

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

TUESDAY

10:00 A.M.

MARCH 28, 2017

PRESENT:

**Bob Lucey, Chair**  
**Marsha Berkbigler, Vice Chair**  
**Kitty Jung, Commissioner**  
**Vaughn Hartung, Commissioner**  
**Jeanne Herman, Commissioner**

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

The Washoe County Board of Commissioners convened at 10:00 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:

**17-0229      AGENDA ITEM 3 Public Comment.**

Ms. Ardena Perry stated any changes in the Washoe County Code (WCC) Chapter 55 (Animals and Fowl) needed to be heard and approved by the Board of County Commissioners (BCC), but there had been no scheduled meeting for the Animal Control Board (ACB). She alleged for every animal ordinance there had to be an appeal process with the ACB. She asked why there was no meeting of the ACB in March since the ACB was expected by WCC 55 to provide public hearings and procedural due process. She stated she had requested a report on rabies vaccinations for feral cats but had not received anything. She asked Animal Services to respond to her request.

Mr. Sam Dehne spoke about the chairs in the Chambers, the *Reno Gazette-Journal* (RGJ), and Reno Police Chief Jason Soto.

Ms. Vicky Maltman, Washoe County resident, asked the Commissioners to include an agenda item about the topic of elected officials being on Citizen Advisory Boards (CABs). She felt having a CAB meeting with an elected official as chairman was inappropriate as there could be a conflict of interest when discussing new housing proposals. She also requested an update on the flooded ditches.

Mr. Jeff Church presented documents which were placed on file with the Clerk. He spoke about the \$40 million shortfall in the Washoe County School District (WCSD) budget. He alleged with the passing of Washoe County Question 1 (WC-1) the County had the highest sales tax in the State and that buyers were shopping elsewhere as

a result. He alleged other legislative bills would raise County taxes and urged the Board to oppose those bills.

Chair Lucey called Ms. Kim Siminoe but she declined to speak.

Ms. Tammy Holt-Still, resident of Lemmon Valley, asked the Commissioners to rescind the bill in the Nevada Legislature that allowed Reno to acquire open lands. She requested a moratorium on building in the North Valleys until an impact study was completed and flood mitigation was administered. She expressed frustration with comments made by County employees to the media. She asked the County to waive permit costs so residents could their homes and proper inspections could be done. She expressed frustration at the response residents received regarding their issues and the County's failure to maintain culverts. She provided a handout that was placed on file with the Clerk.

Mr. Danny Cleous alleged there had been breaches in culverts and that one bladder did not work as expected. He requested representatives from Reno to see the area and stated the city should not build on the property they had annexed. He expressed frustration with County employees' responses to the crisis and insinuated it was because his district had less money than other districts. He asked the Health Department to test the composition of the dirt and mold in the flooded areas.

Former County Commissioner Mr. James Galloway spoke about Assembly Bill (AB) 175 and read a letter he wrote that was published by the RGJ in which he opposed the bill that proposed to raise the minimum wage. The letter was placed on file with the Clerk. He stated under the new rules of the Nevada legislative session the bill could be brought forward for a vote at any time with a minimum of hearings. He asked the Board to direct staff to oppose the bill as he felt the jobs most affected would be those that led to higher levels of employment.

Ms. Juanita Cox notified the Board they would be lobbied to support licensing Yucca Mountain as a burial site for nuclear waste and she voiced concern over the proposal. She alleged the casks that transported nuclear waste were unsafe and vulnerable to terrorist acts. She asked the Board to agree with the governor and the attorney general by opposing the authorization of the Yucca Mountain facility.

Ms. Cathy Brandhorst spoke about matters of concern to herself.

**17-0230**      **AGENDA ITEM 4** Announcements/Reports.

County Manager John Slaughter said Agenda Item 12 pertaining to an agreement on radio systems would be pulled because of last minutes changes from one of the partners.

Commissioner Berkbigler thanked everyone helping on the flood issues, specifically Incident Commander Sam Hicks, Engineering and Capital Projects Division



- 17-0233**      **5C** Approve the renewal of the Agreement for appointed Counsel Administrator Services between the County of Washoe and Robert Bell, Esq., for professional legal services as the Appointed Counsel Administrator for the period April 1, 2017 through June 30, 2017 [not to exceed \$38,625.00] and if approved, authorize the County Manager to execute the contract. Manager. (All Commission Districts.)
- 17-0234**      **5D** Approve the Search and Rescue Medical Support Services Agreement Between REMSA (Regional Emergency Medical Services Authority) and the Washoe County Sheriff's Office to provide medical support in Search & Rescue operations with a retroactive start date of February 19, 2017. Sheriff. (All Commission Districts.)
- 17-0235**      **5E1** Acknowledge the grant award from the Washoe County Bar Association to the Washoe County Law Library, in the amount of \$2,074.15 (no match required), and direct the Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)
- 17-0236**      **5E2** Acknowledge, retroactively, a grant award from Community Foundation of Western Nevada to the Second Judicial District Court in the amount of \$2,000.00 to further education regarding supported decision-making agreements and direct the Comptroller's Office to make the necessary budget amendments. (All Commission Districts.)
- 17-0237**      **5F1** Approve the settlement of the claims brought by Tracy C. Griffith and Kevellin Montello against Washoe County et al, for a [total sum of \$50,000] for all claims against all defendants. (All Commission Districts.)
- 17-0238**      **5F2** Approve the settlement of the claim brought by Jamie Kirkpatrick against Washoe County et al, for a [total sum of \$85,000] for all claims against all defendants. (All Commission Districts.)
- 17-0239**      **5F3** Creating agency fund "Washoe County School District Sales Tax Fund" to track the imposed additional sales and use taxes as required by the passage of Washoe County Ordinance 1590, Bill No. 1774. Comptroller. (All Commission Districts.)

