stated that really spoke to doing the residential land study that would be discussed at the Regional Planning Governing Board (RPGGB) meeting on Thursday. She said it was believed that was a trend that was coming our way, and help was needed in understanding exactly what the impacts would be.

Sparks City Councilperson Julia Ratti asked if a unit was a single-family home. Ms. Robinson replied a unit represented all types of homes.

In response to the call for public comment, Sam Dehne said Ms. Robinson's presentation was excellent. He spoke about Tesla and the coming explosion of people and jobs, which the area had to plan for in advance. He felt there should be this type of meeting held to discuss Uber.

Reno City Councilperson Ed Lawson noted all three entities joined the Western Nevada Development District (WNDD), which was made up of nine counties. He said attendance had been lacking at the meetings, and he encouraged the City of Reno and the County to have someone at the meetings, which would help develop relationships with the other counties. He said the WNDD also gave us access to federal dollars that we would not have access to otherwise.

The Sparks and Reno City Councils voted to accept the report.

Commissioner Jung said another area that had to be looked at regionally regarding traffic and roads was the new Amazon Fulfillment Center located in north Reno. She felt that might be another huge hit for the RTC, the Truckee Meadows Water Authority (TMWA), and others. She noted it would also impact the City of Sparks due to housing needs.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, it was ordered that agenda Item 7 be accepted.

14-1011 AGENDA ITEM 8 – PRESENTATION

Agenda Subject: “Presentation and discussion of water resource capacity and projected demands for service related to the regional impacts of accelerated economic development, specifically with respect to the upcoming Tesla project. [John Erwin, Director of Natural Resources, Planning and Management, Truckee Meadows Water Authority; Jim Smitherman, Water Resources Program Manager, Western Regional Water Commission]”

Jim Smitherman, Water Resources Program Manager, Western Regional Water Commission (WRWC), conducted a PowerPoint presentation, which highlighted the WRWCs background, organizational structure, and responsibilities. A copy of the presentation was placed on file with the Clerk.

Mr. Smitherman said after the first of the year, the South Truckee Meadows General Improvement District (STMGID) and the County’s water utility would consolidate with the Truckee Meadows Water Authority (TMWA). He stated the planning area encompassed all of Washoe County except for the Tahoe basin, tribal lands, and a couple of groundwater basins that were near Gerlach. He said the Northern Nevada Water Planning Commission was responsible for developing a comprehensive regional water plan that covered wastewater, water supply, water quality, storm-water drainage, and flood control for the entire planning area. He stated the law specifically directed the focus to be on Reno, Sparks, and the surrounding Washoe County area. He said the water Planning Commission finished its plan in January 2011, and it was adopted by the WRWC and presented to the Legislature. He stated the Act required the Regional Water Plan to be found in conformance with the Truckee Meadows Regional Plan and that it had to be reviewed and updated every five years. He said the review and update would be due in 2016.

Mr. Smitherman reviewed the slides dealing with water resources and land use planning, which included the 2010 estimated sustainable water resources for the Truckee River System and groundwater basins, 2010 water use projection, 2014 population projection, and the estimated sustainable water resources for the Truckee

River System and groundwater basins including Fish Springs Water Importation project. He said it was concluded there were 143,800 acre-feet per year of currently developed and potentially available sustainable water resources without importation. He stated the water use projection for a population of 590,500 was 142,000 acre-feet per year. He said the current Consensus Forecast projected the population would be 551,655 in 2034. He stated the comparison showed there was more than enough water resources potentially available in the area to serve the predicted 2034 population.

Commissioner Berkbigler said a study by the Desert Research Institute (DRI) indicated there was not enough water available in this valley and we should start working towards ensuring more water would be available. She asked if Mr. Smitherman had the opportunity to compare those findings to the findings done through TMVA. Mr. Smitherman said he had not, but he would like to know what report she was referring to. Commissioner Berkbigler asked the County Manager to provide that report to Mr. Smitherman. She said the report was presented to the Commission for approval, but they did not take action on it because of the difference between that report and what they were being told while going through the merger process.

Commissioner Hartung asked if the numbers took into account the conservation efforts. Mr. Smitherman said the numbers were projected based on the water-use patterns seen in 2010.

Sparks City Councilperson Chylene Bybee asked if the projected numbers were available if there were 40,000 fewer people. Mr. Smitherman replied they did not have those numbers. He said since the update to the Regional Water Plan was being done, a projection for that would be done this year and those numbers would be available by the end of the calendar year.

Reno City Councilperson Naomi Duerr asked what the status of the Fish Springs project was. Mr. Smitherman replied the infrastructure was complete and there was water in the pipe. He said it could quickly be put into service.

Commissioner Berkbigler asked why the population number calculations were showing a decrease when there would be so much growth occurring due to Tesla and other things. Mr. Smitherman stated he was using the Consensus Forecast population numbers. He believed the numbers were decreasing because there had been a fairly steep rate of growth back in 2008 and those projections were at that steeper rate. He said since then the growth rate dropped off and the numbers were adjusted downward. Commissioner Berkbigler said she was concerned the numbers were outdated due to all of the businesses looking to come to Reno, and those trends needed to be looked at.

Reno City Councilperson Jenny Brekhus asked if the water being imported from California was what was already approved to come to this basin or could it be picked up by some other region. Mr. Smitherman said the permitting process would have to be undone for that to happen, and the well field for the project was in the portion of the Honey Lake Valley that was in Nevada. He advised the permits allowed up to 8,000 acre-

feet per year to be pumped and delivered to the North Valleys. He said the amount pumped could be expanded if monitoring showed pumping the 8,000 acre-feet did not cause adverse effects. He stated the infrastructure was not there to deliver the water someplace else, such as to Storey County or somewhere in California.

Sparks City Councilperson Ron Smith felt people should be encouraged to do xeriscaping. He said the same amount of water was dedicated to a house with zero landscaping as was dedicated to a house with lawns, but that needed to be changed. He said Las Vegas and Phoenix were buying people's lawns to save water, and he felt things would get worse. Mr. Smitherman said using water as wisely as possible was always good policy.

Councilperson Duerr recalled a number of wells were going dry in the North Valleys, and could any of this water go to supply the homeowners on wells. Mr. Smitherman said the water that would be available from the Vidler project had to be bought at a per acre foot rate. He stated he did not know if the funds were available to buy that water to offset the domestic well owner's water supply if their well was going dry. He stated the County developed a couple of mitigation programs. Councilperson Duerr said she remembered one of the mitigation programs came from a bill that would provide loans and grants to homeowners who were losing their water supply. She asked if those loans would go towards helping them gain access to this water or some other water. Mr. Smitherman said he knew the loans could go towards putting in the infrastructure to deliver the water to their home. He noted one subdivision in Lemmon Valley was at least partially plumbed for water service. Councilperson Duerr felt it would be a good idea to get some sense regarding how many homes on wells could potentially need some of this water, which would give us a better handle on what water was available for new growth versus supplying existing housing. Mr. Smitherman said because of the due diligence during the work on the consolidation, TMWA had looked hard at the domestic well owners who were in the couple of areas suffering well failures and what that would mean to supply and demand.

Councilperson Jardon said she did not see in the upcoming TMWA presentation if the initiation of water conservation would be touched upon. Mr. Smitherman said his presentation was about the 20-year outlook for water resources.

Sparks City Councilperson Julia Ratti said there was a lot of discussion about what the human needs were, but what about the wild horses, fish, and the agriculture downstream. Mr. Smitherman said the Legislature focused on the municipal and industrial use of water when they put forward the law. He stated he only looked at agriculture to see if there were agricultural water rights that could be converted for municipal and industrial use. He said there were some places where the State Engineer set aside permanent water to be used by wildlife, and there were no plans to convert any of that water to municipal and industrial use.

Councilperson Smith said he heard only about 13 percent of the water in the Truckee River was used. Mr. Smitherman stated it varied based on whether it was a

wet or dry year, but he thought that figure was about right. Councilperson Smith asked if that was by law or based on needs. Mr. Smitherman replied it was partly rooted in the law, but we could divert as much as we had permission to divert.

John Erwin, TMWA Director of Natural Resources Planning & Management, reviewed his Creating a Municipal Water Supply PowerPoint presentation, which focused on how prepared TMWA was to meet the demands for municipal and industrial water in the Truckee Meadows proper. The presentation highlighted the Truckee and Carson Rivers Systems map, river flow variability, managing the raw river-water supply variability, users of the Truckee River, and the Truckee River Water Rights. A copy of the presentation was placed on file with the Clerk.

Mr. Erwin said Lake Tahoe was the largest storage basin on the Truckee River and stored 722,000 acre-feet of water. He stated the other storage basins were Donner Lake, Prosser, Boca, Independence, and Stampede, and were used to store drought reserves. He said this year was the first time in 20 years water had to be released out of Donner Lake and the other storage sources. He discussed having to release water to maintain the river flow. He stated 75,000 acre-feet per year were produced every year and approximately 90 percent of the region's water supply came from the Truckee River with the balance coming from groundwater.

Mr. Erwin said the snowpack was the big driver of the Truckee River's flow. He stated TMWA planned for the variability in the snowpack and for an average rainfall of 7.5 inches per year. He stated the Truckee River flow in 2012 through 2014 were not as bad as TMWA planned for. He said there was no idea what next year would bring and if it would mean changing TMWA's planning criteria. He discussed Lake Tahoe's elevation and the release-in-release cycle. He stated the drought cycle TMWA planned for took the historic eight-year cycle and added a few more years to it, which was a very conservative position. He said in 1992 during a very severe drought, the community indicated they did not want major interruptions in community services or water supply. He stated Independence Lake's water was held strictly for times when the water was very low and water had to be released out of Independence Lake.

Mr. Erwin said the usage pattern was fairly steady, but was growing slightly. He stated in the fall the trees shut down and most people turned off their irrigation systems, which meant less water had to be diverted. He said currently 35 to 40 million gallons a day were being produced and during the summer it was 120 to 130 million gallons a day. He advised the plant was built to meet the summer demand. He said there was always a water supply in the Truckee River, even though there might not be water released from Lake Tahoe or Boca through the year to make the supply. He stated knowing that meant estimates had to be made on where the water supply would come from. He said they planned for an eight year drought cycle, but there was not an eight year water supply. He stated it was the cycle of the demand picking up in the summer and going down in the winter and with the winter bringing the water supply, which carried us through the summer season. He said groundwater and surface water was held in reserve for a year like this. He stated in the fall a certain volume of water had to

be released out of the reservoirs, which would give them sufficient storage space to capture a storm event.

Mr. Erwin stated the Truckee River Operating Agreement (TROA) was the product of the negotiated river settlement, which was incorporated into PL101618. He said that was the federal statute that made a deal between Sierra Pacific, the Pyramid Lake Paiute Tribe, and the United States that increased the ability to store water. He discussed the pre-TROA and post-TROA reserves, slides 14 and 15. He said instead of the flow being a fixed flow in the spring, water would be held in the reservoir which would allow accumulating the larger volume. He stated the federal government owned the reservoirs, TMWA owned the water rights, and the excess water would be turned over for fish purposes in the wet years. He said in essence that was the negotiated river settlement. He stated it was anticipated TROA would go into effect April 1, 2015.

Mr. Erwin discussed the typical diversions of the Truckee River water in non-dry and dry years, slide 18, and water production versus population. He noted the water utility was separated from the power company in 2001-02 which meant people could see how much water they were using because that information was not buried in their power bill. He said also coming into play was the weather, the understanding water was a scarce resource, and the heightened sense we needed to work as a community to manage our resources more efficiently and in a more cohesive fashion. He said in addition, the water utility had a revenue requirement of \$75 million, but its rates only generated \$60 million. He stated TMWA had to raise its rates in 2003-2004, which could clearly be seen due to the separate water bill and made people further rethink how they used water.

Mr. Erwin said after the economic downturn, the area was almost back to its 2005 population level. He stated for planning purposes, all that did was shift the curve without necessarily changing the projections. He stated the projected long-term water demands, slide 20, flattened as the resources became more constrained. He said regarding any system loss, TMWA had gone through a major rehabilitation of the system. He stated the system losses ranged from four to five percent, which were caused by major leaks on TMWA's side of the meter and by leaks on the customer's side of the meter. He said major leaks did not lose millions of gallons of water and 200,000 – 500,000 gallons per year were used for fire suppression. He stated the water meters were rated for plus or minus three percent, so there was not a 100 percent read on all of the meters. He said all of that was captured by loss.

Mr. Erwin said slide 22 showed the Truckee River broken into three dominant reaches: Farad to Vista, Vista to Derby Dam, and Derby Dam to Pyramid Lake. He stated each reach had a collection of water rights that could not be added to and were based on the historic use of the various irrigators at that time. He said there was about 225,000 acre-feet of water available in the Truckee River system, which would be a future constraint. He stated the 100 to 300 acre foot blocks of water rights were few. He said the .01, .1, 2.8 acre-feet were out there, but they were broken up. He said the Washoe County Conservation District kept track of all the water rights, because they billed

everyone who owned one. He stated there were about 30,000 spread-out parcels that had a claim to 40,000 pieces of water rights. He said finding willing sellers and aggregating those pieces would be difficult to do. He discussed the reason for the surge in water rights prices in 2005, which lasted until 2007. He said right now the market ranged from \$2,500 to \$6,000 per acre foot.

Mr. Erwin said to use the Truckee River to make a water supply, a water right and a drought supply were needed, and TROA took care of the drought supply. He said currently TMWA produced 75,000 acre-feet of water a year and could go up to 119,000 acre-feet a year, which would be reached in 2043 to 2050. He stated it looked like sufficient water rights were available between the main stem and the creek, but the question was who would be willing to sell and at what price.

Mr. Erwin said slide 24 showed TMWA's retail service boundaries. He stated the dashed areas showed the current County systems that would be merged into TMWA. He said because TMWA was virtually the only diverter on the Truckee River system in the winter, TMWA did a recharge program where treated water was injected into many of the production wells, and he discussed the various projects. He stated TMWA sought to preserve its permits by cooperating with the State Engineer's Office in taking the steps, such as recharge programs, so if the water needed to be extracted it would be available.

Mr. Erwin said any water saved in the Truckee Meadows was saved. He stated Las Vegas spent close to \$35 million for its "cash for grass" program. He said they convinced people to take out their grass, but then sold that water to the next person to hook up, which meant there was essentially no savings. He said last summer TMWA called for a 10 percent voluntary reduction in water usage because they wanted to keep as much water as possible in storage. He said more aggressive conversation as it related to landscapes and medians would be needed going forward, he agreed they had a hard time managing irrigation due to there being so much overspray. He said TMWA's Board directed staff to determine if there was a smarter way to handle landscape requirements for commercial and residential properties.

