

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

TUESDAY

10:00 A.M.

FEBRUARY 14, 2017

PRESENT:

Bob Lucey, Chair  
Marsha Berkbigler, Vice Chair  
Vaughn Hartung, Commissioner  
Jeanne Herman, 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 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:

**17-0095      AGENDA ITEM 3 Public Comment.**

Tammy Still provided a handout which was placed on file with the Clerk. She brought up the flooding in Lemmon Valley and noted it was her third appearance before the Board with no evidence of action being taken. She alleged the County and the City of Reno violated Washoe County Code 110.416.57 and suggested all new growth should halt until all flooding issues had been addressed. She noted a resident had offered a proposal to relieve flooding but nothing was being done about it.

Colonel John Reed, Retired from the United States Air Force, spoke about the Waste Management (WM) contract, noting he and his wife were out of state when it was put into effect. He mentioned the effort to place their trash for pickup had increased. He stated he had to walk 250 yards down a steep driveway to place his garbage bins; it took him 14 minutes to do so on normal trash days and 28 minutes on recycling days. He asked the Board consider Commissioner Herman's concerns regarding WM's plan for rural residences. He submitted a letter and photographs, which were placed on file with the Clerk.

Mike Thornton, Executive Director of Acting in Community Together in Organizing Northern Nevada (ACTIONN), stated several organizations had attempted to obtain accurate numbers of homeless people who died in 2016. *This is Reno* reported Washoe County confirmed 22 "individuals without fixed addresses" passed away in 2016. According to the Medical Examiner's office, 11 died from accidents, 7 from

natural causes, one from suicide, and three were either pending analysis or undetermined. Mr. Thornton said since housing status was difficult to assess, the number of homeless fatalities could be higher. He blamed the rapid area expansion and lack of corresponding infrastructure for pricing people out of housing. He requested investigations of the 22 deaths and advocated for a Safe Ground where homeless individuals could live and access sanitation, WM services, and police protection.

Vicky Maltman, Sun Valley resident, spoke about several topics. She expressed concern about four-wheeled vehicles going through County ditches near Lupin Drive in Sparks and mentioned the noise and exacerbation of flooding issues these drivers caused. She stated WM had not picked up the single-stream container even after they admitted she should not have received one. She talked about properties in Sun Valley with debris in their yards and requested a remedy for that issue.

Elise Weatherly alleged the decision to terminate Marvin Neal as the Chaplain of the Jan Evans Juvenile Justice Center was made based on emotions and not facts. She shared she had been demeaned while researching Mr. Neal's dismissal and supposed that entitled her to take legal action against the Board. She added Mr. Neal suggested she let it go.

Tim Stoffel spoke about upcoming legislation concerning animal services. The bill included provisions to remove the total ban on owning certain animals but he said the list of heavily-regulated animals was growing. Under the new rules, the Animal Control Officer would have the authority to make the same determinations the Board had previously made and would be given total discretion about all animals. Mr. Stoffel expressed concern that citizens would have to go to court if they wanted an exotic animal. He felt the changes in animal services since the 1970s were promoted by people who wanted animal rights taken away.

Donna Clontz, Chair of the Reno Senior Citizen Advisory Committee, reviewed a copy of the Senior Spectrum magazine and its bookmark, which were placed on file with the Clerk. She explained the bookmark was one of 3,000 resource guides that Commissioner Jung helped get printed for seniors in the community and announced they received a grant from the Builders and Construction Trades Council to reproduce an additional 50,000 brochures. She talked about her participation in the Senior Games and how the Healthy Walking program was providing benefits to the seniors in the community. She sought suggestions of locations where the brochures could be placed.

The Silver Dollar Chorus & Barbershop Express, comprised of Norm Howard, Jay Ciccotti, Donnie Miller, and Chris Scirrota, performed a Valentine's Day song.

Lindsay Anderson spoke on behalf of the Washoe County School District (WCSD) in support of Agenda Item 5C which was last official action needed to implement Washoe County Question 1 (WC-1). She thanked the Board for their critical

role in its implementation and stated their work together would result in the building of schools.

Katherine Snedigar alleged the Board did not have statutory authority to give misdemeanor citations to people who violated the Development Code. She claimed she was improperly given a citation, wrongfully taken to court, and false evidence was submitted. She asked that the County Code be changed to remedy her grievances.

**17-0096      AGENDA ITEM 4 Announcements/Reports.**

Commissioner Herman talked about an ice-cream vendor who came into her office to express concern over the fees he had to pay. She asked the Board to reduce the size of the additional \$165 fee and, if not, she stated she would be willing to pay for it from her discretionary funds. She addressed complaints of the County's communication with the public and suggested the President of the Nevada Broadcasters Association Mary Beth Sewald could broadcast County announcements at little or no cost. She requested a doctor who had previously prepared a report for the Board to present his report again, and also requested a representative from the Attorney General's office to make a presentation for the Board about the Revised Statute 2477 (RS2477). She mentioned a letter from Lawrence Calkins which was placed on file with the Clerk. She added the Monte Cristo property owners were still waiting to hear whether they had the ability to build on their properties.