On the call for public comment, Mr. Jeff Church presented a picture of his vintage trailer, a copy of which was placed on file with the Clerk. He claimed trailer events were growing in popularity and urged the Board to support the inclusion of the Vintage Recreational Vehicle (RV) Trailer Rally in the Hot August Nights (HAN) event. County Clerk Nancy Parent reminded Mr. Church he requested to speak on a separate consent item and he had time remaining to do so. He explained the passing of Washoe County Question 1 (WC-1) would increase the sales tax for Washoe County to 8.26 percent. He stated the measure was on appeal to the Nevada Supreme Court with other

issues potentially to be filed. He alleged money from the bill was potentially being misspent on administrator salaries and personal cars for administrators. He said Commissioner Jung was on the oversight panel for the Washoe County School District (WCSD) and he was an applicant for the panel.

Mr. Jon Whipple, member of the Board of Directors for HAN, voiced his support for Agenda Item 5B. He presented the idea at his first board meeting as a member and stated he was pleased it was embraced by the HAN Board and executive staff. He confirmed RV restoration was popular and the event would feature celebrities from a TV show about vintage trailers. He asked the Board for their support.

Ms. Cathy Brandhorst spoke about matters of concern to herself.

Ms. Tammy Holt-Still spoke on Agenda Item 5B and said it was great HAN brought in so much money. She expressed concern that the Board would waive the facility costs for park rental for a fun event but not for permits requested by flood victims. Chair Lucey interrupted and said Ms. Holt-Still was not speaking on topic.

Commissioner Jung said while she was willing to approve Agenda Item 5B, she expressed the concerns of some constituents that waiving fees for the rally could show a lack of appreciation for volunteers. She stated staff pointed out to her park fees went into a general fund and not directly to the Parks Department and, given the cuts in the Parks' funding, it was time to rectify the cuts. She believed in helping special events get on their feet and noted the Balloon Races would have run out of money had the County not stepped in; that event was now considered an iconic image of Washoe County. She felt those events where the County helped should reciprocate by supporting the County when they asked for tax increases. In regard to the issue of precedent, she said the event requested a special use waiver so no precedent would be set. She contended it would not be a disruptive event since its attendees would be people with a different value system. In fact, a couple agreed to manage the event so there would be no noise complaints. She also confirmed only people with permits could enter the park when it was closed. Given those details, she supported the event.

Commissioner Hartung expressed support of HAN and reminded people it created a \$400 to \$500 million positive impact to the local economy. He claimed it was the Board's responsibility to bring people to the area and that they had seeded events like the rally before.

Chair Lucey said as Chairman of the Reno-Sparks Convention and Visitors Authority (RSCVA) he felt the event was a tremendous benefit to the area. He stated the County did little financially to support tourism unlike the Cities of Reno and Sparks, who both had accounts set aside for special events. He echoed the other Commissioners' support of the event.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Consent Agenda Items 5A through 5F3 be

approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5F3 are attached hereto and made a part of the minutes thereof.

Legal Counsel Paul Lipparelli confirmed Commissioner Jung voted in the affirmative though she was not seated behind the dais.

**BLOCK VOTE – AGENDA ITEMS 8, 9, 10 & 11**

**17-0240**      **AGENDA ITEM 8** Recommendation to approve receipt of the Sexual Assault Kit Initiative 2016 funds (SAKI 2016), sub-granted through the Nevada Office of the Attorney General in the amount of [\$402,917.00, no County match required] for the DNA testing of un-submitted sexual assault kits from law enforcement agencies throughout northern Nevada for the retroactive grant period of 10/1/16 through 9/30/19. If approved, authorize Comptroller’s Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

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

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

**17-0241**      **AGENDA ITEM 9** Recommendation to award a bid and approve the Agreement to the lowest, responsive, responsible bidder for the Gator Swamp and Eagle Canyon Park Playground Rehabilitation project [staff recommends Truckee Meadows Construction in the amount of \$734,466.00]; and if approved, direct the Comptroller’s Office to make the appropriate budget adjustments. Community Services. (Commission District 4.)

There was no public comment on this item.