Chairman Humke said slide 20 indicated the system loss was projected to increase through 2050, and he asked if mitigation was planned. Mr. Erwin said many pipes were 50 to 60 years old and the pipes closest to the downtown core were even older. He said TMWA was constantly fixing leaks in the pipes, most of which could not be seen. Chairman Humke asked if there was a plan to replace the distribution system. Mr. Erwin said there was. He stated TMWA was constantly out to the same streets, and they tried to time the repairs in coordination with the street and sewer replacements, so TMWA did not dig up a street that was just replaced. Chairman Humke asked if this represented a factor that was an industry standard for a municipal water company. Mr. Erwin said TMWA was at the lower end of standard at four or five percent. He stated TMWA did not like that placement and was trying to fix it by doing the repairs as quickly as they could, but part of the nature of the business was the system leaked. Chairman

Humke asked how TMWA would expand its service area. Mr. Erwin said the service area would expand in response to development.

There was no public comment on this item.

The Reno and Sparks City Councils voted to accept the report.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 8 be accepted.

14-1012 AGENDA ITEM 9 – PRESENTATION

Agenda Subject: “Presentation and discussion of wastewater capacity and projected demands for service related to the regional impacts of accelerated economic development, specifically with respect to the upcoming Tesla project. [John Flansberg, Director of Public Works, City of Reno; Neil Krutz, Deputy City Manager for Community Services, City of Sparks; Dave Solars, Division Director for Community Services, Washoe County]”

Neil Krutz, City of Sparks Deputy City Manager for Community Services, said the Comprehensive Regional Water Management Plan would be revised in 2015 and presented for adoption in early 2016. He stated there were five wastewater treatment facilities, which had a treatment capacity in excess of 48 million gallons. He said most of the flow that went into the plants did so by using gravity, but there were some places where pumping was required to get the flow to a place where gravity took over. He said the County and the Cities of Sparks and Reno worked cooperatively to treat wastewater and had a joint coordinating committee at the Truckee Meadows Water Authority Water Reclamation Facility (TMWRF) that consisted of staff, elected officials from Reno and Sparks, and staff from Washoe County and the Sun Valley General Improvement District (SVGID). He said there would be a joint study to see how effluent would be used going forward.

John Flansberg, City of Reno Public Works Director, said the two models used were put together by the Regional Planning Agency and showed where we stood with our plants and their capacity. He stated one model was for TMWRF and the other was applied to the rest of the planning area. He said the Population and Employment Model (PEM) used the 2012 Consensus Forecast, which went down to a more detailed level that was parcel-based and projected lower growth with more growth in the outlying areas. He said the 2014 Consensus Forecast (CF) used our most recent assumptions for growth and anticipated more growth in the urban core.

Mr. Flansberg discussed the current treatment plant capacity slide and when the various plants would be upgraded.

Mr. Krutz stated in 2013, TMWRF put too much nitrogen in the Truckee River, which violated their permit with the State. He said things were looking good for 2014 and the chances of violating the permit were low. He stated that happened due to a number of process improvements implemented at the plant and resulted in tighter process controls. He said TMWRF conducted 21 separate wastewater treatment processes, and managing and operating the plant took a lot of work. He said staff was to be commended for the improvements they made and the results they were delivering.

Mr. Krutz stated they would continue to look for the opportunity to do process improvements in the short term, but they were also looking for ways to sign up additional effluent customers. He said historically the effluent use was out of TMWRF watered grasses and crops in the summer, while in the winter everything TMWRF treated ended up in the Truckee River. He said there had been some conversations with Storey County and the Governor' Office of Economic Development about making effluent available out at the Tahoe-Reno Industrial Center (TRIC), which would benefit the Truckee Meadows Water Authority (TMWA) by having a year-round user of effluent. He stated TMWA's biological systems operated more efficiently in the warmer summer months in removing nitrogen. He said if a winter-time use of that water or a storage alternative could be found, the water could then be released as part of the summer-time flows when the Truckee River was lower, which would benefit the Truckee River and the community.

Mr. Krutz said TMWA was also looking at making joint use of certain facilities. He stated the County and City of Sparks jointly constructed the North Spanish Springs Flood Control Facility, which was owned and maintained by the County. He said engineers were investigating whether it could use the retention basin to allow effluent to filter into the ground. He stated if the geology was such that it could take a significant amount of water, it would not cost a lot of money to extend a pipe over to the detention basin. He said the next long term upgrade was based on the 2030 timeframe and would be a capital investment in the range of \$30-\$40 million. He explained those numbers were out of a study paid for by the Western Regional Water Commission (WRWC), which looked at treatment alternatives for TMWRF. He said it would create a significant increase in annual operating expenses. He stated the 2030 timeframe might be a little too far out and TMWA was looking at how something like that could be funded sooner.

Commissioner Hartung said regarding putting water in the detention basin or in Spanish Springs for filtration, and he noted there had been nitrate problems in that basin for quite some time. He asked if the nitrogen would not be filtered out of the water, thereby exacerbating the problem in Spanish Springs. Mr. Krutz believed the potential was very small it could. He explained the nitrogen concentrations in the effluent coming from TMWRF were orders of magnitude lower than what was coming out of the facilities that created the problem.

Reno City Councilperson Jenny Brekhus asked why we were not looking at deep-water injections to refill the groundwater tables. She noted the previous presentations indicated we were moving more towards developing the groundwater

resources. She said she was aware there had been an injection pilot project in Stead and was there any thought long term on refilling the groundwater tables. Mr. Krutz stated it was certainly something to consider in the long term, but groundwater injection was a lot more expensive to construct and operate than a rapid-infiltration basin or some other consumptive use that would keep the water from getting back into the Truckee River. He said all alternatives would be considered, but the more expensive alternatives tended to fall off of the range of possibilities fairly soon. Councilperson Brekhus asked where the nitrogen was coming from, and if there were any ties between the storm drains and the sewer system in the City of Reno. Mr. Krutz replied humans were the biggest contributors to the nitrogen problem, because every one of us was a nitrogen factory. Mr. Flansberg advised there were no sewer pipes connected to the storm drains in the City of Reno, but there was a limited issue of some storm drains going to the sewers.

Reno City Councilperson Neoma Jardon asked what was being done in the short term regarding the capacity issues relative to meeting the expected population growth due to Tesla coming to the region. Mr. Krutz said the process improvements were part of the short-term solutions, along with the rapid-infiltration basin and sharing facilities. He stated they were also looking at disposing of effluent in wetland areas where the flow would either be consumed or infiltrated. He stated getting into the medium-term solutions, Washoe County owned a retention basin behind Huffaker Hills and TMWA was studying tying the effluent system to that basin to store the effluent, because the County was not using it fully in the short to medium term. He said those were the short to medium term solutions that would position us to handle the growth from Tesla and in general. Councilperson Jardon stated Storey County had expressed an interest in our effluent water. Mr. Krutz replied they had. Councilperson Jardon asked what infrastructure would be needed to get that to them now and what would be the cost. Mr. Krutz said they did not know the cost. He stated Storey County and TRIC were doing some preliminary engineering on constructing a pipeline from TMWRF to TRIC. He felt a 16-inch pipe would be sized to deliver the effluent and would probably cost \$1 million per mile for probably 20 miles of pipe, but it had not been determined who would pay for it. He stated TMWA was pleased there was a user who was looking at that opportunity and what the costs would be because it would save the cost of treating the effluent.

Mr. Krutz said the Governor's Office of Economic Development was taking a very active role in the use of effluent as an economic development draw for industrial use. He stated at the Regional Planning Governing Board (RPGGB) meeting, the Board would be considering a Regional Plan Amendment that would allow TMWA to participate in the construction of effluent reuse facilities that would take effluent outside of the Truckee Meadows Service Area (TMSA), which was not currently allowed.

Sparks City Councilperson Charlene Bybee asked what would be the timeline if the pipeline was built. Mr. Krutz stated TRIC was looking for the ability to have effluent flowing onsite by mid-2016.

Reno City Councilperson Naomi Duerr said there was an expectation of returning water to the Truckee River and, if a pipeline went to TRIC, would TRIC be

responsible for having to put water back into the Truckee River. Mr. Krutz said they had thought about that and the short answer was no. He said they were allowed to divert and not return up to 6,700 acre-feet of water from the Truckee River. He stated the point of sending effluent to TRIC was for the water to be consumed because, if it ultimately was returned to the Truckee River, the nitrogen still had to be counted. He said sending the effluent to TRIC would not have done us a whole lot of good.

Councilperson Duerr said it was mentioned how much capacity was available, but she heard a bunch of numbers regarding capacity. Mr. Krutz said there was more than enough capacity to treat what was currently being generated and enough to treat the growth coming in the next decade. He said each facility had a capital plan and an operating plan and it was up to TMWA to deliver on those plans so the capacity would be available when needed. Councilperson Duerr said there would be enough capacity for the next 10 years to handle the growth expected during that time. Mr. Krutz said he would be hard pressed to say when we would run out of capacity, but making those key investments would get us there. Councilperson Duerr asked if there were plans to expand TMWRF or was it built out. Mr. Krutz replied it was not built out.

Commissioner Hartung asked if we sold water to TRIC and it ended up in the Truckee River, would that be our responsibility in terms of the nitrogen loading. Mr. Krutz stated in terms of TMWA's permit, the State would look at the original permit holder. He said his understanding of the industrial process being considered to use the effluent water was they would treat the water and consume it. He stated TMWA was not planning for that water to flow back into the Truckee River, but TMWA would still be on the hook if it did. Commissioner Hartung said he hoped the potential liability would be a part of the discussion.

Reno City Councilperson Ed Lawson said the \$20 million pipeline would be the perfect project for the Western Nevada Development District (WNDD) to help us get funding. He believed there should be more engagement by all of the entities with the WNDD in the future, because they were a great source of money. Mr. Krutz advised the cost of the pipeline would be closer to \$30 to \$35 million than the \$20 million he mentioned earlier.

Dwayne Smith, Washoe County Engineering and Capital Projects Director said there were four other treatment facilities in the region besides TMWRF, and they were all important for growth. He stated the County was responsible for three facilities, which included the South Truckee Meadows Water Reclamation Facility (STMWRF). He reviewed STMWRF's current projects. He stated treating solids at STMWRF would reduce the amount of nutrients in the solids going to TMWRF. He said the headworks and controls projects were important because, not only was there a responsibility to be ready to respond to new growth, but there was also a responsibility to new customers to ensure the things done were as cost effective as possible.

Mr. Smith said planning for the Facility Plan Update started about five years ago when growth was rampant and prior to the downturn in the economy. He stated

the Cities of Reno and Sparks and Washoe County were working together to address how effluent could be capitalized upon. He stated the Bio-solids project would be before the Board tomorrow for approval and was planned to be operational in 2016. He said the STMWFR Six Million Gallons of Water Per Day (MGD) Expansion would cost approximately \$30-\$35 million.

Mr. Flansberg said regarding the Reno/Stead Water Reclamation Facility (RSWRF), many of the distribution facilities were being built in places that had been planned for housing. He stated the water uses for those facilities would be much lower than those of individual homes, and might help with development planning and timing. He stated because of the jobs they would bring, they might also spur where future housing would be placed. He discussed the upgrades needed at RSWRF, which would be done in two phases. He said the second phase would be the more significant phase and would take the capacity from 2.5 to 4.8 MGD. He stated a large component of the upgrade would be to decide on what would be done with the effluent. He said there was a large facility planning effort in the North Valleys, which was looking at the overall sewer shed, lift stations, delivery, the collection system to take it to the plant, and what needed to be done at the plant. He expected that would generate a 20-year Capital Improvement Program (CIP). He noted the Lemmon Valley Wastewater Treatment Facility (LMWWTF) and RSWRF were so close together that they were looking at what would be the lowest cost for the customer as opposed to some sort of arbitrary jurisdictional boundary.

Mr. Smith said the focus was on maximizing the existing capacity at the LMWWTF. He stated there were many areas in our service territories where jurisdictional boundaries were overlapped by sewer sheds, which Lemmon Valley was a perfect example of. He said to meet the best use needs and to make sure the best possible decisions for the future were made, a joint Facility Plan was initiated. He stated as the facilities were looked at, it was important that ways were found to ensure there was an equitable approach to the treatment and disposal of wastewater. He said not doing that could be setting up situations where there could be challenges.

Mr. Smith stated the Cold Springs Water Reclamation Facility (CSWRF) was last expanded in 2003 and treated around 300,000 gallons a day, but it was permitted for 700,000 gallons a day. He said in 2003, some design elements were incorporated into that project that would allow rapidly responding to occurring growth. He stated in this area, service was provided by CSWRF to customers of both Washoe County and the City of Reno. He said this was an area where the cost to dispose of the effluent would drive many of the decisions made. He stated it needed to be recognized that effluent was a valuable resource.

Mr. Smith stated a lot of capable staff was looking at all of the information available, and the message he would like to leave everyone with was, "they were ready then and they were ready now." He stated a lot of the planning efforts were paused during the economic downturn and now those plans were being updated and slid forward. He

said much of the focus for the next ten years would be effluent management, its disposal, and how to use effluent as a resource.

Copies of their PowerPoint presentations were placed on file with the Clerk.

Councilperson Berkhus said regarding equity, the City of Reno did an 8.5 percent rate increase in 2011 up until 2015. She asked if the rate structure for STMWRF had a similar escalation and what percentage of City of Reno residents did the County service. Mr. Smith said when he was talking about equity in the facilities, he was focusing on the connection fees that new development paid for and how to make that as equitable as possible, while recognizing certain jurisdictions would be serviced by a specific facility and while trying to minimize the differences in the costs for the different facilities. He stated the rates on the operational side were generally about the same for the three entities. He said that was used to pay employees and the operating costs. He stated the new growth was primarily funded through connection fees and by loans for larger projects. He said STMWRF was about a 40/60 split between the City of Reno and the County. He stated TMWRF also provided sewer service to a lot of County customers, especially in the Spanish Springs area. He said regarding wastewater, they had to be arm-in-arm because there were shared areas and shared responsibilities, which he hoped was demonstrated in today's discussion.

Councilperson Berkhus asked if the expansions for Lemmon Valley and Cold Springs would only be paid for by revenues generated out of those facilities. Mr. Smith said Washoe County only had one fund that the connection fees went into, which was used for development.