Commissioner Hartung thanked County staff for their hard work and attempts to restore normalcy after the flooding. He brought up discussions of a regional stormwater utility program in conjunction with Truckee River Flood Control Project and urged Dwayne Smith, Division Director of the Community Services Department, to address Ms. Maltman's concerns in Sun Valley. He asked the public for patience while the County worked on the flooding issues.

Chair Lucey requested an update on Waste Management (WM) and the mitigation of issues throughout the whole County. He referenced discussions he had with other companies from outside the area about bringing competition into the region and requested staff to present the options for bringing in competition. He mentioned Olcese Waste Services expressed interest in helping with the County's manure issues and he directed staff to discuss options with them. He stated his desire to rework the Washoe County Economic Development and Conservation Lands Bill that had stalled the previous year, this time taking into account the concerns of the constituents. The federal delegation was on board provided they had 100 percent agreement from all the different stakeholder groups, so he directed staff to help him with the new bill. He noted he and Sparks Councilman Ron Smith went to Washington DC to discuss regional transportation and flood management. He indicated he would see how much of President Trump's announced \$1.1 trillion infrastructure bill the County could get and added many delegates at the meeting were interested in the idea of a regional Washoe County flood program.

**10:43 a.m.      Commission Berkbigler arrived.**

Commissioner Berkbigler expressed concern about Commissioners taking positions in opposition to those of the Commission. She invited discussion, either in public or one-on-one with the involvement of the County Manager.

**CONSENT AGENDA ITEMS – 5A THROUGH 5J2**

**17-0097** **5A** Approval of minutes for the Board of County Commissioner's emergency meeting of January 6, 2017 and regular meetings of January 10, 2017 and January 17, 2017.

**17-0098** **5B** Recommendation to: 1) approve a resolution authorizing Washoe County staff to submit a grant application to the Bureau of Reclamation in response to Federal Funding Opportunity BOR-DO-17-F003 WaterSmart: Development of Feasibility Studies under the Title XVI Water Reclamation and Reuse Program for Fiscal Year 2017, beginning approximately April 2017 through October 2018; 2) commit \$150,000 match funding for a possible federal award amount of \$150,000; 3 recognize the grant supports a reclaimed water feasibility study potentially benefiting the entire county; and, if the grant is awarded, 4) direct the Comptroller's Office to make the necessary budget adjustments. Community Services. (All Commission Districts.)

**17-0099** **5C** Recommendation to approve the Amended Cooperative Agreement between the County and the State Department of Taxation for collection of the 0.54 % sales and use taxes approved by voters on November 8, 2016 and imposed pursuant to S.B. 411. Manager. (All Commission Districts.)

**17-0100** **5D** Award Invitation to Bid # 3003-17 for New Factory Law Enforcement Ammunition on a multiple award basis to the lowest responsive, responsible bidders who represent various manufacturers of ammunitions for use by Washoe County Sheriff's Office, Washoe County Courts, Constables, Animal Services, and participating joinder agencies including the City of Reno. This award shall run from the date of bid award and be in effect until February 14th, 2018, with the County retaining the option for two (2), one (1) year extensions. It is estimated that the County will spend [in excess of \$100,000.00] in Fiscal year 16/17 for ammunition requirements. Purchasing. (All Commission Districts.)

**17-0101** **5E** Acknowledge a Trial Court Improvement (TCI) grant award from the Administrative Office of the Courts, to improve access and security, [\$3,700.00/ no match required], retroactive from January 24, 2017 through June 30, 2017; and direct the Comptroller to make the appropriate budget adjustments. Reno Justice Court. (All Commission Districts.)

**17-0102** **5F** Accept a grant award from the Nevada Aging and Disability Services Division for the Older Americans Act Title III Programs:

Nutrition Services Incentive Program [\$41,852; no match required] retroactive from October 1, 2016 through September 30, 2017; authorize the Department to execute the grant award and direct Comptroller to make the appropriate budget amendments. Senior Services. (All Commission Districts.)

- 17-0103** 5G Approve and sign the interlocal agreement between the City of Reno, the City of Sparks, and Washoe County that authorizes Washoe County to perform E911 addressing work and update the Washoe County Master Address Database for Sparks and Reno and authorizes Washoe County to recover costs from the cities for the work performed. Technology Services. (All Commission Districts.)
- 17-0104** 5H1 Acknowledge Receipt of the Interim Financial Report for Washoe County Governmental Funds for the Six Months Ended December 31, 2016 – Unaudited. Comptroller. (All Commission Districts.)
- 17-0105** 5H2 Approve the settlement of the claim Bobby D. Sanchez, Vinton Hawley, Johnny Williams, Jr., Robert James and Ralph Burns against Washoe County et al, for a total sum of \$25,000 for all claims against all defendants. Comptroller. (All Commission Districts.)
- 17-0106** 5I1 Approve amendments totaling an increase of [\$18,000.00] in both revenue and expense to the FY17 Environmental Health Services Food Retail Program Standards – Electronic Food Inspection Form – Reports and Training Grant Program, IO 11364; and if approved direct the Comptroller’s office to make the appropriate budget amendments. (All Commission Districts.)
- 17-0107** 5I2 Approve amendments totaling an increase of [\$6,905.25] in both revenue and expense to the FY17 Environmental Health Services Food Retail Program Standards Mentorship Grant Program, IO 11363; and if approved direct the Comptroller’s Office to make the appropriate budget amendments. (All Commission Districts.)
- 17-0108** 5I3 Approve amendments totaling an increase of [\$2,970.00] in both revenue and expense to the FY17 Environmental Health Services Food Retail Program Standards – Food Establishment Inspection Placard Grant Program, IO 11365; and if approved direct the Comptroller’s Office to make the appropriate budget amendments. (All Commission Districts.)
- 17-0109** 5I4 Recommendation to approve amendments totaling an increase of [\$2,818.00] in both revenue and expense to the FY17 Environmental Health Services Food Retail Program Standards –United States Food and Drug Administration (FDA) Pacific Region Retail Food Seminar and Western Association of Food and Drug Officials (WAFDO) Conference