Commissioner Hartung acknowledged both Gator Swamp and Eagle Canyon Park needed upgrades since he served on the area’s Citizens Advisory Board (CAB). He thanked staff for keeping the repairs on the Capital Improvement Plan (CIP) and seeing it to fruition.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 9 be awarded, approved, and directed.

**17-0242**      **AGENDA ITEM 10** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the East Incline Village Phase I Water Quality Improvement Project [staff recommends Burdick Excavating Company, Inc., in the amount of \$2,899,950.00] funded by Nevada Tahoe Bond Act, U.S. Forest Service Southern Nevada Public Lands Management Act, and Tahoe Regional Planning Agency Water Quality Mitigation Funds. Community Services. (Commission District 1.)

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 10 be awarded and approved.

**17-0243**      **AGENDA ITEM 11** Recommendation to approve the removal of uncollectible accounts receivable [totaling \$445,171.86]. Comptroller. (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 11 be approved.

**17-0244**      **AGENDA ITEM 6** Appearance: Sean Gephart, Plan Industry Division, Nevada Department of Agriculture

Presentation and update on NRS requirements for noxious weed control. [10 minutes]

Sean Gephart, Noxious Weed Coordinator for the Nevada Department of Agriculture, conducted a PowerPoint which was placed on file with the Clerk. He stated Nevada State law gave the Department of Agriculture the authority to identify certain weed species as being invasive to the point of becoming a detriment to wildlife habitat, native species, property values, and fire prevention. He explained the categories of the 47 noxious weeds in Nevada, saying they targeted limited distribution weeds versus widespread weeds to help prevent spread. He stated he worked with Natural Resources Planner Cheryl Surface and thanked Management Services Director Al Rogers for allowing him to conduct his presentation. He said two of the biggest weed concerns were medusahead, which was spreading all over Verdi, and yellow starthistle, which had become so widespread in California they had mostly given up on controlling it. Both were annual weeds which came up rapidly and produced a great deal of seeds. He showed two maps identifying areas of infestation for those weeds. He stated medusahead presented a great fire danger and was ungrazeable to livestock. He spoke of a recent outbreak of leafy spurge in northeast Nevada and expressed concern about its possible

spread into Washoe County. He hoped to work with one homeowner whose house was up for sale to initiate weed control on his property. He recognized the perception of the public against pesticides but contended it was sometimes the best way to control certain weeds. He requested additional funding for weed abatement within the Open Spaces and Parks and Recreation budget.

Commissioner Berkbigler asked if the influx of water from the winter would result in a greater spread of weeds, to which Mr. Gephart said undoubtedly. He cited a recent news story about the flood of 1997 that resulted in a resurgence of perennial pepperweed which overtook parts of South Meadows. He expressed concern about the spread of purple loosestrife because the increased precipitation could encourage rapid germination of weeds. Mr. Gephart replied to Commissioner Berkbigler's question about standing water affirming some plants would grow submerged in water while others would not. He explained if any part of the perennial pepperweed's root material broke off, it could break apart the soil aggregate on a river bank and result in erosion.

Commissioner Jung asked for a map of all noxious weeds in Washoe County and Mr. Gephart said would provide that. She expressed concern about the fire hazard the weeds in Sun Valley presented and asked what was being done there. Mr. Gephart cautioned when some noxious weeds became so widespread that there were no longer any measures taken to control them, they were no longer classified as noxious and were not under his authority. He thought the Nevada Division of Forestry had a program where they would bring a dumpster to help homeowners who did not have the funds to remove weeds from their property. Commissioner Jung requested staff to follow up on a solution to the weed issue in Sun Valley.

Commissioner Hartung asked if other methods of weed control besides herbicides were used and Mr. Gephart replied they used various methods including mechanical tools, physical removal, grazing, and bio agent controls. The insects used for bio agent controls would not eradicate a weed but would help control seed propagation. He said that method could only be used with weeds of a certain spread or else the insects would die of starvation. He stated the Nevada Department of Agriculture's Environmental Services Division conducted training on the handling of pesticides.

**17-0245**      **AGENDA ITEM 7** Appearance: Jessica Sferrazza, Saint Mary's Health Network

Presentation and update on partnership with the American Heart Association Little Hats, Big Hearts program. [10 minutes]

Chief Executive Officer (CEO) of St. Mary's Hospital Helen Lidholm spoke about their partnership with the American Heart Association (AHA) and their multi-year program called Healthy for Good. She conducted a Powerpoint presentation. Through the initiative they were focusing on the community staying active, eating healthy, and relying on their medical team for their healthcare needs. The ultimate goal was to reduce the number of heart disease and stroke cases. She introduced a program



called Little Hats, Big Hearts and spoke about one of the program's physicians Dr. Bayo Curry-Winchell whose daughter was born with a heart defect. She suggested people could get involved by donating materials, knitting hats, or telling stories about loved ones with heart conditions. She spoke about another program called Little Steps, Big Gains which focused on moving more to maintain good health. She invited the Commissioners to challenge the cities of Reno and Sparks in a one-mile walk.