Councilperson Jardon said there was a tremendous amount of information presented, and they did a fabulous job of putting together a lot of historical information and the data. She asked if the 64,000 approved housing units would meet the needs of Tesla and its ancillary businesses. Kimberly Robinson, Truckee Meadows Regional Planning Agency (TMPPA) Executive Director, replied she believed those units would be enough to handle the population growth projected through 2034. She said they were at the very early stages of discussing the impact of something like Tesla. She stated the further in we went and the more information we had, the better able we would be to reevaluate that piece. She felt there also needed to be a discussion about whether we had the right type of approved units, which went back to the conversation about the residential lands study. She said she could not give exact answers today, but she was confident a lot was put into play so those pieces could be addressed.

Councilperson Jardon asked if we had the appropriate housing availability for the construction jobs regarding Tesla. Ms. Robinson said that was difficult to answer and was part of what would be answered with the Economic Development Authority of Western Nevada (EDAWN) report. She said there needed to be a discussion on how many workers would come from inside of Nevada versus outside of Nevada, how many would be fulltime versus part-time jobs, and how long the jobs would last. She stated

they also needed to understand what the wages would be to be able to understand what the workers could afford to pay for housing. She said they were hoping to bring that information forward early in the New Year.

Councilperson Jardon said regarding water with our current distribution and conservation model, would we meet the short-term needs with regards to the projected growth. Mr. Erwin said they would. He said on TMWA's books there were 6,000 to 8,000 lots where resources were committed, even though a map had not been filed, which was in addition to the vacancies. He stated the annual average growth commitments for Will Serve Letters was 600 to 1,000 acre-feet a year, and there was an ample supply to accommodate that for the next 10 years. Councilperson Jardon asked even with the continued drought. Mr. Erwin responded yes, even with the continued drought.

Councilperson Jardon said regarding wastewater, what would the capacity be without the pipeline to TRIC and could the needs of an increasing population be met. Mr. Krutz said that would mean accelerating the facility expansion at TMWRF to add the new nitrogen removal process, which would be a \$30 to \$40 million capital expenditure. He said that was not currently in the rate structure, but could be added to the rate structure, funded, and constructed.

Reno City Councilperson David Bobzien said he agreed with Commissioner Hartung when he said there was a need for a larger regional focus and collaboration with neighboring jurisdictions. He said there were lessons to be learned from small communities having to deal with quick surges in population due to an influx of construction labor. He felt the housing usage patterns were pretty unique, and that should be kept track of as well.

Councilperson Lawson said the Governor's Office of Economic Development was behind the pipeline to TRIC, but there was no way of knowing what the socio-economic impacts would be. He said a best guess was when the road goes over to Silver Springs we could guess the lower income workers would go there. He felt particular jobs would end up in different areas. He said if they had an elderly parent they would want to be near a hospital. He felt with the pipeline in particular, we had some horsepower to get it done because, besides being good for Washoe and Storey Counties, it would also be good for Lyon and Churchill Counties. He believed it was a true definition of a regional project, which could be funded at the federal level.

There was no public comment on this item.

Mr. Flansberg said what was heard today about the population estimates, the water, and the sewer treatment capacity meant we had elasticity because we were on pause for a while; but that did not mean we would not continue with our facility planning to make that happen.

Councilperson Jardon asked if updates for this would come back in January. Mr. Erwin said TMWA was in the process of gearing up to do its resource plan in the Spring, which would dovetail and feed into what was being done at the WRWC and with the Northern Nevada Water Planning Commission that was updating the Regional Plan. He said those updates would be made available to the Councils and the Commission as directed. He stated the reclamation study would be published sometime this month and no one knew what that would contain. He said that type of information would be unrolled as the spring progressed, and he suggested quarterly updates would be advisable. Councilperson Jardon asked if there would be a regional update in the first quarter. Mr. Erwin said he believed so. Councilperson Jardon asked if that update would include transit.

City of Sparks Mayor Gino Martini said there would be a meeting to discuss what topics would be on the agenda for the next concurrent meeting. John Slaughter, County Manager, said the next concurrent meeting scheduled in January would be to discuss getting ready for the Legislative Session. He said the three managers could bring any updates back to their respective entities and would plan for these topics to be on the May 4th agenda.

Commissioner Hartung thanked the entities and their staffs for coming together to solve some really tough issues in the region. He stated he would like to see these meetings happen more often.

Councilperson Bybee asked if education and transportation would be included in the May concurrent meeting. Steve Driscoll, Sparks City Manager, said the managers and the heads of the three elected bodies got together on a monthly basis to talk about future topics. He said the topics that would be the most appropriate for discussion would be brought to the next meeting.

The Reno and Sparks City Councils voted to accept the report.

On motion by Commissioner Berkbigler, seconded by Chairman Humke, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 9 be accepted.

14-1013 AGENDA ITEM 10 – COMMENTS

Agenda Subject: “Comments from the Councils, Commissions, Boards, and Managers.”

City of Sparks Councilperson Ron Smith felt there should be a standing agenda item regarding the Regional Transportation Commission (RTC). Reno City Councilperson Naomi Duerr questioned if May 4th would be soon enough to hear from the RTC and about education.

Commissioner Jung said she would like to have the Commission consider the wild-horse issue with regional partners about assisting the wild-horse activists with wild-horse tourism, safety, and preservation. She stated she would also like to start looking at the issue of people shooting near where people were hiking, including getting better enforcement and signage. She said that was a County issue that needed to be taken care of. She stated regarding Uber, she would like to look at how our jurisdiction could support Uber providing a service that was clearly needed. She suggested that might be something to talk to the Legislature about and should be on the agenda for the January concurrent meeting.

Reno City Councilperson Neoma Jardon felt the concurrent meetings should be scheduled for every two months for the duration of 2015. She stated she liked getting these types of presentations as a region.

Commissioner Hartung said there should be a discussion regionally about medical marijuana.

Commissioner Berkbigler suggested the discussion about licensing Uber and other similar types of transportation groups should be on the January meeting's agenda.

Sparks City Councilperson Charlene Rybee said she would be interested in meeting before May to look at transportation and education. She felt the Washoe County School District (WCSD) should be included if education was being addressed. She thanked all of today's presenters for putting together this valuable information, and said she appreciated their time and effort.

Reno City Councilperson David Bobzien said there were already discussions at the Legislature regarding Uber, ridesharing, and taxi cabs. He felt discussing that issue should be moved up to ensure our jurisdictions were on the same page when engaging with the Legislature.

Andrew Clinger, Reno City Manager, said there would be a meeting on December 16, 2014 of the managers and the heads of the three elected bodies to discuss the issues and the timing of the concurrent meetings.

City of Sparks Councilperson Ed Lawson said there needed to be more concurrent meetings, because we needed to be able to react faster to issues.

14-1014 AGENDA ITEM 11

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person.

Comments are to be made to the Commission, Reno City Council and Sparks City Council as a whole.”

Mickey Hazelwood from the Nature Conservancy thanked everyone for holding this meeting about the region’s changing water supply and demand concerns. He said he was pleased to see economic growth returning to this region, but there were concerns about the potential impacts to the health of the Truckee River as a result of rapid growth. He stated the jurisdictions had made significant investments in the revitalization and restoration of the Truckee River downstream of the urban core. He said the Conservancy had worked closely with the elected bodies to see those efforts come to fruition and hoped to continue to work with them to protect those investments and to ensure the health of the vital resource that was the Truckee River by ensuring the region had sustainable growth.

Garth Elliott noted Tesla was not coming to Washoe County, but the County would be absorbing the impacts of its coming. He stated Washoe County was not a friendly place to do business because there was a tendency to put up barriers, which needed to change. He said during this meeting there was no discussion about collaboration by the three entities, which needed to happen to solve the big problems facing the area.

Sparks Councilperson Ratti said when the Mayors and Chair meet to discuss the concurrent agendas, it should not be forgotten that we have the Truckee Meadows Regional Planning Agency. She believed some of this needed to live within the structure and systems that already existed and could help this move forward. She said everyone was excited about one big development, but this was an issue for us long term. She felt some thought could be put into what belonged with them and what needed to be discussed with all of the entities at the table.

Commissioner Jung asked why the Washoe County School District’s (WCSD) Board of Trustees was not present. Sparks Mayor Geno Martini said the WCSD had opted out of attending the concurrent meetings because they felt they had not been productive. He stated most of the things discussed at the concurrent meetings had nothing to do with the WCSD, but they could be asked again because possibly things had changed.

Reno City Councilperson David Bobzien echoed Commissioner Jung’s concerns. He said he understood many of the meetings did not have content of concern to the WCSD. He felt while dealing with issues of growth, he would want to extend the invitation to them again.

* * * * *

11:32 a.m. The Cities of Reno and Sparks made motions to adjourn.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Weber absent, the meeting was adjourned without objection.

Chairman
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Jan Frazzetta, Deputy County Clerk*

Pending Board Approval

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

10:00 A.M.

DECEMBER 9, 2014

PRESENT:

David Humke, Chairman
Bonnie Weber, Vice Chairperson
Marsha Berkbigler, Commissioner
Kitty Jung, Commissioner
Vaughn Hartung, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 10:09 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

14-0107 AGENDA ITEM 3 - PRESENTATION

Agenda Subject: "Presentation--Glenn Duncan Elementary School Choir."

The Glenn Duncan Elementary School Choir sang a selection of Christmas carols.

Susan Kehoe, Glenn Duncan STEM Academy Principal, said she appreciated the County's partnership and the money the County provided would be used for the school's garden.

There was no public comment or action taken on this item.

14-0108 AGENDA ITEM 4 - PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole."

Garth Elliott wondered why Tesla chose to locate in Storey County and said Washoe County needed to be more business friendly for high-tech businesses.

Tracey Thomas, Technology Services, asked the Board not to approve the updates to the Family Leave Policy in Agenda Item 8H4. Her comments were placed on file with the Clerk.

Pat Phillips thanked the Board for the Wild Horse and Burro Protection Resolution. She said Nevada's wild horses provided a great opportunity to attract tourists. She also thanked the Board for their hard work during the economic downturn and for managing future growth.

Louise Martin, from the American Wild Horse Preservation Campaign, expressed gratitude for the Wild Horse and Burro Protection Resolution and spoke about the development of a Cooperative Agreement for the humane management of the Virginia Range mustangs. She provided the Board with a copy of her comments and a letter from the Storey County Manager, which were placed on file with the Clerk.

Levi Hooper talked about homelessness and asked the Board for help. He said he was trying to be the voice of the downtrodden.

Sam Dehne said he was sorry to see Chairman Humke and Commissioner Weber leave the Board. He also spoke about his issues with the *Reno Gazette Journal (RGJ)*.

14-0109 AGENDA ITEM 5 – ANNOUNCEMENTS

Agenda Subject: "Commissioners/Manager's announcements, reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to. Requests for information, topics for future agendas and any ideas and suggestions for greater efficiency, cost effectiveness and innovation in County government. (No discussion among Commissioners will take place on this item.)"

John Slaughter, County Manager, said the Christmas tree in the atrium of the Administration Complex was placed there by Park Rangers in celebration of a program which resulted in the donation of holiday trees to local foster and National Guard families. He explained the trees were harvested from Galena Creek Park as part of a fuels reduction program. He advised the Board about time certain events for the meeting.

Commissioner Jung talked about the library at the Reno Town Mall. She thought the County should make an effort to drive business to the mall through the Buy Local Campaign. She reported that she and Commissioner Weber participated in a forum with Sun Valley constituents and said she thought it was time to create a Neighborhood Advisory Board specifically for her District. She said the County should put some money aside for more citizen engagement. She talked about a program in Madison, Wisconsin, where empty homes were retrofitted to provide shelters for the homeless. She said she would like to see the program replicated in Nevada and thought the County could get

creative with empty spaces. She asked staff to review the Code of Conduct for people who accessed County facilities because she thought it was outdated.

Commissioner Hartung said he attended a spirited Citizen Advisory Board (CAB) meeting in the East Truckee Canyon and most of the issues in that community were related to medical and fire matters.

Commissioner Berkbigler thanked Commissioner Jung for her comments about the homeless situation. She wondered if staff could arrange a drive for the collection of blankets and coats because she was worried about upcoming bad weather. She thanked the Glenn Duncan Elementary choir for their performance.

Commissioner Weber agreed the County should take up a collection for the homeless before the stormy weather arrived and asked staff to set up a donation site in Chambers during the meeting. She mentioned the Amyotrophic Lateral Sclerosis (ALS) challenge and reminded Board members to turn in their checks for the charity. She said she attended her last North Valleys CAB meeting and asked for a community forum to be held in the North Valleys that would include the County, the Nevada Department of Transportation (NDOT), the Regional Transportation Commission (RTC) and the Airport Authority.

Chairman Humke introduced and congratulated the two new incoming Commissioners, Bob Lucey and Jeanne Herman. He expressed gratitude for the choir performance by the Glenn Duncan Elementary students.

14-0110 AGENDA ITEM 6 - HUMAN RESOURCES

Agenda Subject: "Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses."

John Slaughter, County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

Essentials of Personal Effectiveness

Lynn Broyles, Comptroller's Office
Ruth Castillo, District Health Department

Promote Yourself!

Ashley Tatomer, District Health Department

Commissioner Weber said the Board appreciated all of the employees for the work they did to make their professional lives better.

In response to the call for public comment, Sam Dehne expressed appreciation for the efforts of County employees.

14-0111 AGENDA ITEM 7A – RESOLUTION

Agenda Subject: “Resolution--Wild Horse and Burro Protection in Northern Nevada. Requested by Chairman Humke.”

Chairman Humke read the Resolution. He explained there was a band of horses, known as the Virginia Range band, which was not protected under federal legislation and the County hoped to protect the wild horses through cooperative agreements.

In response to the call for public comment, Garth Elliott said the wild horses were unique to Nevada and could be utilized to promote ecotourism.

Commissioner Jung moved to adopt Agenda Item 7A. Commissioner Berkbigler seconded the motion.

Commissioner Jung said she was excited about the Resolution and staff had been directed to look into the issue from a policy perspective. She thought the wild horses were majestic and beautiful, but did not belong in developments.

Commissioner Berkbigler said the Virginia Range horses were incredible animals and she was glad the County was doing something to help protect them.

Chairman Hume thanked the constituents who led the initiative.

On call for the question, the motion passed on a vote of 5-0.