Grant Program, IO 11366; and if approved direct the Comptroller's Office to make the appropriate budget amendments. (All Commission Districts.)

**17-0110** 5J1 Accept a supplemental grant from Behavioral Health, Prevention and Treatment (BHPT) program funds from the State of Nevada Division of Public and Behavioral Health (DPBH) in the amount of [\$32,606.47; no County match required] retroactive to February 11, 2016 through June 30, 2017 to assist clients moving from transitional housing into more permanent housing; authorize the Department to execute the award; and, direct the Comptroller's Office to make the necessary budget amendments. (All Commission Districts.)

**17-0111** 5J2 Approve the 2017 Interlocal Cooperative Agreement for Services Between the Housing Authority of the City of Reno and Washoe County through its Department of Social Services for the purpose of establishing and implementing an agreement to provide up to 25 Project Based Voucher (PBV) to qualifying Washoe County Department of Social Services (WCDSS) recipients to be used at designated Reno Housing Authority (RHA) owned properties, effective February 1, 2017 through June 30, 2017. (All Commission Districts.)

On the call for public comment, Elise Weatherly spoke about Agenda Item 5H2. She presented an overhead image which was placed on file with the Clerk. She felt it was unfair that four people received a settlement while Pastor Neal was dismissed.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Consent Agenda Items 5A through 5J2 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5J2 are attached hereto and made a part of the minutes thereof.

**17-0112** AGENDA ITEM 9 Possible action to introduce and conduct a first reading of an ordinance approving an "Amended and Restated Development Agreement (Silver Hills)" amending and restating a Development Agreement originally approved in 2012 (DA09-001) regarding Silver Hills Subdivision (approved in 2011 as Tentative Map TM09-001). This agreement (Case Number AC16-005) extends the deadline for filing the next in a series of final maps to February 28, 2022. And if approved, schedule a public hearing date and second reading for February 28, 2017 adopting the Amendment of Conditions Case Number AC16-005 for Development Agreement Case No. DA09-001 for Silver Hills Tentative Subdivision Map Case Number TM09-001. Lifestyle Homes TND, LLC, Location: East and west of Red Rock Road, north of Longhorn Road, Assessor's Parcel No: 086-203-05, 086-232-31, 087-390-10, 087-390-13, Parcel Size: ±36.67, ±192.39, ±307.84, ±243.02 & (±779.92 acres total), Regulatory Zone: Low Density Suburban (LDS), Master Plan: Suburban Residential, Area Plan: North Valleys, Citizen Advisory Board: North Valleys, Development Code: Article 814, Development

Agreements, Section/Township/Range: Sec 23 & 24, T21N, R18E, MDM. Community Services. (Commission District 5.)

The Chair 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 Bill No. 1775.

There was no public comment on this item.

Bill No. 1775 was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

**17-0113**      **AGENDA ITEM 6** Recommendation to approve an Intrastate Interlocal Contract Between the State of Nevada Department of Health and Human Services Aging and Disability Services Division and Washoe County for payment, [approximately \$1,000,000 annually,] pursuant to NRS 435.010 requiring County Commissioners to make provisions for support, education, and care for children with developmental disabilities retroactive from July 1, 2016 and to continue year to year with an automatic renewal unless sooner terminated by either party. Social Services. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Herman, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 6 be approved. The Intrastate Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

**17-0114**      **AGENDA ITEM 7** Receive presentation on fees charged by county departments to public and other governments for services, including but not limited to discretionary statutory fees, autopsy fees, incarceration fees, dispatch fees, forensic services, franchise fees, and surcharge fees; and provide direction to staff. [No impact]. Manager. (All Commission Districts)

Mark Mathers, Budget Manager, noted it had been a long time since the County had a fee review discussion. He conducted a PowerPoint presentation, which was placed on file with the Clerk, and reviewed slides entitled: Why do a Fee Review, Initial Fee Review, Types of Fees, Types of Fees (Cont'd), FY 2016 County Fee Revenue, When were Fees set?, Tentative Conclusions of Budget's Review, Possible Next Steps (3 slides), and Questions?. He asked for the Board's direction.

When asked by Commissioner Berkbigler what overhead fees included, Mr. Mathers answered they were fees for central services. He provided the example of

the sewer utility which did not have its own Human Resources or Accounting departments, so the County performed these tasks and received fees for doing so. Ms. Berkbigler expressed concern that the County was not collecting forensics fees from the City of Reno, saying she felt it was inappropriate to seek fees from one government agency but not another. She agreed with Mr. Mathers' assertion that the County should not retroactively attempt to collect fees.