Commissioner Berkbigler said she would crochet some hats and stated she was very active in women's heart health causes. She was glad projects like these were keeping the money in the community. County Manager John Slaughter mentioned his son was born with a heart condition, though he was now 22 years old, and thanked Ms. Lidholm for presenting. Chair Lucey praised her work and urged the Board to get behind the April movement challenge.

**17-0246**      **AGENDA ITEM 17** Update on emergency operations related to the 2-23-2017 declaration of state of emergency, and possible approval of emergency actions approved by the County Manager implemented pursuant to emergency powers related to the current state of emergency. Manager. (All Commission Districts.)

Incident Commander Sam Hicks reviewed ten slides of the Lemmon Valley relief efforts, including before-and-after comparisons of the area and images of the water pumping operations. He addressed comments about the County and the incident team allowing culverts to fail by saying when he accepted the Incident Commander position he committed to making sure everyone was safe. The diver said it was unsafe to plug the culvert and refused to get in the water; Chief Hicks respected the diver's stance. As a consequence water backed up into the ditches before they could fill the hole with over 200 yards of sand. In response he worked with the road department to bring in trucks and a bigger pump to remove excess water. He stated the water was brought down to normal levels by the following morning with minimal impact to any houses. He directed residents with water in their houses to let him know. He said they did not remove any sandbags from people's homes and stated very few residents had come to him for help. He announced the culvert had been plugged as of that morning and it had been sealed as best it could be. He indicated every pumping station would remain in place to keep water levels where they were including one large pump as a precautionary measure. He acknowledged there was water seeping under the barriers but said he was not concerned as it would have minimal impact and they were making plans to address the seepage issue. He mentioned a community meeting on March 29, 2017 for the public. He announced they received the presidential declaration for public assistance and mitigation though he noted the topics of individual assistance and direct de-watering were still being evaluated; it was up to Washington DC to determine eligibility.

Commissioner Hartung claimed the pumps at Nectar Street and Lemmon Drive were pumping the equivalent of an Olympic-sized swimming pool of water every 37 minutes. Chief Hicks clarified each pump moved 40 acre-feet of water a day when at full capacity but stated they were shut off. He said the pumps were supplied as per a

contract with Cashman Equipment, who was monitoring the pumps 24 hours a day. Commissioner Herman thanked Chief Hicks for his work.

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

Mr. Danny Cleous expressed frustration at the communication between the County, the media, and the residents. He alleged Ms. Donna Robinson had still not received the maintenance records for Lemmon Valley that she had requested in January and he said some culverts had had no maintenance in over two years. He remarked he had not seen the Red Cross out there and, when called, they informed him to call Salvation Army or go to a homeless shelter. He wished rescue efforts could have been accomplished sooner and expressed dismay that his neighbor would have to pay \$1,125 for a permit to repair her septic tank.

Ms. Tammy Holt-Still repeated her requests for the Corps of Engineer Report and action plan as well as an accounting of the funds spent. She claimed she had contacted the emergency numbers Chief Hicks suggested as well as Emergency Management and her Commissioner, but she received no responses. She alleged Washoe County did not act on the information given about the infrastructure needed to prepare for an incident of this scale.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 17 be approved.

**17-0247**     **AGENDA ITEM 15** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County 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. Manager. (All Commission Districts.)

Management Services Director Al Rogers distributed a handout of six bills of interest but he mentioned there were more bills that would not be covered in depth at the meeting. He brought up Assembly Bill (AB) 39, which County Manager John Slaughter commented was originally introduced by Washoe County. Mr. Slaughter said he had spoken with the Chair of the Government Affairs Committee Edgar Flores and Senator Julia Ratti about a path to resolution. He stated the original bill proposed the governing board for regional planning be composed of four Reno representatives, and three each from the County and Sparks, though Washoe County had requested they should each get three representatives. The compromise would maintain the City of Reno's four representatives but would allow the County Commission to select its own membership. Additionally, the compromise would include a legislative directive that the interlocal agreement would allow for some sort of role for the city managers and the county manager to consult with the regional planning director. He welcomed any comments from the Board about the proposed compromise.

Commissioner Hartung agreed with the provision including the city and county managers but he expressed concern with some of the policies contained in the regional plan, specifically the policy about industrial and commercial areas not being allowed in the County. He felt certain industrial and commercial entities would be a better fit in the County rather than next to an elementary school. He stated he would like the County to be able to adjust those policies.

Commissioner Berkbigler agreed some potential issues could be addressed in the regional plan update in 2017 and indicated the proper arena for those changes should happen with the regional governing board and not through the Legislature. She opined the compromise was decent and it would prevent the County from being discriminated against in regards to discussing its own interest. It also allowed some oversight by the managers which she deemed necessary since they were spending taxpayer dollars. She acknowledged she would rather have seen an even representational split but conceded that did not seem likely. She recommended the Board support the proposal as a gesture to show the County was ready to be a part of a team and come up with something beneficial for the entire community.