14-0112 AGENDA ITEM 7B – RESOLUTION

Agenda Subject: “Resolution of Appreciation--South Truckee Meadows General Improvement District (STMGID) Board of Trustees: Robert D. Acheson, Steve Cohen, Gary Tavernetti, E. Sue Saunders, and Gerald Schumacher.”

Commissioner Weber read and presented the Resolution to the South Truckee Meadows General Improvement District (STMGID) Board of Trustees.

Steven Cohen, Chairman of the STMGID Board of Trustees, thanked the Board. He said he had fun serving on the STMGID Board and a lot had been accomplished.

Gary Tavernetti, STMGID Trustee, said it was a pleasure to serve on the STMGID Board and he felt water quality and rates were much better than when he first moved to the County. He said he expected the Truckee Meadows Water Authority (TMWA) to maintain the water quality and he thanked the Board for the Resolution.

Chairman Humke spoke about the history of STMGID and said there were a lot of people to thank. He said the book was being closed on SMGID, but it had a great run.

Commissioner Hartung moved to adopt Agenda Item 7B. Commissioner Berkbigler seconded the motion. Commissioner Hartung thanked the STMGID Board and specifically Mr. Cohen for his guidance. He said the STMGID Board had done a great job.

Chairman Humke added special thanks to Ted Short, who he said put his heart and soul into STMGID.

There was no public comment on this item.

On call for the question, the motion passed on a vote of 5-0.

BLOCK VOTE

Chairman Hartung proposed to group Agenda Items 7C through 7J under a block vote. Commissioner Weber was present for all of the items, but left the meeting just before the vote and consequently was not present for it.

14-0113 AGENDA ITEM 7C – CERTIFICATE OF APPRECIATION

Agenda Subject: “Certificate of Appreciation--Jesse Haw, Chairman, Washoe County Organizational Effectiveness Committee.”

Jesse Haw was not in attendance to receive the certificate.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 7C be acknowledged.

14-0114 AGENDA ITEM 7D – CERTIFICATE OF APPRECIATION

Agenda Subject: “Certificate of Appreciation--Ryan Souza in support of Washoe County Sheriff's Office K9 Unit.”

Commissioner Weber read the certificate of appreciation to Ryan Souza.

There was no public comment on this item.

Commissioner Hartung explained this was just one of Mr. Souza's many benevolent endeavors and he thanked him for his generosity.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 7D be acknowledged.

14-0115 AGENDA ITEM 7E – CERTIFICATE OF APPRECIATION

Agenda Subject: “Certificate of Appreciation--Richard Gammick, Washoe County District Attorney.”

There was no public comment on this item.

Richard Gammick, District Attorney, commented that when he went to law school he had no idea he would spend 30 years chasing crooks, but he loved doing it. He said it was time to move on and he thanked the Board for their support.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 7E be acknowledged.

14-0116 AGENDA ITEM 7F – CERTIFICATE OF APPRECIATION

Agenda Subject: “Certificate of Appreciation--Michael Haley, Washoe County Sheriff.”

Michael Haley, Sheriff, thanked the public, the Board and all the volunteers for their support. He said he regretted that he could not do the right thing for everyone, but said it was hard to do when there was so much need. He said his career had been a humbling experience and he was proud of the work he had done. He spoke about longtime volunteer, Laurie Sears, who had just lost her battle to cancer, and said he wanted to honor her work with the Sheriff's Office.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 7F be acknowledged.

14-0117 AGENDA ITEM 7G – CERTIFICATE OF APPRECIATION

Agenda Subject: “Certificate of Appreciation--Joe Kubo, Incline Village Constable.”

Joe Kubo, Constable, was not present to receive the certificate.

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 7G be acknowledged.

14-0118 AGENDA ITEM 7H – CERTIFICATE OF APPRECIATION

Agenda Subject: “Certificate of Appreciation--Josh Wilson, Washoe County Assessor.”

Josh Wilson, Assessor, thanked taxpayers for the opportunity to serve them as Tax Assessor for eight years. He was proud of the accomplishments the office had made in keeping up with 21st century technology. He said he could not have achieved anything without the great people who worked in the Assessor’s Office and said he was indebted to them.

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 7H be acknowledged.

14-0119 AGENDA ITEM 7I – PRESENTATION OF APPRECIATION

Agenda Subject: “Presentation of Appreciation--Bonnie Weber, Vice-Chairman, Washoe County Commission.”

John Slaughter, County Manager, read and presented the award to Commissioner Weber.

Commissioner Weber expressed gratitude to all the people she had ever worked with. She specifically thanked Chairman Humke and talked about Board responsibilities. She talked about memories she had made and thanked voters for electing her for three terms. (Refer to Block Vote, page 5)

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 7I be acknowledged.

14-0120 AGENDA ITEM 7J – PRESENTATION OF APPRECIATION

Agenda Subject: “Presentation of Appreciation--David Humke, Chairman, Washoe County Commission.”

John Slaughter, County Manger, read and presented the award to Chairman Humke.

Chairman Humke said it had been a great run. He commented that he came into the office the same day as Commissioner Weber and that they would be going out on the same day as well. He thanked her for her advice and counsel. He thanked current and past Commissioners and mentioned the new incoming Commissioners. He said it had been a pleasure to work with everyone in the executive and judicial branches and said he did not think there was anything quite like representational democracy.

A video tribute to Chairman Humke and Commisioner Weber was shown. A copy of the video was placed on file with the Clerk.

Chairman Hartung said he wanted to acknowledge Tim Kuzanek and Sheriff Haley's staff of Assistant Sheriffs. He said they were amazing and it was an honor to work with them.

There was no public comment on this item.

11:48 a.m. Commissioner Weber left the meeting.

On motion by Commissioner Herkwigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Weber absent, it was ordered that Agenda Item 7J be acknowledged.

11:51 a.m. Commissioner Weber returned to the meeting.

CONSENT ITEMS 7A THROUGH 8M(2)

14-0121 AGENDA ITEM 8A

Agenda Subject: "Approve minutes for the Board of County Commissioners' October 14, 2014 meeting."

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8A be approved.

14-0122 AGENDA ITEM 8B

Agenda Subject: "Cancel January 20, 2015 County Commission Meeting."

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8B be approved.

14-0123 AGENDA ITEM 8C - ASSESSOR

Agenda Subject: “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2013/2014 secured tax roll and authorize Chairman to execute the changes described in Exhibit A and direct the Washoe County Treasurer to correct the error(s); [cumulative amount of decrease \$8,468.20]. (Parcels are in various Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8C be approved, authorized and directed.

14-0124 AGENDA ITEM 8D – DISTRICT ATTORNEY

Agenda Subject: “Approve payments [\$7,231] to vendors for assistance of 46 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims, victim’s spouses and other eligible persons. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8D be approved.

14-0125 AGENDA ITEM 8E – HEALTH DISTRICT

Agenda Subject: Approve amendments [increase of \$63,773] in both revenue and expense to the FY15 CDC Public Health Preparedness – BP2 Carry-Over Federal Grant Program, IO 11217; and direct the Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8E be approved and directed.

14-0126 AGENDA ITEM 8F – SOCIAL SERVICES

Agenda Subject: “Accept Notice of Sub-Grant Award Amendment #1 to the Child Abuse and Neglect Program [\$5,000, no match required] from the State of Nevada -

Division of Child and Family Services to support child protective services retroactive to July 1, 2014 through December 31, 2014; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8F be accepted and directed.

14-0127 AGENDA ITEM 8G1 – COMMUNITY SERVICES

Agenda Subject: “Approve a State of Nevada Manufacturer’s Craft Distillery License application, with recommendations contained in the staff report, for Ryan Cherrick and Joshua Nichols, dba Branded Hearts Distillery, Inc. and if approved, authorize each Commissioner to sign the State of Nevada Application for Manufacturer’s License with direction for the County Clerk to attest the license application. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G1 be approved and authorized.

14-0128 AGENDA ITEM 8G2 – COMMUNITY SERVICES

Agenda Subject: “Acknowledge receipt of the Washoe County Water and Sanitary Sewer Financial Assistance Program Status Report as of September 30, 2014. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G2 be acknowledged.

14-0129 AGENDA ITEM 8G3 – COMMUNITY SERVICES

Agenda Subject: “Adopt a Resolution of Surplus and Notice of Intent to Transfer APN 007-111-12, a 1,200 square foot sliver parcel located at 0 Codel Way as authorized under NRS 244.281; and all other matters properly related thereto. (Commission District 3.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G3 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0130 AGENDA ITEM 8G4 – COMMUNITY SERVICES

Agenda Subject: “Approve the Quit Claim Deed to Convey Water Rights transferring 7.60 acre-feet of water rights from Washoe County to George W. Gillemot, Trustee of the George W. Gillemot Family Trust dated December 14, 1984. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G4 be approved.

14-0131 AGENDA ITEM 8G5 – COMMUNITY SERVICES

Agenda Subject: “Approve an Agreement for Full Service Operation and Maintenance of Washoe County Sewer Facilities between Washoe County and SPB Utility Services, Inc. for a five-year period from January 1, 2015 to December 31, 2019 [estimated cost of \$78,056.30 per month] (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G5 be approved.

14-0132 AGENDA ITEM 8G6 - COMMUNITY SERVICES

Agenda Subject: “Approve an Exclusive Flowage Easement and Non-Exclusive Access Easement between Washoe County and the State of Nevada over a portion of APN 084-700-01 (commonly known as the Lockwood Trailhead). (Commission District 4.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G6 be approved.

14-0133 AGENDA ITEM 8G7 – COMMUNITY SERVICES

Agenda Subject: “Approve an Interlocal Agreement between Washoe County and the Truckee Meadows Water Authority to provide Operations and Maintenance Services for the Golden Valley Artificial Recharge Program. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G7 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

14-0134 AGENDA ITEM 8G8 – COMMUNITY SERVICES

Agenda Subject: “Approve an Interlocal Agreement between Washoe County and the Truckee Meadows Water Authority to each provide services deemed necessary to further the implementation of the Water Utility Merger. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G8 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

14-0135 AGENDA ITEM 8H1 – HUMAN RESOURCES

Agenda Subject: “Approve a revision to the accrual and crediting terms of Personal Leave, beginning in 2015, from annual accrual (Pay Period #1 through Pay Period #26/#27) and credited in the first full pay period in January) to semi-annual accrual (Pay Period #1 through #13 credited in July and Pay Period #14 through #26/#27 credited in January) for Unclassified Management; Non-Represented Confidential, Confidential Attorneys, Chief Deputies, Juvenile Services, Second Judicial District Court, and Justice Court employees (including Justice of the Peace) commensurate with several recently negotiated agreements such as the Washoe County Employees Association (WCEA), the Washoe County Nurses Association (WCNA); the Washoe County District Attorney Investigator’s Association (WCDAIA) and the Washoe County Sheriff’s Supervisory Deputies Association (WCSSDA). (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8H1 be approved.

14-0136 AGENDA ITEM 8H2 – HUMAN RESOURCES

Agenda Subject: “Approve requests for reclassification of a Library Assistant II, pay grade G, to a Library Assistant III, pay grade H (Library), an Engineering Inspector, pay grade L, to a Water, Sewer and Civil Project Inspector Supervisor, pay grade N (Community Services), and a new intermittent hourly Account Clerk,

pay grade G (Treasurer) as evaluated by the Job Evaluation Committee; and reclassification of the Forensic Investigator I job class from pay grade H to pay grade J, and the Forensic Investigator II job class from pay grade J to pay grade L (Sheriff's Office) as evaluated by the HAY Group. Net annual cost [estimated at \$53,868]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8H2 be approved.

14-0137 AGENDA ITEM 8H3 – HUMAN RESOURCES

Agenda Subject: “Approve updates to the Washoe County Discrimination and Harassment Policy (exhibit 1) to include provisions addressing gender identity or expression added to the Nevada Revised Statutes in 2013; no fiscal impact. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8H3 be approved.

14-0138 AGENDA ITEM 8H4 – HUMAN RESOURCES

Agenda Subject: “Approve updates to the Washoe County Family Medical Leave Policy (exhibit 1) to include provisions addressing new federal amendments to the Family Medical Leave Act; no fiscal impact. (All Commission Districts.)”

Commissioner Hartung noted there had been some public comment in regards to Agenda Item 8H4. He said he would like more information from staff and wondered if it would be a good idea to table the discussion until the Board had more information. He said the Family Medical Leave Act (FMLA) was a great tool and he wanted to be sure the issue was handled the right way for County employees.

Chairman Humke asked John Slaughter, County Manager, if it would be okay to continue the item to another day. Mr. Slaughter replied that staff was prepared to discuss the item and said it was up to the Board's discretion. Chairman Humke requested that the item be tabled and continued to a future date. Mr. Slaughter said the item would be moved to the next available meeting agenda.

In response to the call for public comment, Carla Fells, Washoe County Employees Association (WCEA), thanked Commissioner Hartung for his suggestion to table this Agenda Item. She said employees were gravely concerned about the interpretation of the federal statute, since one of the proposals was for sick time and FMLA time to run concurrently, which she thought created a disincentive for employees

to build up their sick time. She said FMLA provided protection for short term disabilities and the WCEA wanted to make sure it would continue to be used in that way. She said she looked forward to working with Management on the issue.

Commissioner Weber thanked Commissioner Hartung for requesting continuance of the item.

This item was pulled from the agenda to be continued to a future meeting.

14-0139 AGENDA ITEM 8H5 – HUMAN RESOURCES

Agenda Subject: “Approve the elimination of unused or obsolete job classifications as listed in Exhibit 1; no fiscal impact. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8H5 be approved.

14-0140 AGENDA ITEM 8I1 - MANAGER

Agenda Subject: “Acknowledge receipt of Annual Report from the Internal Audit Division for FY 2013-14. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8I1 be acknowledged.

14-0141 AGENDA ITEM 8I2 - MANAGER

Agenda Subject: “Acknowledge receipt of Incline Village – Crystal Bay Justice Court Minimum Accounting Standards Audit Report from the Internal Audit Division. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8I2 be acknowledged.

14-0142 AGENDA ITEM 8I3 - MANAGER

Agenda Subject: “Acknowledge receipt of Second Judicial District Court Minimum Accounting Standards Audit Report from the Internal Audit Division. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8I3 be acknowledged.

14-0143 AGENDA ITEM 8I4 - MANAGER

Agenda Subject: “Acknowledge receipt of Sparks Justice Court Minimum Accounting Standards Audit Report from the Internal Audit Division. (Commission District 4.)