Commissioner Hartung noted there would always be groups that would have to be subsidized but were beneficial to the County. He expressed concern about the fees the Sheriff's Office charged for booking fees and incarceration, and he suggested the Commission take charge on examining those fees. He reported some agencies collected fees that went into an enterprise fund and stated one agency's surplus fund should not be used elsewhere. If there was a surplus in the building fund, for example, either the fees were too great or more planners could be hired. He suggested reviewing the fees under the County-wide Cost Allocation Plan (COWCAP) and intimated there were services the County was providing, such as Information Technology (IT) to the Fire District, which could be left to the specific departments. Commissioner Herman felt some of the fees could be lowered.

Chair Lucey sought to see some changes with fees that were not collected, such as forensic fees, and also wanted to find a balance with subsidizing parks and collecting park fees. He suggested having different equations to calculate fees from services the County subsidized versus services they did not subsidize. He brought up the \$25 fee the County charged residents to have a home alarm system which were collected in Colorado. He felt those fees should be collected in Washoe County.

Chair Lucey asked if the County was collecting as much in E911 fees as it could and Mr. Mathers replied state law capped the fee at \$.25 per line per month. Those fees were collected by private telephone companies who remitted the fees to the County and this paid for operations, maintenance and equipment related to E911 services. Mr. Mathers indicated the fees were not sufficient to cover the cost of the E911 system but to raise the fee would require a statutory change. Chair Lucey pointed out there was a feeling the \$.25 fees should be used elsewhere which he discouraged as he felt the E911 service was underfunded as it was. He stated his concerns were how the County set fees, how they collected fees, and what the procedure was for collecting past due fees.

Commissioner Berkbigler said it was important to note certain fees were collected for certain purposes and nobody should redirect where those funds went. She mentioned the fees could be lowered if the County continued having a surplus in certain areas as long as the revenue was not moved to other areas. Commissioner Hartung agreed that funds should not go elsewhere unless the departments were related and suggested the surplus could go to hiring someone who could better streamline the process.

When asked by Commissioner Hartung about the deficit in E911 costs the County faced, Mr. Mathers stated E911 revenue had remained flat for about five years; the County fund received \$1.6 million annually. He spoke of the value of hiring an



outside firm to validate the telephone companies were really remitting the full E911 fee to the County. While revenue remained flat, costs continued to rise. Chair Lucey asked how much of the County's total budget was comprised of the \$1.6 million in fees, to which Mr. Mathers replied roughly 10 percent. Commissioner Berkgigler asked if the only auditing proposal to be handled by an outside firm would be the E911 fee audit. Mr. Mathers repeated the suggestion for County staff to develop a master fee schedule but said the fee study for development services would be done by an outside consulting firm.

Paul Lipparelli, Legal Counsel, noted some fees local governments had the power to impose or adjust required a business impact statement. In discussions about changing fees, he advised adding the business impact statement into the process, which would include obtaining the input of industries and businesses that could be affected by those fees. He cautioned failure to do so could result in a court challenge. He revealed was on the E911 board and the law required a master plan for the expenditure of the money. Further, the revenue could only be spent on items in the master plan and if enough money wasn't spent each year on completing the master plan, it would be mandated to reduce the E911 surcharge so as not to build up a surplus of funds. He noted the difficulty in planning out those expenditures since costs were not consistent and could be high one month but low another. He advised a conversation about the legislative wisdom of E911 call fees could also entail a conversation about the spending of revenues.

On the call for public comment, Katy Simon Holland distributed a handout which was placed on file with the Clerk. She thanked the Board for supporting Washoe County Question (WC-1) on behalf of the School District. She encouraged the Board to direct staff to initiate a Request for Proposal (RFP) for an audit of the E911 surcharge billings and collection. She cited one outside auditing firm's data that showed E911 surcharge billings were often shortchanged by as much as 50 percent due mainly to the use of Voice over Internet Protocol (VOIP) phones. The number reached by the firm suggested Washoe County's E911 fund could be shortchanged by \$1.8 million per year. She stated though there was support to proceed with the audit, it would be a lengthy process because of technical issues with VOIP.

Cathy Brandhorst spoke about matters of concern to herself.

When questioned by Commissioner Hartung how to deal with the VOIP issue, Mr. Lipparelli suggested it was unclear if the County had authority to make changes to the surcharge. The original E911 surcharge was placed into law with the cooperation of the telephone industry at the time who saw the benefit of selling equipment back to local governments in the E911 business. He added he did not have a deep understanding of the technology or how VOIP was being handled in other regions.

Commissioner Hartung moved to accept the report, which was seconded by Commissioner Berkgigler.

Commissioner Berkgigler inquired whether they should include an RFP for an E911 study.

As directed by Mr. Lipparelli, Commissioner Hartung amended his motion to have staff bring back the process by which the Board could look at an RFP for an E911 study, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 7 be accepted and directed.