Commissioner Herman expressed concern about the representation of District Five. Commissioner Hartung recognized the regional plan update but said he wanted some assurance that there could be parity with some issues, such as the industrial and commercial policies. Commissioner Berkbigler agreed everyone needed to work as a team but she reiterated that Legislature was not the place to achieve that; it would be achieved by all three entities on the regional board. She stated she would need assurance that all members of the Commission were prepared to give their full support to be a part of the team.

Chair Lucey felt they needed to support the amendment brought forward but stated Senate Bill (SB) 422, introduced by Senator Mark Manendo, would dissolve the regional governing board in Clark County. The bill would transfer power to the Regional Transportation Commission (RTC) to administer the plan with regional oversight. If passed it would change who all local entities paid as well as make Washoe County the only county in Nevada with a regional governing board. He agreed with Commissioner Berkbigler everyone had to work together as a team and he repeated he was amenable to the proposal.

Commissioner Berkbigler stated the concept behind Mr. Manendo's bill was beneficial, but she felt the ambiguity in the bill's language that the regional governing board may turn over power to the RTC was problematic. She stated unless the bill was amended to expand to counties of more than 400,000 people and the word may was changed to shall, she was unsure if the bill would provide the County with any value since the County would not vote to turn power over to the RTC. Chair Lucey confirmed Commissioner Hartung's assertion that Clark County's governing board was advisory and not binding.

Assistant County Manager Kevin Schiller spoke on AB 194 and pointed out one of the key successes to the Crossroads program and other diversion programs was its use of graduates to provide peer-to-peer support. The bill would provide certification through the State of Nevada to clients who met certain criteria and it would allow for billing through Medicaid. He suggested the Board support that bill and Chair Lucey agreed.

Mr. Rogers brought up AB 45, a bill relating to public office which would require training and accountability for people who worked the registration drives. The County Registrar had reviewed the bill and indicated they were supportive as there would be no financial impact to this provision. He suggested the Board support the bill.

Mr. Rogers mentioned SB 176 regarding body cameras. Mr. Slaughter added this was Senator Aaron Ford's bill which would mandate law enforcement body cameras; this would affect Washoe County sheriffs and deputies. He noted there would be initial startup and maintenance costs but there was a provision in the bill that would allow an increase to the E911 surcharge to pay for the cameras. Washoe County as well as the cities of Sparks and Reno would have access to those funds. The current E911 surcharge was \$.25 per call and the amendment would allow for an increase of up to \$1 per call which would more than cover the cost of the body cameras. He indicated they probably would not need to increase to the full amount but it would be an available option. He gave their support to Senator Ford and recommended the Board support the bill, especially given that the Nevada Association of Counties (NACO) and all jurisdictions in the state supported it.

Commissioner Berkbigler said the last time the issue came up the costs would have been paid by the County. The cameras were safer for County officers and citizens and the amendment provided a way to pay for it. Chair Lucey agreed and said he supported the bill.

Mr. Rogers introduced SB 315 regarding waste disposal which would create a mandate for the amount of recycling required by a county and it would create a commission to regulate it. He explained the sticking point was the County would be held responsible for reaching the mandates, not Waste Management (WM). He said it was originally an issue in Clark County but it had been broadened to include Washoe County. Mr. Slaughter added that under section 13 of the bill, the environmental commission would have the authority to administer sanctions against the County if they did not meet the recycling threshold. He remarked in previous similar situations he would seek direction to oppose the bill as written and then work with the sponsors of the bill to modify it to a place where he could support it.

Commissioner Berkbigler noted this piece of legislation passed in California and it resulted in significant costs to California municipalities. She recommended not supporting the bill as written.

Mr. Rogers discussed SB 352, introduced by Senator Ben Kieckhefer, which would revise provisions governing the taxation of a property after a natural disaster. He stated homeowners who lost a part of their home to a disaster would keep their property tax depreciation which could affect residents in Little Valley and Lemmon Valley. He recommended supporting the bill as written. Mr. Slaughter mentioned the bill had built-in safeguards for municipalities regarding loss of revenue. The bill would protect houses affected during a declared natural disaster that were rebuilt within three years on same footprint. The onus would be on the homeowner to prove eligibility and there would be no retroactive refund option, meaning only homes destroyed after 1981 would be eligible.

Commissioner Berkbigler strongly supported the bill and said the houses damaged in the Caughlin Ranch Fire would be eligible; as it stood many of those residents rebuilt their home but their taxes had increased significantly. She recognized it would take money from Washoe County but felt it was fair to the homeowner. Commissioner Hartung agreed and stressed people did not plan a natural disaster as a way to remodel their homes. Chair Lucey thanked Senator Kieckhefer for the bill as it would help residents in many affected areas of the County and he expressed support for it.

Commissioner Herman mentioned SB 271 was important since most of her district's residents were on well water. She suggested the Board get behind the bill and oppose it as written. Chair Lucey directed staff to provide information on SB 271 during a future legislative update. Commissioner Herman explained the bill would give managerial power of domestic wells to the state engineer and said in the past those entities were always separate.