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8I4 be acknowledged.

14-0144 AGENDA ITEM 8I5 - MANAGER

Agenda Subject: “Approve (retroactive to July 1, 2014) Washoe County, Nevada Grant Program Contracts FY 2014-2015 for grants in the following amounts: Access to Healthcare Network [\$31,500]; Incline Village Community Hospital Foundation [\$27,000]; and approve Resolutions necessary for same. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8I5 be approved. The Resolutions for same are attached hereto and made a part of the minutes thereof.

14-0145 AGENDA ITEM 8I6 - MANAGER

Agenda Subject: “Approve (retroactive to July 1, 2014) Washoe County, Nevada Grant Program Contract FY 2014-2015 for a Washoe County Special Purpose grant to the Economic Development Authority of Western Nevada (EDAWN) [\$41,300]; approve Resolution necessary for same, and direct Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8I6 be approved and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0146 AGENDA ITEM 8I7 - MANAGER

Agenda Subject: “Approve (retroactive to July 1, 2014) Washoe County, Nevada Grant Program Contract FY 2014-2015 for Silver State Fair Housing Council (SSFHC) [\$10,000]; approve Resolution necessary for same, and direct Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8I7 be approved and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0147 AGENDA ITEM 8I8 – MANAGER

Agenda Subject: “Confirm appointment of Shyanne Schull as Director of Washoe County Regional Animal Services effective January 1, 2015 and set annual salary at \$104,613.60. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8I8 be confirmed.

14-0148 AGENDA ITEM 8J1 – SENIOR SERVICES

Agenda Subject: “Approve the withdrawal of the appointment of Edward Williams [District 5] to the Washoe County Senior Services Advisory Board and appoint Jean Olsen [District 5] to complete the remainder of the vacated term through September 30, 2017. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8J1 be approved and that Jean Olsen be appointed to complete the remainder of the vacated term through September 30, 2017.

14-0149 AGENDA ITEM 8J2 – SENIOR SERVICES

Agenda Subject: “Accept grant award from the Meals on Wheels Association of America and Subaru of America’s Opportunity Based Grant [\$3,500, no match]; retroactive from November 14, 2014 through December 30, 2014; and direct the

Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8J2 be accepted and directed.

14-0150 AGENDA ITEM 8K1 - SHERIFF

Agenda Subject: “Approve the Forensic Support Services Agreement Between Washoe County on behalf of the Washoe County Sheriff's Office Forensic Science Division and the Walker River Paiute Tribe Police Department for [\$3,000]; retroactive for the term of July 1, 2014 to June 30, 2015 for Forensic Laboratory Analysis Service fees. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8K1 be approved. The Agreement for same is attached hereto and made a part of the minutes thereof.

14-0151 AGENDA ITEM 8K2 – SHERIFF

Agenda Subject: “Approve the Intern Site Agreement for Placement of Students Pack Internship Grant Program between the Nevada System of Higher Education on behalf of the University of Nevada, Reno and the Nevada Career Studio (collectively referred to as the “University”) and the Washoe County Sheriff's Office to create opportunities for students at UNR to work as paid interns; retroactive for the period of 8/1/14 through 7/31/16; and direct the Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8K2 be approved and directed.

14-0152 AGENDA ITEM 8L1 - TREASURER

Agenda Subject: “Approve and execute Resolution directing County Treasurer to give notice of the sale of properties subject to the lien of a delinquent special assessment in the following districts: WCAD 21 – Cold Springs Sewer, WCAD 23 – Arrowcreek Water, WCAD 32 – Spanish Springs Valley Ranch Rd (additional description of affected parcels contained in exhibit A of attached Resolution). (Commission Districts 2 and 5.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8L1 be approved and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0153 AGENDA ITEM 8L2 - TREASURER

Agenda Subject: "Approve and Execute Resolution Authorizing the Washoe County Treasurer to Transfer to Other Governmental Entities, Real Property held in Trust Due to Property Tax Delinquencies and Other Matters Properly Related Thereto. (Commission Districts 2 and 3.)"

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8L2 be approved and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0154 AGENDA ITEM 8M1 - SHERIFF

Agenda Subject: "Accept donation [\$2,000] from Reno Running Company to the County of Washoe on behalf of the Washoe County Sheriff's Office to purchase equipment for the K-9 Unit; and authorize Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)"

Commissioner Jung said the Reno Running Company was supportive of the community and responsible for many generous donations.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8M1 be accepted and authorized.

14-0155 AGENDA ITEM 8M2 - SOCIAL SERVICES

Agenda Subject: "Accept cash donations [\$2,845] for the period of October 1, 2014 through October 31, 2014 and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)"

Commissioner Jung explained the donations were made by A and H Insurance, Jeffery Shaffer, President of A and H Insurance, and through Juror fee donations. She thanked the donors for their generosity.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8M2 be accepted and directed.

12:01 p.m. Chairman Humke left the meeting and Vice Chairperson Weber assumed the gavel.

BLOCK VOTE

The following Agenda Items were consolidated and voted on in a block vote: 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24 and 25.

14-0156 AGENDA ITEM 11 – COMPTROLLER

Agenda Subject: “Recommendation to approve a Resolution of Intent, proposing the issuance of, and authorizing the publication of notices relating to General Obligation (limited tax) Building Bonds (additionally secured by pledged revenues) Series 2015 in the maximum principal amount of \$12,000,000 for the purpose of financing the building projects, including the Medical Examiner’s building; providing the manner, form and contents of the notices thereof; providing other matters properly related thereto; and providing the effective date hereof. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 11 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0157 AGENDA ITEM 12 – DISTRICT ATTORNEY

Agenda Subject: “Recommendation to approve Professional Services Agreement between Washoe County and Martin--Ross and Associates LLC for service of legal process papers involving the business of the District Attorney’s Office [annual total approximately \$130,000]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 12 be approved.

14-0158 AGENDA ITEM 13 – SENIOR SERVICES

Agenda Subject: “Recommendation to approve an Amendment #4 to The Food Management Services Agreement with Valley Services, Inc. (Agreement) for a second six-month term for the period January 1, 2014 to June 30, 2015 [approximately \$477,780] funded by applicable Aging and Disability Services Division grants, ad valorem and Indigent funds. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 13 be approved.

14-0159 AGENDA ITEM 14 - SHERIFF

Agenda Subject: “Recommendation to approve a direct grant award [\$192,277, no match required] from the Bureau of Justice Assistance (BJA), State Criminal Alien Assistance Program (SCAAP), FY2013, Project number 2013-AP-BX-0596, to the Washoe County Sheriff’s Office, Detention Bureau. Beginning date of the grant term is retroactive to November 7, 2013, with no end date; and direct the Comptroller’s Office to make the necessary budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 14 be approved and directed.

14-0160 AGENDA ITEM 15 - SHERIFF

Agenda Subject: “Recommendation to approve Contract for the Construction & Delivery of a Law Enforcement Marine Patrol Vessel between Washoe County and Titan Inflatables, Ltd. for purchase of new Titan 280 Pilot Aluminum RHIB Boat with Trailer on behalf of Washoe County Sheriff’s Office, from Titan Boats, 2011 Midway Ave., Sidney, B.C. Canada V8L 5X6 [not to exceed \$280,000], utilizing the Douglas County, NV Contract Number 2014.228; and if approved, authorize Purchasing to execute contract. (Commission District 1.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 15 be approved and authorized.

14-0161 AGENDA ITEM 16 – SOCIAL SERVICES

Agenda Subject: “Recommendation to award Request for Proposal No. 2907-15 for Child Protection Facility Operator at Kids Kottages to Core Dynamics, LLC, 10395 Double R Blvd, Reno, Nevada 89521, to the highest scoring responsive, responsible proposer, for an estimated award amount [approximately \$3,500,000 to \$3,900,000 annually], depending on facility census; and further recommendation to approve an 18 month Agreement for Child Protection Facility Operator at the Kids Kottages, commencing January 1, 2015 through June 30, 2016, with the provision for two single year renewals at the County’s option. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 16 be awarded and approved.

14-0162 AGENDA ITEM 17 – SOCIAL SERVICES

Agenda Subject: “Recommendation to award Request for Proposal No. 2908-15 for Mental Health Services Child Protection Facilities to Core Dynamics, LLC, 10395 Double R Blvd, Reno, Nevada 89521, the highest scoring responsive, responsible proposer, to provide mental/behavioral health services to children in the care and custody of Washoe County Social Services at the child protection facility, Kids Kottages, [estimated annual amount up to \$100,000]; and further recommendation to approve an 18 month Agreement for Mental Health Services at Kids Kottages Child Protection Shelter between the County of Washoe and Core Dynamics, LLC, commencing on January 1, 2015 through June 30, 2016, with the provision for two single year renewals at the County’s option. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 17 be awarded and approved.

14-0163 AGENDA ITEM 18 – TECHNOLOGY SERVICES/911 EMERGENCY RESPONSE ADVISORY COMMITTEE

Agenda Subject: “Recommendation to approve Agreement for Services between Washoe County, on behalf of the 911 Emergency Response Advisory Committee and Intrado Inc., for the purchase of the Intrado Recording Solution for the three Public Safety Answering Points (“PSAPs”) (Reno, Sparks and Washoe County); [not to exceed \$506,800; \$8,448 per month for 60 months]; total expenditures to be funded within the adopted operating budgets of the E911 Fund. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 18 be approved.

14-0164 AGENDA ITEM 19 - MANAGER

Agenda Subject: “Recommendation to appoint an individual to the Airport Noise Advisory Panel, with term to expire December 10, 2016. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Allayne Donnelly-Everett be appointed to the Airport Noise Advisory Panel with a term to expire December 10, 2016.

14-0165 AGENDA ITEM 20 - MANAGER

Agenda Subject: “Recommendation to approve the submission of the following grants to the State of Nevada Community Development Block Grant (CDBG) program for funding consideration: Rural Washoe Senior Ambassador Program [\$168,480, cash match \$79,009 Indigent Funds, and in-kind match \$6,999]; Sixth Avenue Crossing Improvement Project [\$212,500, in-kind match \$27,000]; priority ranking for the applications recommended as follows: Rural Washoe Senior Ambassador Program priority one, and the Sixth Avenue Crossing Improvement Project as priority two; and if approved, authorize the Chairman to execute the documents concerning same. (Commission District 5.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 20 be approved and authorized.

14-0166 AGENDA ITEM 23 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to award Bid No. 2914-15 for five (5) replacement variable frequency drives to the lowest, responsive, responsible bidder, Grove Madsen Industries, 390 East 6th Street, Reno, NV 89512, [net amount \$152,781] on behalf of the Central Truckee Meadows Remediation District Program.”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 23 be awarded.

14-0167 AGENDA ITEM 24 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to award a bid and approve the Agreement Form to the lowest responsive, responsible bidder for the South Truckee Meadows Water Reclamation Facility Biosolids Facilities Project recommended [KG Walters Construction Company, Inc., \$12,830,000]; and if approved, adopt a Resolution to augment the budget of the Washoe County Water Resources Enterprise Fund; and direct the Comptroller’s Office to make the appropriate adjustments. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 24 be awarded, approved and adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0168 AGENDA ITEM 25 - MANAGER

Agenda Subject: “Recommendation to appoint Kevin Schiller as Acting Director of the Washoe County Social Services Department effective December 9, 2014 and possible direction to staff on recruitment for the position of Social Services Director. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chairperson Weber, which motion duly carried with Chairman Humke absent, it was ordered to appoint Kevin Schiller as Acting Director of the Washoe County Social Services Department effective December 9, 2014 with direction to staff to move forward with recruitment for the position of Social Services Director and to bring the proposed method of recruitment back to the Board.

14-0169 AGENDA ITEM 10 – ANIMAL SERVICES

Agenda Subject: “Presentation and update on the Veterinary Clinical Affiliation Agreement between Truckee Meadows Community College and Washoe County Regional Animal Services for the placement of veterinary technician students at the Regional Animal Services facility, acknowledge presentation and update and possible direction to staff on related matters. (All Commission Districts.)”

Kevin Schiller, Assistant County Manager, said this item was brought to the Board in response to a request from Commissioner Hartung. He said Animal Services had a state-of-the-art facility and, as Interim Director of Regional Animal Services, he saw how important the facility was to the community. He said the purpose of the presentation was to highlight the ongoing agreement that Animal Services had with Truckee Meadows Community College (TMCC). He added that there were plans to encourage high school students to get involved in the program in the future. He reported the new Animal Services Director would be coming on board January 12th and said he did not doubt she would support efforts to promote the animal services field. He said Animal Services was a signature service in the community and that the program created efficiencies for the Department by offsetting tasks.

Bobby Smith, Animal Services Supervisor, gave the Board a brief overview of the program. He explained TMCC had been involved with Reno Animal Services prior to the consolidation between Sparks, Reno and Washoe County. He said students were performing all aspects of animal care in the facility and that with their help, Animal Services had a fully functional surgical suite.

Dr. Michele Noreen, Veterinary Technician Program Coordinator, addressed the Board. She said her students went to Regional Animal Services for hands-on experience and she explained a little bit about the program. She said first-year students learned about animal behavior and basic care and second-year students, who held veterinary technician and training certificates from the State Board, were able to do everything that a veterinary technician could do. She said surgeries were performed by licensed veterinarians and that students cared for the animals by providing dental care, spaying and neutering services, and wound care. She said the students were a force multiplier for the facility and that it had been a great partnership.

Commissioner Berkgigler said she thought the partnership between TMCC and Animal Services was wonderful and she thanked them for what they were doing.

Commissioner Hartung echoed Commissioner Berkgigler's sentiments. He said he supported getting high school kids interested in the program.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 10 be acknowledged.

12:20 p.m. The Board recessed.

1:53 p.m. The Board convened as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners with Chairman Humke absent.

3:59 p.m. The Board adjourned as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners

4:00 p.m. The Board reconvened as the Board of County Commissioners (BCC) with Chairman Humke absent and Vice Chairperson Weber assuming the gavel.

4:02 p.m. The Board recessed.

4:15 p.m. The Board reconvened with Chairman Humke absent and Vice Chairperson Weber assuming the gavel.

14-0170 AGENDA ITEM 26 - MANAGER

Agenda Subject: "Update on medical marijuana establishments in the State of Nevada and Washoe County; and possible direction to staff on matters pertinent to medical marijuana establishments in Washoe County. (All Commission Districts.)"