**17-0115**      **AGENDA ITEM 8** Possible action to introduce and conduct the first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 324 Communication Facilities at Section 110.324.50(e), to include the General Rural Agricultural regulatory zone among the regulatory zones where wireless communication facility monopole antennas are allowed with a special use permit; to clarify that all new monopole antennas require the approval of a Special Use Permit; and to replace the master plan designations of Rural Residential, Suburban Residential, and Urban Residential with the corresponding regulatory zones of High Density Rural (HDR), Medium Density Rural (MDR), Low Density Rural (LDR), Low Density Suburban (LDS), Medium Density Suburban (MDS), High Density Suburban (HDS), Low Density Urban (LDU), Medium Density Urban (MDU), and High Density Urban (HDU), and to make other changes necessarily connected therewith and pertaining thereto. And, if supported, set the public hearing for second reading and possible adoption of the Ordinance for February 28, 2017. Community Services. (All Commission Districts.)

The Chair 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 Bill No. 1776.

Commissioner Herman expressed disappointment that the Warm Springs Citizen's Advisory Board (CAB) did not have a chance to review the bill before it was read. She mentioned local CABs needed to be included. She noted Clark County had experienced some issues because they had no surety bonds in the event the monopoles ever needed to be torn down. She suggested the issue should be reviewed. Paul Lipparelli, Legal Counsel, opined adding a new requirement to the draft would significantly change the Ordinance to the point there would need to be a new first reading. He proposed bringing forward the surety bond requirement and the possibility of amending certain relevant chapters as a standalone issue, particularly if there were other reasons to discuss surety bonds. Chair Lucey suggested bringing the surety bond issue back at the end of the meeting with a request to bring it back on a future agenda.

On the call for public comment, Katherine Snedigar alleged she was refused the ability to hold a CAB meeting on this topic. She expressed frustration that a cell phone tower would be placed on agriculture land without holding a CAB meeting first to inform the potentially affected residents.

Cathy Brandhorst spoke about matters of concern to herself.

Bill No. 1776 was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

**17-0116**      **AGENDA ITEM 10** Possible action to introduce and conduct a first reading of an Ordinance amending Washoe County Code Chapter 5 (Administration and Personnel) at Section 5.268 by amending certain provisions relating to semi-annual accrual of Personal Leave and exclusion of sick leave due to bereavement from the calculation of Personal Leave accrual, and if introduced, set a public hearing for the second reading and possible adoption of the Ordinance for February 28, 2017. Human Resources. (All Commission Districts.)

The Chair 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 Bill No. 1777.

On the call for public comment, Elise Weatherly asked if the details of the ordinance's provisions would be made available to the public for review. She compared government benefits to private sector benefits.

Bill No. 1777 was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

**17-0117**      **AGENDA ITEM 11** 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.)

Al Rogers, Management Services Director, provided a verbal review of the first week of the legislative session. He indicated the Commissioners could expect sit-down meetings with the legislative liaison Jaime Rodriguez to discuss potential bills of interest. Much of the first week of the legislative session was dedicated to committee education without many bills being introduced. He sought feedback from the Commissioners about bills of interest for staff to monitor.

Chair Lucey requested staff get an update on Assembly Bill 153 (AB153) which concerned impact fees from one entity to another. He also requested an update on AB121 regarding Labor and its potential impact to Washoe County, as well as an update on Nevada Association of Counties (NACO) bills regarding the property tax and Personnel Security Investigations (PSI) issues. Commissioner Hartung wanted staff to track AB32 regarding pest control for government agencies and expressed concern that

the bill would disallow certain agencies from spraying substances without a pest controller's license. Commissioner Berkbigler mentioned she would be filming a Charter cable show addressing legislative issues that would play on CNN at the top of each hour. She announced the Legislature had waived several of the rules and removed the language allowing the Lieutenant Governor to be the deciding vote in the event of a tie. She anticipated it being a busy legislative session that would require staff's strict attention to ensure relevant issues would not be missed.

Addressing the Commissioner's concerns regarding the NACO bill's property tax cap issue, John Slaughter, County Manager, said there were two joint committee meetings scheduled which County staff would be attending. Mr. Rogers pointed out since the definition of the license referred to in AB32 was not yet quantified, they could only continue to monitor it. He added Lieutenant Eric Spratley was tracking the Sheriff's Office legislation. Commissioner Berkbigler wondered how the bill would be enforced. Chair Lucey directed staff to track the bill regarding the county line adjustment between Washoe County and Carson City and Commissioner Berkbigler asked about the bill regarding the county line adjustment between Washoe and Storey Counties.

**17-0118      AGENDA ITEM 12 Public Comment.**

Vicky Maltman, Sun Valley resident, stated decisions made by the Board regarding all districts affected her. She expressed concern about development in the North Valleys and Sun Valley and said because her Citizen's Advisory Board (CAB) only met every three months, they had not had a chance to discuss topics that would affect them.

Katherine Snedigar referenced Nevada Supreme Court case No. 63581 filed on January 26th wherein Judge James Hardesty wrote that the State Board of Equalization had no statutory authority to tell the County to reassess property taxes. She alleged the County also had no authority to hand out misdemeanors citations. She questioned how the County could afford four Sheriff Deputies to show up for one fire in Palomino Valley.