Prompted by Commissioner Hartung's question, Legal Counsel Paul Lipparelli advised Agenda Items 15 and 16 allowed direction to staff and he felt staff understood the instances where it should support an amendment when completed. At that point the bill could be listed on an agenda for action but it could not be voted on at this meeting because there was no notice on the agenda for a vote. Chair Lucey indicated this should be put on a future agenda for discussion. Commissioner Hartung requested adding SB 315 to a future agenda to formally oppose it. Chair Lucey directed staff to bring back SB 315 for discussion and to provide more information about SB 271.

**12:11 p.m. Commissioner Berkbigler left the meeting.**

On the call for public comment, Ms. Joannah Schumacher agreed with Commissioner Herman about SB 271 and said it was important to protect personal property rights. She brought up SB 176 and recommended asking the state about lawsuits as well as examining the insurance costs considering reports she had read about increased cancer rates among those using body cameras. She supported the use of body cameras. She voiced her opinion against AB 193 which dealt with water fluoridation in Washoe County. She claimed it would increase water bills by 9 percent and she cited a study that

linked lower IQ levels to fluoridation. She asked the Board to publicly oppose AB 193 because the residents of Washoe County continued to vote it down.

Ms. Juanita Cox, representing Citizens in Action, spoke against the fluoride bill and said the County should say no. She spoke about a well-metering bill being heard on March 28, 2017 and urged the Board to review that bill. She brought up SB 211 which dealt with provisions relating to elections and alleged it could put a financial burden on the County and the Clerk's Office. She said the bill would mandate notifying 16-year-olds to pre-register to vote and it would add additional cost to the County. She stated the bill offered no penalties for 16-year-olds who attempted to vote before they turned 18.

Mr. Rogers announced March 27 was the deadline for all committee bills to be submitted and there had been an increase in the number of new bills. He stated staff was working hard to keep up with them and would report to the Board.

**17-0248**      **AGENDA ITEM 16** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Truckee Meadows Fire Protection District 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 of Fire Commissioners to be of critical significance to Truckee Meadows Fire Protection District. Truckee Meadows Fire Protection District. (All Commission Districts.)

Fire Chief Charles Moore spoke about AB 297, the bill requiring certain local governments to designate fire and police stations where people could complete an online sale. He announced there was an amendment to the bill that would remove fire stations so he no longer had any opposition to the bill. County Manager John Slaughter noted the Sheriff's Office worked with the bill's sponsor and was in agreement with it; they designated a couple of parking spaces for people to complete online transactions.

There was no public comment on this item.

**17-0249**      **AGENDA ITEM 13** Accept presentation on the 2016 Washoe County Citizen Survey. [No impact]. Manager. (All Commission Districts.)

Budget Manager Mark Mathers presented the results of the 2016 Citizens Survey of Washoe County Residents which was requested by the Board during the previous budget cycle to determine residents' budgetary priorities. They used the National Research Center (NRC) who had conducted a survey for the County in 2006; the company's focus was exclusively public sector clients.

Mr. Mathers conducted a Powerpoint presentation with the following slides: The NCS & Washoe County; Facets of Community Livability; Comparisons of Services to County Benchmark Group; National County Benchmark Group; Key Finding #1; Overall Quality of Life; Aspects of Quality of Life; Resident Loyalty; Key Focus

Areas; Key Finding #2; Development a Concern and Priority; Key Finding #3; Safety a Priority; Economy a Priority; Special Topics; Impact of New Development on County Services; Washoe County Priorities for Next 5 Years; Strategic Planning; Support for Increased Vehicle Registration Fees; and Conclusions. He stated there were three areas the survey focused on: community livability, governance, and how engaged residents were in the community. They used a stratified systematic random sampling which meant they broke the County up into incorporated and unincorporated zones to receive representative responses from unincorporated areas. The two questions rated higher by County residents were regarding opportunities to attend cultural activities and citizens' response to the economy. The four questions that received lower ratings were about affordable housing, the availability of housing options, access to affordable mental health care, and public library services. 80 percent of residents felt the overall quality of life in the County was excellent or good, up from 70 percent in 2006. 86 percent felt the County was a good place to live as compared to 67 percent in 2006.

Commissioner Hartung asked what was included in the term 'County Services' because many constituents could misunderstand which services were the County's responsibility. He asked if there was a way to filter out responses that dealt with services not actually provided by the County. Mr. Mathers replied they worked with NRC to list specific services the County provided and to involve the unincorporated areas, though he acknowledged it could be an issue with any survey. Commissioner Hartung illustrated his point by saying he often got complaints about La Posada Drive even though that was a City of Reno road. Mr. Mathers offered to provide the breakdown of responses by geographic area but he stated there were not many differences in the results. He noted they developed customized questions because the standard questions could result in the aforementioned confusion.

Mr. Mathers reviewed a hypothetical question from the survey which asked if residents would support an increased motor vehicle registration fee to pay for one of two programs and discussed the results. He said they provided specific examples of the types of recreational services in the second hypothetical scenario. He concluded the effort was worthwhile and he hoped to do it periodically to see trends in residents' opinions.