Kevin Schiller, Assistant County Manager, provided an update to the Board regarding medical marijuana. He said the State was notified of the Board's dispensary allocation request pursuant to the Board's action on September 12th. He explained dispensary selection was a State process and the County issued provisional certificates, which allowed applicants to apply to the State. He said he would be coming back to the Board at a later date with a proposal for Code changes related to future licensing processes and related fees. He said a process was being developed for the tracking of staff time dedicated to the medical marijuana licensing process.

Mr. Schiller said on November 6th the County received notification of the dispensary rankings from the State, which was detailed in Attachment A of the staff report. He said the report included ten cultivation facilities, five dispensaries and seven production facilities in the County. He said there were no applications for labs in the unincorporated County, however, there were two in Sparks. He pointed out there were a number of facilities on the State report which did not identify the applicants by name. He said that was due to an opinion by the Attorney General, which did not allow for such information to be made public unless the applicants signed waivers. He said applicants would be asked to sign waivers when they came to the County to apply for business licenses; however, the County could not force them to do so.

Mr. Schiller provided the Board with some handouts, which were placed on file with the Clerk. He said the handouts included a copy of some information about the first medical marijuana business license application and a copy of a letter from the State. He said the letter from the State outlined the fact that if any jurisdiction decided that a ranked applicant did not meet business license requirements, the State would not issue any additional dispensary allocations to that jurisdiction.

Mr. Schiller talked about Nevada Administrative Code (NAC) 453A.326, which limited the relocation of an approved medical marijuana vendor to within five miles of its original approved location. He said there had been inquiries about the limitation, so he reached out to the State to see if they would be willing to entertain a regulation change. He said the State indicated a willingness to conduct a public workshop to discuss a possible change to the regulation, but preferred not to move forward with any changes until after the upcoming legislative session.

Mr. Schiller said the County continued to receive inquiries about the competitive process of vendor selection and that those questions were being referred to the State. He stated there was some litigation taking place in Clark County regarding the State process.

Mr. Schiller said there were some bills to watch for in the upcoming legislative session that related to recreational marijuana use and potential statutory restrictions on what the County could do with licensing fees. He said there might also be some bills to watch which would allow local governments to be more flexible in the way they recuperated costs.

Mr. Schiller talked about attending an upcoming conference in Colorado to discuss the licensing process in that State and how they had been impacted. He thought there were lessons to be learned from their experiences, especially in relation to a possible future process for recreational use in Nevada.

Mr. Schiller anticipated coming back before the Board in January to provide another update. He said he made several calls to the State to discuss constituent issues; however, he was taking a conservative approach when dealing with public inquiries in order to protect the County from any liabilities.

Commissioner Berkbigler asked Mr. Schiller to confirm that the County was required to issue licenses to the five dispensaries that received provisional licenses from the State and that the State would not address any issues until after the legislative session. Mr. Schiller confirmed her statements. Commissioner Berkbigler said the State's position did not serve any positive purpose with regard to the problem with dispensary locations. She explained there were three dispensaries in the Incline Village and Crystal Bay area that were very close to each other and all three business owners had contacted her. She said the residents of Incline Village also expressed their concerns and did not want to be known as the dope center of northern Nevada. She thought it might be a good idea for the County to take a more aggressive approach with the State, like Clark County did, because something needed to be done about it.

Commissioner Jung said she was sorry Commissioner Berkbigler and her constituents felt that way. She asked if Commissioner Berkbigler had taken a tour of any of the dispensaries because she thought they looked like innocent book stores. She said the residents of Incline Village should be grateful because the dispensaries supported the new economic development plan to make Lake Tahoe a medical spa destination. She said

she thought there were many myths and fears about medical marijuana and she expressed her opinion that the Clark County Commission had gone too far. She said she was frustrated that the State Legislature met only once every two years because the State was slow to react in its policy making process.

Commissioner Jung said the County was a model of how to create a process that kept out political decision making. She thought the County should limit its concerns to advising the Legislature on what policies were and were not working. She said she heard a lot of complaints about the State's decisions, but said picking winners and losers was a difficult position to be in when the stakes were so high. She said the process was a model of supply and demand, which might affect the success of the dispensaries at issue, and talked about working out funding mechanisms. She thought the better companies should be asking what the County's pet projects were, which she thought might help them mitigate the issues in Incline Village. She said the County should be working to determine what could be codified instead of waiting until July.

Commissioner Hartung said the three dispensaries, one in Crystal Bay and two in Incline Village, were very close to one another and did not make any sense to him to have three dispensaries at the Lake. He agreed with Commissioner Berkbigler that the County should consider getting more aggressive with the State to see if there was some wiggle room. He talked about the expense of setting up a dispensary and doubted companies would want to invest the money to set up their businesses while waiting for the State to approve relocation outside the current five-mile radius limitation.

Mr. Schiller said a letter was drafted that specifically addressed the Board's concerns from a more aggressive stance. He said he held off sending the letter until he could confirm direction from the Board, but he saw the letter as a way to continue to reach out to the State. Commissioner Hartung said he understood that the issue was a regulation that could potentially be overturned. Mr. Schiller explained the State would have to initiate a public workshop, which would be a public forum by which a regulation change could move forward towards formal codification.

Commissioner Berkbigler said she toured some dispensaries and she agreed with Commissioner Jung that they were very nice. She expressed frustration with the State Health Department's interpretation of the law and thought they did not care what constituents had to say. She thought the letter was a good idea and said Mr. Schiller had done a wonderful job. She did not think the people who made the selections looked at where the dispensaries were located and instead only looked at the qualifications and the ratings. She said the law made it very clear the dispensaries were supposed to be dispersed among the population. She said, even though the businesses at the Lake had every right to move forward with their plans, she was not sure if there would be enough business to support all three locations. She thought the citizens of Incline Village and Crystal Bay had a right to have serious concerns. She thought the County had done a great job showing they knew how to follow the rules, but she was dissatisfied with the rules themselves, because they did not match the law. She said she thought the intention of the law was that these types of decisions would be made at the County level. She said

the State was doing a disservice to the companies who wanted to be in a competitive market as well as to the citizens of the County who would not have the benefit of diverse locations.

Commissioner Berkbigler moved to accept the report with direction to Mr. Schiller and his team to continue to try to resolve the issues and concerns, while keeping the Board informed. The motion was seconded by Commissioner Jung.

Commissioner Hartung wondered how aggressive the Board should direct staff to be on the issue. He asked if they should ask staff to have a conversation with the State with a request for a solution, or if staff should be more aggressive in stating that the State violated the spirit of the law. He said he was also under the impression the County would get to choose where the five dispensaries would be located.

Commissioner Berkbigler said she did not want to get into a lawsuit but she thought the County legislative team should work aggressively with legislators to express the Board's frustrations and concerns.

Commissioner Hartung said he was just trying to identify the level of activity the Board wanted to pursue and he thought it was important to articulate that. He did not want to see companies invest millions of dollars and then be forced to move by the State.

Commissioner Jung said she did not share that view. She said the reason the State did not put a limit on the number of production or grow facilities was that there were people who were going to thrive and people who were going to fail. She said that when the County went to the Legislature, she thought a good talking point would be that the County followed the letter of the law. She did not think the County should get in the way of the bigger issues the State had to deal with, and instead should use the fact that the County was being compliant as leverage. She thought that could be a good strategy instead of going to battle and the County should demonstrate partnership.

Commissioner Hartung talked about the importance of location to any business. He said from a free-market standpoint, it was ingenuous to dictate location and he would like to allow business owners to choose where their markets would be. He agreed the County should not go to battle with the State and the County could work to convince legislators to make changes sooner rather than later.

There was no public comment on this item.

On call for the question, the motion passed on a vote of 4-0, with Chairman Humke absent.

Commissioner Hartung asked if the direction to staff was clear. Mr. Schiller said the direction was very clear and staff was working to schedule meetings

with Legislators in January. He said he wanted to commend staff for their hard work on a process that had sometimes been frustrating and difficult.

Vice Chairperson Weber asked whether Board members would have the ability to share input during the meetings that were being scheduled with Legislators. Mr. Schiller said the initial meetings would be discussions based on lists of Bill Draft Requests (BDRs) and as that evolved the Board would get legislative updates on a regular basis. He said there might be times when staff would seek Board direction as to how to move forward and what positions to take on certain issues. Vice Chairperson Weber said she just wanted to be sure that the Board knew who was going to be doing what.

14-0171 AGENDA ITEM 21 – COMMUNITY SERVICES

Agenda Subject: “Presentation regarding proposed utility permit application that can be used on smart devices such as cell phones and tablets. (All Commission Districts.)”

Don Jeppson, Director of Building & Safety, talked about the proposed utility permit application process to be used on smart devices and provided a visual presentation to the Board. He gave some background information about the utility permit process and said, although they expected to see approximately 2,000 water heater replacements each year, there were only about 100 water heater permits being issued annually. He said contractors complained about the time it took to obtain permits, as well as the time they spent waiting for final inspections. He said even when contractors applied for permits they often did not follow through to the final inspections. He said the new technology would allow permits to be applied for through devices, such as cell phones and tablets. He said the proposal included a change to the audit process which would allow contractors the opportunity to reduce the number of physical inspections by establishing a certain level of competency. He said a similar process had been attempted in Las Vegas, but it failed because every audit inspection failed. Mr. Jeppson thought his proposal offered a unique twist, which he thought would help its success.

Mr. Jeppson went through the process step-by-step while viewing the slides in the presentation. He said the twist he was referring to involved the addition of a checklist. He said the checklist could either be electronic or on paper, but would include all the necessary installation requirements. He said it would also include a feature that would give contractors other helpful information, such as photo examples and links to web sites. He explained the process would allow contractors to upload photos of their work and would require the signature of both the installer and the homeowner upon completion of a project. He said once the checklist was submitted the permit would go into a permit pool to either be approved or selected for physical inspection. He explained that if a contractor routinely passed inspections, the system would allow more of his installations to pass without physical inspections. He said a failure to pass would trigger more physical inspections.

Commissioner Hartung said he loved the concept of the process for water heaters and asked if installers would have the ability to take photos with their phones and send them in so that physical inspections could be eliminated. Mr. Jeppson said there were some problems with that idea because there would be no way to confirm that the photos were taken at the specific installation sites. He said he would rather rely on checklists which would have to be reviewed with homeowners. Commissioner Hartung said if photos of the installations were attached to permit files and there was an issue, such as a fire, the photos could be used as evidence. Mr. Jeppson thought the checklist would achieve the same thing, but said the uploading of photos could be added as an optional function. Commissioner Hartung asked if the process could include permits for other types of installations, such as furnaces and re-roofs. Mr. Jeppson said yes, and indicated the Department would be saving money by reducing the number of physical inspections. He thought the new process would be an advantage to contractors who did quality work and would result in more monitoring for those who did not. He said the process could also be used by contractors to evaluate the success of individual installers.

Commissioner Hartung asked if the process could be used for fence installations. Mr. Jeppson said yes and that it might be expanded for uses beyond building permits. Commissioner Hartung asked if it could be used for the installation of pellet stoves and Mr. Jeppson said yes, but that would require some coordination with the Health District. Commissioner Hartung said he thought it was a great idea and could save the County a lot of money.

Commissioner Hartung asked Mr. Jeppson if there was a provisional patent on the application. Mr. Jeppson said they did not have a patent. He said the model of the program was created in-house through some freeware. He said the advantage of the freeware was that end users could test it before it went into hard production.

Commissioner Berkbigler asked if there had been any feedback from contractors about the new process. Mr. Jeppson said there was great feedback and the only barrier was waiting for the new regional permit system to go online, which would happen in January 2016. He said they received a favorable response from Clark County as well.

Vice Chairperson Weber said she thought the Board should be supportive of the proposed process, especially since contractors were in favor of it. She asked if contractors were already using a checklist and if they would be provided with a paper checklist if they did not want to use the electronic version. Mr. Jeppson said there was no checklist available yet, but he thought checklists could be made available on the website so homeowners could see what County inspectors would be looking for. He said they could also incorporate videos, photographs, guide sheets and Code sections.

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried with Chairman Humke absent, it was ordered that Agenda Item 21 be accepted and acknowledged.

14-0172 AGENDA ITEM 22 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to approve the First Amendment to Land Lease Agreement and Memorandum of Lease between Washoe County and American Tower, LLC, regarding a cellular antenna site located on a small portion of property located on the Washoe County Golf Course (Maintenance Shop area) APN 019-140-12, Reno, Nevada, [\$200,000] in exchange for a forty year right to use the site for cellular connectivity purposes; approve the use of proceeds for Washoe Golf Course land improvements; and direct the Comptroller’s Office to make all necessary budget adjustments. (Commission District 1.)

Commissioner Hartung said he had no problem with leasing County land, but wondered if there was any way to know if the land would still be a golf course in 40 years. He was not sure the County should be locking future generations into an agreement.

Wendy Pitts, Property Program Manager, said the golf course was deed restricted and the County would not be able to change it to anything else without the land owner’s approval. She said there had been many land improvements made to the golf course, so it was unlikely the County would try to change its use for that reason. She said the current license agreement was for 25 years and as part of the negotiated buyout there was a request to extend it. She said there was doubt that the land-based technology at issue would even be valid in 40 years, so they spent a lot of time working on obsolescence language, which would require American Tower, LLC (ATC) to remove the tower when it was no longer valid. She said the agreement did not allow ATC to go outside the special use permit without going back to the Governing Board. She said they did everything they could to keep the agreement tight and contained, while still generating revenue on a passive asset. She explained ATC’s original offer was for 28 percent of their remaining lease term, which was \$80,000 and it took two years of bargaining to raise it to \$200,000. She said the 40-year term was what ATC asked for in return.

Commissioner Hartung commended Ms. Pitt’s negotiating skills and agreed the technology would probably not exist in 40 years, but he continued to be uncomfortable with the idea of a 40 year lease.

Vice Chairperson Weber asked why there was an increased expense listed as a fiscal impact on the staff report. Ms. Pitts said the intent was to use the money to make improvements to the golf course. She said state law required that when the County transferred an asset in any way the money would have to go to the general fund, but with the approval of the staff report, the money would be driven back to the golf course fund. She said there was a netting deterioration issue that was causing some risk management

claims and this was a way to fund that maintenance. She explained she was trying to facilitate the amendment to the agreement on behalf of the Regional Parks and Open Space Commission who had approved the plan twice.

Vice Chairperson Weber said she just wanted to point out the netting problem had been an issue for a long time and that the money would be used for that purpose.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Chairman Humke absent and Commissioner Hartung voting "no", it was ordered that Agenda Item 22 be approved and directed.