Elise Weatherly was concerned about the late charge she was given for not paying her animal licensing fee on time and requested discretion be used by certain Washoe County employees. She mentioned the teen ranch she was helping to build was not asking for government aid but the government was trying to stop the building.

Cathy Brandhorst spoke about matters of concern to herself.

**12:13 a.m.      Commissioner Hartung left the meeting.**

John Slaughter, County Manager, presented a letter from Jim Limbaugh from the Public Lands Access Network, High Desert Coalition which was placed on file with the Clerk.

17-0119 AGENDA ITEM 13 Announcements/Reports.

Commissioner Herman requested the installation of signs for the Peavine shooting area. She inquired about a Memorandum of Understanding (MOU) for the \$1.6 million that was put into Cooperative Extension every year. She distributed a brochure about the Lands Bill being presented to Congress which was placed on file with the Clerk. She indicated Congressman Mark Amodei supported it, the State had approved it, and it was now in federal hands. She opposed the Commission's stance that they would adopt Mason's Manual for Legislative Bodies as opposed to Robert's Rules of Order. She stressed that complaints about neighbors should be in writing and notarized. She suggested a workaround of the Waste Management (WM) issue where rural residents would be charged the same price for the same trash services, but to allow them to negotiate with other companies to provide the rest of their services. She discussed a lady in Silver Knolls who had to pay \$450 for a noise complaint due to a loud rooster and indicated the Board should revisit the fees.

Chair Lucey directed staff, on behalf of Commissioner Herman, to bring back the issue of surety bonds and how they related to issues such as signs and monopoles.

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12:22 a.m. There being no further business to discuss, the meeting was adjourned without objection.

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**BOB LUCEY**, Chair  
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:  
Doni Gassaway and Derek Sonderfan, Deputy County Clerks*

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

TUESDAY

10:00 A.M.

FEBRUARY 28, 2017

PRESENT:

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

Nancy Parent, County Clerk  
David Solero, Acting County Manager  
Paul Lipparelli, Legal Counsel

ABSENT:

Jeanne Herman, Commissioner

The Washoe County Board of Commissioners convened at 10:03 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:

**17-0136      AGENDA ITEM 3 Public Comment.**

2nd Judicial District Court Chief Judge Patrick Flanagan stated the District Court was a partner in government and one of their closest partners was the Washoe County Sheriff's Office. The impact of the canine unit could not be overstated. He invited the two new K9 dogs Kyago and Speed and their handlers to step forward. Sergeant Phil Johns mentioned the dogs were shipped from Czechoslovakia to Indiana where they were paired with handlers. Within weeks of their certification the dogs were doing drug sniffs. He indicated he could not make public everything the dogs did since they were involved with federal agencies but noted the department had recovered \$600,000 in drug seizures the prior year and captured hundreds of pounds of methamphetamine, cocaine, opioids, and marijuana.

Nathan Daniel, Director of the Truckee Meadows Parks Foundation and a member of the Regional Open Space and Parks Commission, read an abridged version of a letter written to the Commission, which was placed on file with the Clerk. In it he requested the Board increase the Parks and Open Space Division's budget by 7 percent.

Tammy Holt-Still presented a document package, which was placed on file with the Clerk, and read a statement from that package.

Sam Dehne spoke about Burning Man and Tesla. He warned something needed to be done about medical marijuana and expressed his dissatisfaction with archaic drug testing.

Michael Welling, North Valleys resident, brought up the proposed Silver Hills development. He alleged there had been four major water events in northern Nevada which should only occur once every hundred years. He was concerned about the displacement of water in the area and how the County intended to keep water away from local properties. He requested the Board put water issues at the forefront of future discussions.

Cathy Brandhorst spoke about matters of concern to herself.

Juanita Cox spoke for Citizens in Action about exotic animals, saying both she and the Nevada Humane Society were concerned. She stated people had a right to have animals that would not harm the community and added people carried insurance for that reason. She voiced her displeasure of the fluoridation measure being heard at the Legislature and asserted it would cost Washoe County millions of dollars to clean up federally protected rivers and wildlife. She invited people to a seminar she was hosting.

Lee Grasseschi, Board Member of the Silver Knolls Mutual Water Company, alleged the new development in the area was slated to be built around their facilities. He suggested the need for discussion about several topics including protecting their main well and their piping and maintaining the company's sovereignty. He noted his company supplied water to the County park and expressed concern that when demand was high, arsenic levels rose. He announced they received a federal grant to install arsenic filters but it was a challenge to install them. He said Environmental Health Specialist Supervisor James English and Senior Environmental Health Specialist Wesley Rubio requested a plan that would put the park on the company's backup well. He desired to keep Washoe County happy but noted the transition to the backup well would require the County to do some construction. He expressed confusion over whether the road into the park was County or privately owned and added runoff from that road was causing flood damage to his personal property.

Tina Pope-Grasseschi, President of the Silver Knolls Mutual Water Company, added Silver Knolls Park was a horse park. She inquired when the proposed building of an enclosed horse arena at the park would happen and what parking would look like when completed. In regards to the flooding damage on their personal street she suggested the addition of a culvert or ditch could solve the problem.