Commissioner Hartung asked if they considered the length of residence for the respondents because he felt newer residents were more likely to answer negatively. Mr. Mathers replied they did track the number of years of residence but they would have to have NRC compile that data. He reported 23 percent of the respondents lived in the County less than 5 years and only 8 percent less than 2 years; half of the respondents lived in the County more than 20 years.

Commissioner Jung requested a report showing incorporated residents' responses versus unincorporated in each category. She felt citizens were concerned about library funding and reiterated her request to raise Regional Parks and Open Space's budget; the survey was performed to inform their budget process. She stated 87 percent of respondents were concerned with who was responsible for preparing for new

development as it was a topic she had asked staff about numerous times. She wondered who would reach out to the public to ensure loyal residents would have a voice in how development should look and what services new residents would like. She recommended Regional Planning should study the impacts of proposed development. She referenced a model community in Arizona that had a balance between established residents giving their input about land use development as well as people moving there; they quickly found they needed more daycares. She requested that appear on a future agenda.

Commissioner Jung stated County roads were in bad shape because of the flooding issues and they needed to inform constituents about what the County had done to address hazardous roads. She remarked since safety was a big concern for residents, the Sheriff's budget should be increased and citizens should be notified it was done based on their input. She requested seeing a breakdown of the report based on age because she felt most respondents were elderly as they almost always stressed the need for services for seniors and other vulnerable populations.

Based on the hypothetical question about an additional registration fee, Commissioner Jung noted the results showed a bigger need for senior services, so funds should go more to that and less to cultural facilities. She asked that, when the Budget Department came before the Board with presentations, they should address how they used the statistically-significant survey results to inform their budgetary requests.

On the call for public comment, Mr. Jeff Church referenced page five of the survey and said residents liked Washoe County because of the surrounding areas, its proximity to California, the casinos, and the buffets. He reviewed several of the unfavorable results though he conceded the County often got lumped in with Reno, Sparks, and the Washoe County School District (WCSD). He mentioned two upcoming meetings: a flood town hall and a WCSD meeting to discuss their budget deficit. He spoke about a WCSD advisor's salary and the cost of gas in Washoe County, voicing his opposition to additional taxes.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Berkbigler being absent, it was ordered that Agenda Item 12 be accepted.

**17-0250**      **AGENDA ITEM 14** Discussion and possible adoption of the 2017 Rules of Procedures – Washoe County Board of Commissioners. Manager. (All Commission Districts.)

Management Services Director Al Rogers thanked the Board for its patience in bringing Agenda Item 14 back as it had been discussed at previous retreats and meetings. He stated the new Rules of Procedures handbook incorporated parts of versions dating back to 2012 and recommended the Board adopt it for the following year. He stated the Rules were compiled from various sources including Reno, Nevada, and other jurisdictions. He drew attention to the Use of Rules at the back of the handbook and said the purpose of the Rules of Procedures was to provide guidance; it was to be used at



the Board's discretion. He deferred to Legal Counsel that the presented rules were not in violation of any state laws or County codes. He acknowledged the handbook would be a working document that would be updated annually.

Commissioner Herman expressed concern over Article 4 of the handbook. Chair Lucey said the handbook was beneficial and held the Board accountable as well as provided them with a road map for the decorum of a meeting.

On the call for public comment, Ms. Juanita Cox, member of the National Parliamentarian Association and Secretary of Nevada First Union, said she was concerned about the transition from Robert's Rules of Order to Mason's Manual of Legislative Procedure. She stated Robert's Rules were oriented towards the average citizen and most meetings were run by Robert's Rules. She urged the board to reconsider the change.

Ms. Joannah Schumacher, President of the First Nevada Unit of the National Association of Parliamentarians, remarked Robert's Rules were designed to protect the individual while maintaining the ability to get things done. She claimed Mason's Manual put too much power in one person's hands. She spoke about national politics and implied the switch in rules could result in a chair having too much power. She offered to train the Commissioners about Robert's Rules and asked the Board to reconsider the change.

Commissioner Hartung commented he did not understand many of the differences between Robert's Rules and Mason's Manual and inquired what the substantive changes were. Mr. Rogers replied Robert's Rules of Order was designed for civic organizations while 70 out of 99 legislative chambers utilized Mason's Manual. He explained one major difference was that Mason's Manual did not require a motion to be seconded, though the proposed Rules of Procedure made it clear it would still be required with this Board. County Manager John Slaughter noted to his knowledge the Board had never officially adopted any Rules of Procedure so they were not actually transitioning from one to another. He confirmed Mr. Rogers' point about the option to require a second on a motion. He stated Mason's Manual was designed for legislative bodies and it contained guidelines about dealing with other branches of the government; Robert's Rules were not designed for elected bodies.

Chair Lucey stressed the Rules of Procedure were designed to provide a platform for the Board. In the past they conducted meetings using a blend of Robert's Rules and Mason's Manual. He stated it was a more of a housekeeping item than a dictation of how meetings would be run. He reassured that they were not going to take power away from citizens but stated he supported the Rules of Procedure as drafted.