5:18 p.m. The Board recessed.

5:37 p.m. The Board reconvened with Chairman Humke present and assuming the gavel.

14-0173 AGENDA ITEM 30 - MANAGERS

Agenda Subject: "Discussion and possible action to establish a process to fill a vacant Reno Justice Court Department, Department 3, including soliciting applicants, screening applicants (including possibly appointing a subcommittee of the Board) and to establish the process and timeframe for appointment. (All Commission Districts.)"

John Slaughter, County Manager, reminded the Board that Reno Justice of the Peace Jack (JOP) Schroeder announced his retirement in February of 2014 and that the Department 3 bench remained vacant since that time. He said the Board reviewed the issue on May 27, 2014 and deferred it to a later date for further discussion. He noted the Board was statutorily required to either appoint a person to fill the vacancy or provide, by Resolution, an election procedure to fill the vacancy for the remainder of the unexpired term. He said the Manager's office was prepared to offer some suggestions for the solicitation and processing of applications.

Chairman Humke said the question before the Board was whether to seek a process to fill the vacancy now or at some point in the near future, and how to carry out that process.

Commissioner Hartung said he wrote to Chief Justice of the Peace Scott Pearson and that Judge Pearson indicated he was available if the Board wanted him to participate in the discussion by telephone. Commissioner Hartung said when the Board members were elected to office they agreed to be good stewards of public assets and consequently they had a responsibility to taxpayers to save as much money as they could. He said he liked to think the reason the Board had not filled the vacancy thus far was

because it resulted in substantive savings for the taxpayer. He said the savings included more than the cost for the JOP; it also included the Bailiff, the secretary and the ancillary staff. He said County savings amounted to approximately \$500,000 per year and there were also savings to the State in terms of training costs. He wondered if the Board should rush into a decision because there was evidence that the caseload did not warrant it. He thought it was incumbent upon the Board to give it some time and allow the new Secretary of State to be seated first. He talked about the Frequently Asked Questions (FAQ) section of the Nevada Judiciary website where he found information about a Commission on Judicial Selection. He thought the Board needed to be very deliberate with their decision, especially since Chief Judge Pearson made it clear that caseload was not an issue. He asked staff to get Judge Pearson on the phone so he could join the discussion.

Commissioner Berkbigler pointed out the Board received letters from two other JOPs that disagreed with Judge Pearson's position and she thought they should be taken into consideration. She said the two other JOPs were present at the meeting and she thought they were qualified to speak about the issue.

Nancy Parent, County Clerk, mentioned that references were made to several letters, none of which had been placed on file with the Clerk. She asked Paul Lipparelli, Legal Counsel, if those letters needed to be part of the record. Mr. Lipparelli said if the letters were used or relied upon by the Board in its decision making process, they should be made part of the record. Letters from Judge Patricia Lynch, Commissioner Hartung and Judge Scott Pearson were placed on file with the Clerk.

Chief Judge Scott Pearson joined the meeting by telephone and Chairman Humke asked him for his input. Judge Pearson said he did not intend to give public comment or advocate for any one position and that he was available to answer any questions the Board had about the workload of the court.

Commissioner Hartung asked Judge Pearson if the court had the workload to substantiate the addition of another JOP or if he thought the Board could wait for a short period of time until the new Board and the new Secretary of State were seated. He reiterated that he wanted to save taxpayer money because he thought it was incumbent upon the Board to render any savings possible.

Judge Pearson said the letter he wrote was supported by the majority of the bench and that it detailed the case assignments for the Reno Justice Court as well as for similar courts. He said he could show that Reno Justice Court had an average caseload and he felt there was no direct need for additional judicial support. He explained that the court was handling 30 percent less cases than at its peak, and consequently, courtrooms were not being fully utilized. He said senior judges could sit in when there was a need.

Commissioner Hartung thanked Judge Pearson and asked him to comment about a possible consolidation with the City of Reno. Judge Pearson said the County Commission, the Reno City Council, and Nevada Legislators had all passed Resolutions

supporting the consolidation of the Reno Justice Court and the Reno Municipal Court. He said there were at least two studies conducted that supported the consolidation of the two courts and the law allowed for the Justice Court to handle the Municipal Court caseload by agreement of the County Commission and the City Council. He explained that in most Nevada cities the two courts were combined and, though there would be some duplication of positions in a consolidation effort, some savings could be realized if there were vacancies.

Commissioner Hartung asked Judge Pearson what would happen if there was too much labor and ancillary staff. Judge Pearson said that during his time as Chief Judge he met with his Court Administrator regularly to go over caseload numbers and to manage the calendar. He said when he noticed caseloads were decreasing he directed his Court Administrator to hold positions open when they became vacant. He said if the court had a sixth JOP and that JOP dictated a significant amount, he had no doubt there would be a need for an additional secretary and another Bailiff. He said there was also a potential need for additional support staff if the new JOP started any new programs. He said he was not advocating one way or the other and did not want the Board to rely on his advice as to when they should fill the position, but was just responding to the question about caseload as the person who was responsible for managing it and as a representative of the majority opinion of the court.

Commissioner Hartung asked the Judge if the courts had a full schedule and were operating five days a week. Judge Pearson said Fridays had not been fully utilized since the recession and that it was difficult to justify another judicial position.

Chairman Humke stated he felt this was unfinished business. He said he did not think the guidance from the Secretary of State's office would change. He said the statute was clear and the position was supposed to be filled. He asked Judge Pete Sferrazza and Judge Patricia Lynch if they wished to make any statements.

Pete Sferrazza, Justice of the Peace, said he did not support or oppose filling the judicial position. He said, despite what Judge Pearson said, there was an agreement amongst the JOPs that the position would not be filled through January. He said there was an additional agreement that the JOPs would not take a position on the filling of the vacancy and pointed out that Judge Pearson's letter appeared to express a personal position. He said he agreed with Chairman Humke that the position was not a new one and that State law required it to be filled. He said he and Judge Lynch did not think there would be a need for another secretary or Bailiff if the judicial position were filled, because the JOPs primary function would be to rotate and fill in for courtroom dark days. He said dark days were routinely scheduled when a JOP was absent and caused delays. He talked about the specialty courts Judge Pearson created during his time in office and how that placed additional constraints on staff time. He informed the Board that since Judge Schroeder retired there had been a caseload per judge increase of 20 percent. He said since he and Judge Lynch could commit to the Board that there would be no need for an additional secretary or Bailiff, the only cost would be the salary for the JOP. He said there would be a savings of \$300,000 per year by not filling those other

positions. He said he appreciated the Board's consideration and would work with any decision they made.

Patricia Lynch, Justice of the Peace, said she was appearing to support the position that Judge Sferrazza stated. She was concerned that the letter Judge Pearson sent to the Board indicated there were no delays, which she said was not true. She said the court used to have a backup judge to handle dockets when a judge could not be there and that was not happening anymore. She said she wanted the Board to have all the facts.

Chairman Humke talked about the possibility of consolidation and asked about the starting salaries for Reno Justice Court and Reno Municipal Court judges. Judge Sferrazza thought Reno Municipal Court judges earned about \$157,000 and Reno Justice Court judges earned about \$147,000. Judge Pearson agreed with those figures. Chairman Humke pointed out the salaries were disparate, so he was not sure it was a great time to merge courts. He said the judiciary would have to agree to the decision and the County Commission and City Council would have to be satisfied with it as well.

Judge Sferrazza said he was not opposed to consolidation and supported Judge Pearson on that issue, but he thought it would require intensive negotiations between the County and the City. He thought it should be addressed in the legislature and said Judge Pearson had a proposal to do it by Intergovernmental Agreement, which was an option to consider.

Commissioner Hartung said he was not attempting to derail the process or increase anyone's workload. He thought taxpayers had an expectation that the Board would save money wherever they could. He suggested waiting until the new year when the new Board members would be seated. He said he did not have a problem following the mandate, but wanted the Board to take the time to contemplate the decision carefully, while saving taxpayers money. He thought it was incumbent upon the Board to act responsibly.

Chairman Humke asked if the Court wished to reduce its yearly budget by \$500,000. Judge Sferrazza said there was a consensus that some of the positions that were budgeted for would not be filled and he agreed with Commissioner Hartung that the County had enjoyed some savings. He said the bottom line was that dark days could be eliminated by filling the judicial position and the law required the County to fill it. He said it could not be left open indefinitely.

Commissioner Jung said she would like to hear from the other two Justice Court judges. She asked who the Chief Judge was and how he was selected. Judge Sferrazza said the Reno Justice Court judges elected a Chief Judge in November of each year. He explained Judge Pearson was the current Chief Judge and Judge David Clifton would take over as Chief Judge in January. Commissioner Jung asked what the Chief Judge's responsibilities were. Judge Sferrazza said the Chief Judge had the responsibility to administer the court in terms of scheduling and that there was a Court Administrator who handled the day-to-day operations of the court. Commissioner Jung said it might be

a good idea to wait until January so the Board could hear from all the judges; however, she said she had been admonished by the Secretary of State for not filling the judicial position. She said the Secretary of State did not think the Board was following the law and did not like the idea that the issue had been tabled for so long. She said she understood Commissioner Hartung's position about saving money, but she also understood the Board was required to comply with statute. She said she was willing to table it, but thought a decision should be made sooner rather than later.

Commissioner Hartung agreed with Commissioner Jung. He said he thought the decision should be contemplated carefully and said the Board should appoint a commission which would narrow the selection. He requested that the Board table the item until the new Board was seated, and until they could have a conversation with the new Chief Judge.

Chairman Humke moved to take action to establish a process to fill a vacant Reno Justice Court Department 3 seat, including soliciting applicants, screening applicants (including possibly appointing a subcommittee of the Board) and establishing the process and timeframe for appointment. He said he wanted the process started immediately and to make it happen with all due speed. Commissioner Weber seconded the motion.

Commissioner Hartung stated he would not be supporting the motion and said he thought the process could be done more comfortably in January. Chairman Humke said this was unfinished business and he felt confident in the Board's ability to make the appointment.

Commissioner Hartung asked Chairman Humke if it was appropriate for the Chairman to be a part of the process since he was a judge-elect and reiterated his position that the issue should be tabled.

Chairman Humke said his two terms did not overlap. He asked Paul Lipparelli, Legal Counsel, to give an opinion on the matter. Mr. Lipparelli said he thought there might be some judicial canons that would apply to a judge-elect, but he was not aware of any mandate that would require Chairman Humke to resign from his legislative branch position or to decline to perform any duties he had as Commissioner, unless they were in clear conflict with judicial canons.

Commissioner Weber said Commission members had a duty to do their job all the way through to the very end. She said she believed this Board made the decision to put the position on hold after much discussion and she thought it best that the same Board get the job done by the end of the year.

Chairman Humke said he did not think he should be a member of any subcommittee that might be formed for the judicial selection.

Mr. Slaughter, asked for clarification on the motion because he did not hear specific direction about soliciting applicants, screening applicants, the possibility of appointing a subcommittee and the establishment of a process and timeframe. Chairman Humke said that was the intent. He said he divided the issue into two parts, because further discussion would not be necessary if the main issue was not passed by the Board.

There was no public comment on this item.

On call for the question, Chairman Humke, Commissioner Weber and Commissioner Jung voted "yes", Commissioner Hartung voted "no", and Commissioner Berkbigler chose to abstain.

Commissioner Berkbigler explained her decision to abstain from taking a position on the vote was because she did not feel strongly one way or the other. She asked Mr. Lipparelli if her abstention was acceptable. Mr. Lipparelli advised her to vote unless there was a disabling conflict or some other serious impediment, because it could be seen as a derogation of duty if she did not.

On second call for the question, the motion passed on a vote of 3 to 2 with Commissioner Hartung and Commissioner Berkbigler voting "no".

Commissioner Jung commented that because this was the Board's last meeting for the year, the decision would be pushed to the new Commission. She thought the decision to start the process would satisfy the new Secretary of State and Attorney General. She thought the decision had been delayed long enough.

Commissioner Berkbigler pointed out that the selection process would not be completed by the end of the year if the Board set up a subcommittee to review the applications. She thought the Board members should review the applications themselves.

Chairman Humke asked Mr. Slaughter if it was possible for the Board to have additional meetings in December in order to discuss this item as well as Agenda Item 31. Mr. Slaughter said there were dates in December that could accommodate the calling of a special meeting, but he thought there were problems with the idea of using a subcommittee for the selection process because of the three-day noticing requirement. He reiterated his earlier questions, about soliciting and screening applicants, the possibility of appointing a subcommittee and establishing a process and time frame. He said those questions still needed to be answered. Chairman Humke said he understood it would speed up the process if the Board did not use a subcommittee and thought the appointment could be done with the addition of one more meeting before the end of the year. Mr. Slaughter said staff determined the best date for an additional meeting would be December 30th.

Chairman Humke said he felt strongly the Board should hold a special meeting on December 30th to accommodate this item and also Agenda Item 31 because

he wanted the new assembly member to have at least a month to prepare before the next legislative session.

Commissioner Jung said she voted under the impression that this issue would be taken up in January and before the new Board members. She said she understood the desire to accelerate the appointment of the new Assemblyperson, but did not want to rush the decision about the JOP. She said she was in favor of getting the process started for the selection of the new JOP, but had made it clear in her earlier statement that her decision to vote yes was with the understanding this was the last meeting of the year and that the matter would not be heard again until January.

Chairman Humke said he saw an opportunity to make the processes parallel and discuss that with staff. Commissioner Jung said she had no understanding of that and requested a re-vote so she could vote no.

Mr. Lipparelli said the motion that passed was to proceed with an appointment of a Justice of the Peace, but no specifics were decided with regard to timing or process. He said that perhaps another vote on timing and process would give the Board an opportunity to decide when that would happen, which would not necessitate going back to the previous vote.

Commissioner Hartung said he would like to see a call for applicants and the creation of a subcommittee to help narrow the choices before it came back to the Board for contemplation. He was not sure if he would be available for a meeting on December 30th.

Commissioner Berkbigler moved to start the process by opening up the application period and moving forward with a process that would result in the JOP being chosen in either the first or second meeting in January, which would allow the new JOP to begin in February. Commissioner Jung seconded the motion.

Mr. Slaughter said he thought it would be a good idea to select a specific date in January and stated that the first regular meeting would be on January 13th. Commissioner Berkbigler amended her motion to add that the item would come back to the Board on January 13th. The seconder agreed with the amendment to the motion.