Tim Stoffel talked about exotic animals and how several years prior the Commission charged Animal Services to update ordinances to match state codes and to clarify language. He felt Animal Services went overboard and their new restrictions affected all animal owners. He remarked the State would also be considering the issue and requested Animal Services wait on enacting any new regulations until the State made

their decisions. He asked the County to show exotic animal owners the same respect they did the new K9 dogs and their handlers.

Joannah Schumacher, representing Gifted Minds with Too Little Time, agreed with Mr. Stoffel, adding the only way many low-income children saw exotic animals was because current regulations allowed smaller organizations to run zoos. In her position as the President of the First Nevada Unit of The National Association of Parliamentarians, she thanked the Commission for following Robert's Rules of Order and requested that fact be listed on the County's website. She offered her organization's services to assist anyone wanting to learn more about Robert's Rules.

**17-0137      AGENDA ITEM 4 Announcements/Reports.**

David Solero, Acting County Manager, announced an emergency Agenda Item would be added after Agenda Item 15 regarding the State of Emergency declared by Washoe County Manager John Slaughter on February 23rd.

Commissioner Jung revealed she used campaign money to become a lifetime member of the Truckee Meadows Parks Foundation (TMPF) and challenged the other Commissioners to do the same. She lauded the TMPF's work with the student scholar program because many low-income students would travel to parks to do real science and data collection. She proposed giving \$5,000 of her discretionary funds to TMPF so their staff could enter the Truckee Meadows Parks Challenge. She supported Mr. Daniels' request to increase the Open Space and Regional Parks budget by at least 7 percent. She directed staff look into the Grassesschi's questions about parking and land ownership. She recounted her visit to Lemmon Valley and reported the flood water was not receding. She emphasized the need for an action plan, suggesting the County could provide porta-potties, hot showers, and portable water. She thought the Truckee Meadows Water Authority (TMWA) could be brought in to provide relief. She noted she would be attending meetings with Open Space and Regional Parks and the Washoe County Senior Services Advisory Board as the Commission's liaison. She and Chair Lucey would be attending the first meeting of the Capital Funding Protection Committee (CFPC) since the new sales tax was enacted. She urged the CFPC should be allowed to meet at the Commission Chambers so the meetings would have better video quality.

Commissioner Berkbigler requested a report from staff on the flooding in Silver Knolls. She indicated she received an email expressing concern over speeding vehicles on side streets where traffic was being diverted and suggested putting out lighted signs. She reported County and State employees took a helicopter trip to examine the flood area and requested a report on Lemmon Valley to be placed on each agenda.

Commissioner Hartung volunteered to contact TMWA regarding water trucks and suggested reaching out to a sanitation company for assistance. He stated he forwarded the email about speeding to the Sheriff's Office (SO) which indicated it would increase the patrols in the area. He noted the topic of assisting Lemmon Valley residents with flooding would be discussed at a Flood Management Authority meeting. He directed



staff to discuss safety issues regarding heavy-laden trucks accelerating onto Pyramid Highway and to consider an acceleration lane. He praised a recent unmanned drone flight and mentioned it could pave the way for cloud seeding possibilities if a drought were to happen again.

Chair Lucey acknowledged three students from Reno High School attending the meeting as part of their government class. He reminded the Board they gave Chair Lucey's seat on the Flood Board to Commissioner Herman, but due to Commissioner Herman having numerous scheduling conflicts, Chair Lucey requested an agenda item to take back the seat. He pointed out Washoe County was slated to make its presentation to the Assembly of Government Affairs Committee on March 7th and invited anyone to participate. He noted County Manager John Slaughter and Assistant County Manager Kevin Schiller were in Washington DC at the National Association of Counties Conference and they received a national Health and Human Services award for the Crossroads program. He spoke about numerous complaints of speeding on Andrew Lane in Steamboat Valley and indicated he had spoken with Senator Ben Kieckhefer several times about the issue. He mentioned a teen bullying and cyber violence initiative he was working on with Commissioner Lawrence Weekly from Clark County; they were looking to bring interested students from Washoe and Clark Counties to the Legislature. Finally he directed staff to consider services to southern Washoe Valley residents with regards to flooding, damage to roads, and ditch maintenance, calling for a proactive County-wide initiative to address those issues.

Commissioner Berkgigler talked about a notice she received from the Department of Taxation which was considering the removal the Lemmon Valley Underground Water Basin from the distribution of consolidated taxes. She sought a presentation as to how that would impact Lemmon Valley and Washoe County.

Commissioner Hartung mentioned he heard back from TMWA and they did not have an available water truck, but if there was a need there was one in Sutcliffe owned by Lyon County.

#### **CONSENT AGENDA ITEMS – 5A through 5J2**

- 17-0138** **5A** Approval of minutes for the Board of County Commissioner's regular meeting of January 24, 2017 and Strategic Planning Retreat of January 31, 2017.
- 17-0139** **5B** Approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered for the 2014/2015, 2015/2016 and 2016/2017 secured tax roll and authorize Chair to execute the changes described in Exhibit A and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease to all taxing entities \$9,148.49]. Assessor. (Parcels are in Commission Districts 1, 2, 3 & 5.)