Commissioner Herman requested more time to study the Rules of Procedure, to which Chair Lucey said they had put off the adoption of the Rules for almost four months and he did not want to delay it any further. When asked by Commissioner Hartung if any Commissioners were provided a copy of Mason's Manual,

Mr. Rogers said they had not but they also never provided a copy of Robert's Rules since it was never officially adopted. He offered to provide a copy of Mason's Manual. Commissioner Hartung expressed concern about voting for something he had not read and Chair Lucey said it had been on their agenda several times and Mason's Manual was published and available for review during that time. He affirmed his desire to vote on the proposed Rules.

Deputy District Attorney Paul Lipparelli suggested one option would be to adopt the rules as presented with the exception of Article 4 since a 2-2 vote would result in no rules being adopted. The remainder of the rules could be enforced right away and the parliamentary rules could be further debated. Mr. Slaughter repeated the Board had never adopted any rules and said he did not recall a time when there was a point of order requiring an interpretation of any rules. He and Commissioner Herman agreed with Mr. Lipparelli's suggestion to start by accepting the Rules of Procedure.

Commissioner Hartung stated he had no issue supporting the Rules of Procedure as written and receiving a copy of Mason's Manual later. He stressed he did not want to adopt Mason's Manual only to have someone call the Board out for not following the Manual and possibly invalidate an action. He read from the handbook that the Rules of Procedure was not intended to legally bind the Board.

**1:09 p.m. The Board took a recess.**

**1:17 p.m. The Board reconvened.**

Commissioner Herman moved that the Board accept the Rules of Procedure with the exception of Article 4. Upon clarification of the motion, Commissioner Hartung withdrew his second and said there was enough clarification in other articles to override the issues with Mason's Manual. With no second, the motion did not pass.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried on a 3-1 vote with Commissioner Herman voting "no" and Commissioner Berkbigler absent, it was ordered that Agenda Item 14 be adopted.

**17-0251 AGENDA ITEM 18 Public Comment.**

On the call for public comment, Cathy Brandhorst was called but she was not present to speak.

**17-0252 AGENDA ITEM 19 Announcements/Reports.**

Commissioner Hartung inquired if there was a way the County could work around the permit issue in the event of a natural disaster. He said permits to repair septic tanks were required by the Health Department, not the County. He directed staff to return with information about that issue since they were already discussing changing the tax

structure for a damaged structure that was being rebuilt. County Manager John Slaughter had already begun discussions with staff about permits fees relating to homes damaged by flooding. Commissioner Hartung asked if that would include homes damaged in the Little Valley Fire as well.

\* \* \* \* \*

**1:22 p.m.** There being no further business to discuss, the meeting was adjourned without objection.

---

**BOB LUCEY**, Chair  
Washoe County Commission

ATTEST:

---

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

*Minutes Prepared by:  
Derek Sonderfan, Deputy County Clerk*

A RESOLUTION CREATING THE  
WASHOE COUNTY SCHOOL DISTRICT SALES TAX AGENCY FUND

WHEREAS, Washoe County Ordinance 1590, bill no. 1774 imposed an additional 0.54 percent sales and use tax; and

WHEREAS, Senate Bill 411 amended chapter 21 of the Washoe County Code (Miscellaneous And Additional Taxes) by adding section 21.212 (Imposition and rate of an additional sales tax) to impose an additional 0.54% sales tax, and by adding section 21.382 (Imposition and rate of additional use tax) to impose an additional 0.54% use tax; and

WHEREAS, the 0.54 percent sales and use tax will fund the acquisition, construction, repair, and renovation of school facilities; and

WHEREAS, the resources and disbursements relative to the sales and use tax increase need to be separated from other County financial activities in a separate agency fund; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA:


Section 1. That the Washoe County School District Sales Tax Fund is hereby created as an agency fund, effective April 1, 2017.

Section 2. That the Comptroller's Department is hereby directed to establish said funds on the official books and records of Washoe County for the purposes of accounting for the Washoe School District Sales Tax funds and interest earnings on the assets of each fund and expenditures and disbursements from the funds.

Section 4. This Resolution shall be effective on passage and approval.

Section 5. The County Clerk is hereby directed to disburse executed copies of the Resolution to the Department of Taxation, the Comptroller, the Washoe County School District and the Budget Division within 30 days.

ADOPTED this 28<sup>th</sup> day of March, 2017

The seal of Washoe County, Nevada, is circular with the text "SEAL OF WASHOE COUNTY, NEVADA" around the perimeter. In the center, there is a depiction of a mountain range and a river. Overlaid on the seal is a blue ink signature that reads "Nancy L. Parent". Below the signature is a horizontal line, and underneath that line, the words "County Clerk" are printed in a serif font.

Nancy L. Parent  
County Clerk

A blue ink signature, which appears to be "Bob Smith", is written over a horizontal line. Below the line, the text "Chairman, Washoe County Commission" is printed in a serif font.

Chairman, Washoe County Commission

17-0237