Commissioner Hartung said he would agree with Commissioner Berkbigler's motion if she changed the date to the last meeting in January to give the Board more time. Chairman Humke stated that motion had already been made and the seconder agreed. He said Commissioner Hartung could amend the motion further if he wanted to do so.

Chairman Humke asked Commissioner Berkbigler to confirm that her motion did not include the creation of a subcommittee and Commissioner Berkbigler stated that was correct. He also confirmed with her that the proposed date for the issue to come back to the Board was January 13th. She explained that she chose that date because

she wanted to give the two new Commissioners ample opportunity to review all of the applications and give the new JOP time to receive the appropriate training before he or she took the bench in February.

Mr. Slaughter said the process, as he understood it, would not include pre-screening of applications, which meant that if there were a large number of applicants, they would all be brought to the Board on January 13th.

Chairman Humke talked about the appointment process in the City of Reno where everyone on the Board stated a preference. Commissioner Berkeigler suggested each Board member take the opportunity to look through every application and choose their top picks to narrow the field.

Chairman Humke thought the screening process, which would allow the Board members to state their preferences, might create the need for an additional Board meeting and suggested that could happen on December 30th.

Mr. Lipparelli said he heard a motion for the Board to act on January 13th and also direction to give notice that the County would be accepting applications, which had been seconded and was on the table for a vote, but he said there were a couple of open ends to deal with. He said it would be a good idea to add a deadline for the submission of applications to the motion. He also suggested the Board establish a screening process as to whether every applicant would be considered at the January 13th meeting or if there would be a nomination process. He said it would be important that the process was open and that nominations went to the Clerk for timely publication. He said if those things were established there would be something for the Board to do at their January 13th meeting, such as making the decision as to how many applicants to interview. He said what was most important was for the Board to give clear direction to staff.

Chairman Humke said what he heard Mr. Lipparelli say did not necessarily generate the need for an additional meeting. Mr. Lipparelli replied, unlike the County Manager search, the Board would not be inviting applicants from across the Country for a chance to be interviewed because applicants were required to be Nevada licensed attorneys and reside in the township. Chairman Humke said he understood Mr. Lipparelli's advice was to set a due date for applications at a minimum.

Commissioner Jung said she thought the Manager's office could handle the process. She asked the Board to agree on a date for the applications and call for the vote.

Commissioner Hartung asked Mr. Lipparelli what would happen if the Board was unable to fill the seat by January 13th. Mr. Lipparelli said there was no mandate specifying a date so it could be postponed to another day. He said the motion on the table might be interpreted to say that the applications were due on January 13th and he asked the Board for clarification.

Commissioner Berkbigler amended her motion to say that the Board would leave it to the Manager and his staff to determine the date the applications would open and close. The seconder agreed.

On call for the question, the motion passed on a vote of 4 to 1, with Commissioner Hartung voting “no”.

Judge Pearson thanked the Board for their careful consideration and thanked the two outgoing Commission members for the wonderful relationship they had with the Court. He explained he did not have a personal position on the matter of the appointment of the new JOP, but felt it was his obligation to inform them about caseloads.

Judge Sferrazza also expressed gratitude for the Board’s time and consideration.

PUBLIC HEARINGS

14-0174 AGENDA ITEM 28 – COMMUNITY SERVICES

Agenda Subject: “Master Plan Amendment Case Number MPA14-004 (Pyramid / La Posada Commercial) – To consider a request to amend the Spanish Springs Area Plan, previously adopted by the Washoe County Planning Commission, to (1) eliminate the limitation [found in Policy SS 17.2.c] of the Spanish Springs Area Plan for the allowed amount of commercial land use acreage and; (2) change the Master Plan Category on two parcels from Suburban Residential (SR) to Commercial (C). To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the Spanish Springs Area Plan are proposed. These administrative changes include a revised map series with updated parcel base and updated applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. The subject property is located at the southeast corner of Pyramid Highway and La Posada Drive, (Spanish Springs), and is within a portion of Section 35, T21N, R20E, MDM, Washoe County, NV. (APNs: 534-091-06 and 534-091-07); and if approved, authorize the Chair to sign a Resolution to adopt the amendments to the Spanish Springs Area Plan after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission. (Commission District 4.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Master Plan Amendment Case Number MPA14-004 (Pyramid/La Posada Commercial).

Bill Whitney, Planning and Development Director, explained that Agenda Item 27 and Agenda Item 28 were related and, as a matter of the process of approval,

Agenda Item 28 should be heard first. John Slaughter, County Manager, suggested opening the two items simultaneously and Chairman Humke agreed.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 28 be approved and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0175 AGENDA ITEM 27 – COMMUNITY SERVICES

Agenda Subject: “Public hearing to affirm the findings of the Planning Commission, and adopt Regulatory Zone Amendment Case Number RZA14-007 (Pyramid/La Posada Commercial) to consider a request to amend the regulatory zone on two parcels from Parks and Recreation (PR) to Neighborhood Commercial (NC). To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the Spanish Springs Area Plan are proposed. These administrative changes include a revised map series with updated parcel base and updated applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. The subject property is located at the southeast corner of Pyramid Highway and La Posada Drive, (Spanish Springs), and is within a portion of Section 35, T21N, R20E, MDM, Washoe County, NV. (APNs: 534-091-06 and 534-091-07); and if approved, authorize the Chair to sign a Resolution to adopt the amendments to the Spanish Springs Area Plan after adoption of Master Plan Amendment Case Number MPA14-004. (Commission District 4)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Regulatory Zone Amendment Case Number RZA14-007 (Pyramid/LaPosada Commercial). There being no response, the hearing was closed.

There were no public comments on this item.

On motion by Commissioner Hartung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 27 be affirmed, adopted, approved and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0176 AGENDA ITEM 29 – COMMUNITY SERVICES

Agenda Subject: “Public hearing and possible adoption of Regulatory Zone Amendment Case Number RZA14-004 (Autumn Trails) - To amend the Regulatory Zone designation on ±6 acres of a ±47.6 acre parcel from a regulatory zone of Low Density Suburban (LDS) to Medium Density Suburban (MDS), to affirm the findings of fact of the Washoe County Planning Commission, to adopt Spanish

Springs Regulatory Zone Map as included at Exhibit A to the staff report and to direct the Director of the Planning and Development Division to sign and certify the amended Spanish Springs Regulatory Zone Map. (APN: 534-420-08); and if approved, authorize the Chair to sign a Resolution to adopt the amendment to the Spanish Springs Regulatory Zone Amendment Case Number RZA14-004. (Commission District 4.)”

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Regulatory Zone Amendment Case Number RZA14-004 (Autumn Trails). There being no response, the hearing was closed.

Commissioner Hartung asked Trevor Lloyd, Senior Planner, if the units would be served by the sanitary sewer system or by septic tanks. Mr. Lloyd replied they would be on the sewer system.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 29 be adopted, affirmed, directed and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-0177 AGENDA ITEM 31 - MANAGER

Agenda Subject: “Discussion and possible action to establish a process to fill a vacant Assembly Seat - Washoe County, District 24, including soliciting applicants, screening applicants and to establish the process and timeframe for appointment. (All Commission Districts.)”

Chairman Humke confirmed with the other Board members that they were in favor of having a meeting on December 30th to appoint someone to the Assembly seat. He said he thought Agenda Items 30 and 31 were parallel items.

Commissioner Berkbigler made a motion to open the application process for one week, starting on Wednesday, December 10th until Tuesday, December 16th.

John Slaughter, County Manager, clarified that Commissioner Berkbigler's proposal was to open the process for one week, with applications due at 5:00 p.m. on December 16th. Commissioner Berkbigler affirmed that statement.

Commissioner Berkbigler further added to her motion that the County should be clear about application requirements. She said Board members would review the applications and submit their top picks to the Clerk and the Manager so that the public hearing could be properly noticed. She said the Board would be taking a vote at the meeting. Commissioner Jung seconded the motion.

Mr. Slaughter said he wanted to further clarify the process. He stated the application process would open December 10th, with a deadline at 5:00 p.m. on

December 16th. He said packets would be available for Board member review on December 17th. He said he understood the Board would get back to the Manager, through the Clerk, with the top five candidates by the staff proposed date of December 19th. He said the Manager's Office would then publish the names of the candidates because the posting deadline would be 9:00 a.m. on December 24th.

Commissioner Berkbigler questioned the Manager about the length of time the Board would have to review the applications and when their choices would be due to the Manager.

Nancy Parent, County Clerk, stated she understood the Board members would be giving their top five choices to the Manager or the Clerk by December 19th so the agenda notice could be published on December 24th for the December 30th meeting.

Commissioner Hartung said he thought that was a very tight schedule and said it would be difficult for Board members to find time to interview applicants. He suggested allowing more time for the Board to return their choices. He said if they had until Monday, December 22nd to get their choices back to staff, that would give them more time.

In response to Commissioner Hartung's request, Mr. Slaughter said they could allow the Board until December 22nd to get their choices back to the Manager's office. He said that would result in a very quick turn-around time to get the agenda published, but with the full list of names they could make that work. Chairman Humke asked if this would be the only agenda item on the December 30th meeting. Mr. Slaughter replied it was the only item he knew about, but he would give direction to staff not to include any items from other departments.

Commissioner Hartung agreed with Mr. Slaughter's proposal and said it would allow the Board to properly vet all of the applicants. He asked if the Manager's office already had appropriate applications ready to go and Mr. Slaughter said they did.

Mr. Slaughter stressed to the public that the deadline to get applications in to the County would be December 16th at 5:00 p.m.

Paul Lipparelli, Legal Counsel, said once the applications were submitted, they were public records. Chairman Humke asked if there would be a screening process to disqualify any applicants that did not meet requirements and Mr. Slaughter said there would be.

Chairman Humke wondered about publishing the applications. Paul Lipparelli, Legal Counsel, said once the applications were submitted they would become public record. Chairman Humke asked if screenings would take place to disqualify applicants if they did not meet requirements. Mr. Slaughter affirmed there would be a screening process. He said the Registrar of Voters would assist in that process since that was their area of expertise.

In response to the call for public comment, Margaret Flint said she wanted to know if the applications would be an online process or a hard copy process.

Mr. Slaughter said he was informed the applications would be available online, but would have to be submitted as hard copies.

On call for the question, the motion passed on a vote of 5-0.

14-0178 AGENDA ITEM 32

Agenda Subject: "Discussion and possible direction to staff regarding whether Washoe County Commissioners should receive the same sick leave benefits as other elected county officials in Washoe County, and if directed, request through the County Manager's Office to the County Clerk, pursuant to Washoe County Code 2.030, to initiate proceedings to amend Washoe County Code (Chapter 5) related to the creation of an ordinance for the accrual and use of sick leave, and payment for unused sick leave by County Commissioners; and direct the Clerk to submit the request to the District Attorney for preparation of a proposed ordinance pursuant to Washoe County Code 2.040-- Requested by Commissioner Weber. (All Commission Districts.)"

Chairman Humke said this was essentially a proposition to determine if there was sufficient desire to cause an Ordinance to be drafted.

Commissioner Weber said this agenda item had caused a lot of havoc. She explained this item was unfinished business that had been discussed among various staff members for a long time. She explained the District Attorney's office had released an opinion on the matter the previous week and she alone asked for the item to be placed on the agenda. She apologized to Chairman Humke for his name being associated with it, but she felt that she followed proper procedures.

Chairman Humke said the agenda item indicated that it was prospective in application and he did not see anything that would make it retrospective in action. He noted there was no staff report on the item.

Commissioner Weber said she thought the *Reno Gazette Journal (RGJ)* had been unfair in their opinion. Chairman Humke asked her if she intended to withdraw the item. Commissioner Weber stated her concern about whether a withdrawal of the item would have an effect on a future Board's ability to bring the item back for discussion.

Paul Lipparelli, Legal Counsel, explained the process for amending the Code. He said the District Attorney's (DA) opinion was that if the Board wished to create a sick leave benefit for itself, it would have to do so pursuant to an Ordinance. He apologized if the DA opinion did not clarify the issue. He said this was the first time the issue had ever been placed on an agenda for consideration, which was what drove the DA's interest in advising the Board about potential legal problems. He suggested that if

there was an interest in placing this subject matter on a future agenda, the DA's office could do a better job of analyzing the legal information to give the Board the information it needed.

Commissioner Weber asked if she could withdraw the item.

Mr. Lipparelli said the Board was not compelled to act on the item and if the requesting Commissioner no longer wanted to proceed with it, she could suggest that it be withdrawn.

Commissioner Weber requested to withdraw the item.

There was no public comment or action on this item.

14-0179 AGENDA ITEM 33- CLOSED SESSION

Agenda Subject: "Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220."

There was no need for a closed session.

14-0180 AGENDA ITEM 35 - PUBLIC COMMENT

Agenda Subject: "Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole."

There was no response to the call for public comment.

COMMUNICATIONS

The following communications and reports were received, duly noted, and placed on file with the Clerk:

AGREEMENTS

14-0181 An Agreement between the County of Washoe, through the Social Services Department and The Children's Cabinet, A Nevada non-profit corporation, for the period of October 1, 2010 through September 30, 2011.

MONTHLY FINANCIAL STATEMENTS

14-0182 Monthly statement of Washoe County Treasurer for Month Ending October 31, 2014.

QUARTERLY FINANCIAL STATEMENTS

14-0183 Washoe County Sheriff - First Quarter Report of Civil Fees and Commissions for fiscal year 2014/2015.

14-0184 Office of the Constable – Quarterly Report of Revenues Received for the quarterly period ending September, 2014.

14-0185 Washoe County School District – Quarterly Report for the Fourth Quarter, July 1, 2013 – June 30, 2014.

14-0186 Washoe County School District – Quarterly Report for the First Quarter, July 1, 2014 – September 30, 2014.

COMPREHENSIVE ANNUAL REPORTS/FINANCIAL STATEMENTS

14-0187 Verdi Television Maintenance District – Financial Statement for year ending June 30, 2014.

14-0188 Carson-Truckee Water Conservancy District – Financial Statement and Supplemental Information Report ending June 30, 2014.

14-0189 North Lake Tahoe Fire Protection District, Nevada – Financial Statement for year ending June 30, 2014.

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Pending Board Approval

7:41 p.m. There being no further business to discuss, on motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, the meeting was adjourned.

DAVID HUMKE, Chairman
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Cathy Smith, Deputy County Clerk*

Pending Board Approval