- 17-0140** **5C** Approve the following: (1) continuing a vehicle leasing program for 19 unmarked vehicles for the Washoe County Sheriff's Office, administered by the Community Services Department Operations Division by joining the City of Scottsdale, Arizona's bid #14RP006 for Police Department Undercover Vehicles; (2) allowing Enterprise Fleet Management, Inc. to continue as the vehicle provider for a 36-month period at an estimated annual cost of [\$84,924.00]; and (3) authorizing the Purchasing and Contracts Manager to execute the leasing contract documents on behalf of the Community Services Department Operations Division and the Washoe County Sheriff's Office. Community Services. (All Commission Districts.)
- 17-0141** **5D** Approve payments totaling \$9,806.47 to vendors for assistance of 53 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.)
- 17-0142** **5E** Approve amendments totaling an increase of [\$118,119] in both revenue and expense to the FY17 Epidemiology and Laboratory Capacity (ELC) Grant Program, IO 10984; and if approved direct the Comptroller's office to make the appropriate budget amendments. Health District. (All Commission Districts.)
- 17-0143** **5F** Approve Library Services and Technology Act, Diversity in Action grant award from the State of Nevada in the amount of [\$2,100., no local match required] for a retroactive term of February 13, 2017 through May 5, 2017 for the augmentation of Library Early Literacy Collections; direct the Comptroller's Office to make the necessary budget amendments; and authorize the Director to sign the grant award documents. Library. (All Commission Districts.)
- 17-0144** **5G** Waiver of six month "cooling off" period for former employee/independent contractor agreement for Ellen G.I. Clark, M.D. with estimated Independent Contractor Agreement cost of \$6,000. Medical Examiner. (All Commission Districts.)
- 17-0145** **5H** Acknowledge Receipt of the Report of Sale- January 24, 2017 Delinquent Special Assessment Sale [Sale Proceeds \$0.00]. Treasurer. (Commission Districts 2 and 4.)
- 17-0146** **5I1** Possible action to approve an appointment of Barbara Kinnison to the Washoe County Audit Committee to fill a one-year term beginning January 1, 2017 and ending December 31, 2017. (All Commission Districts.)

- 17-0147**      **5I2** Acknowledgment of Publication of Notice of Intent to Augment Budgets and approval of the attached resolution to augment the General Fund [in the amount of \$141,903] to appropriate the Registrar of Voters' fee revenue generated from previously unbudgeted sources; and direct the Comptroller to make the appropriate budget amendments (net impact to General Fund is zero). (All Commission Districts.)
- 17-0148**      **5I3** Approve the payment of \$29,425 to Tahoe Regional Planning Agency pursuant to the Tahoe Regional Planning Compact (Article VIII, Public Law 96-551, December 1980). (All Commission Districts.)
- 17-0149**      **5J1** Approve funding [\$15,000.00, no match required] provided by the Reno Police Department through their grant award 16-JAG-22 through the Justice Assistance Grant program, Office of Criminal Justice Assistance for overtime costs associated with the Regional Gang Task Force activities for the retroactive grant period of 10/01/16 through 9/30/17; and if approved, authorize the Comptroller's Office to make the necessary budget amendments. (All Commission Districts.)
- 17-0150**      **5J2** Acknowledge Receipt of Status Report of Commissary Fund submitted by the Washoe County Sheriff's Office Commissary Committee for Second Quarter for Fiscal Year 16/17. (All Commission Districts.)

There was no public comment on the Consent Agenda Items listed above.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Herman absent, it was ordered that Consent Agenda Items 5A through 5J2 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5J2 are attached hereto and made a part of the minutes thereof.

- 17-0151**      **AGENDA ITEM 6** Appearance: Chris Askin, President and CEO, Community Foundation of Western Nevada. Presentation and update on the Caregiver Support Initiative. [10 minutes]

Chris Askin, President and CEO of the Community Foundation of Western Nevada, stated the foundation was 19 years old. He remarked the previous year they distributed about \$6 million in grants and a total of \$100 million in scholarships throughout the foundation's history. The foundation's donors contributed \$21 million the previous year and it had about \$130 million in bequest arrangements. He claimed the foundation would only get bigger; it had \$92 million in assets and all contributions came from hundreds of private donors. He mentioned their collaboration with the United Way helping to build the capacity of non-profit organizations within the community and highlighted an educational class for non-profit organizations to work more efficiently. More than 1,000 local residents participated in their estate planning classes and the

foundation was directly participating in discussions about the need for housing. He agreed that the movement to model after an enterprise group out of Portland, Oregon was a good idea but stressed having only a dozen people engaged in a conversation that affected hundreds was a drawback. He announced a housing forum at the Reno High School theatre would include developers, apartment owners, and other key stakeholders to educate them about what was happening with forum work. He praised the Eddy House that provided housing for homeless youths. He referenced a proposal of Grady Tarbutton, retired Director of Senior Services, to connect caregivers with resources. A County survey estimated there were more than 8,200 seniors providing unpaid care for others in their homes. He introduced Director of Community Leadership Nick Tscheekar.

Mr. Tscheekar spoke about Grady Tarbutton's realization that while there were excellent resources for seniors, there was little available for caregivers. He noted when the initiative was being developed they worked with Assistant County Manager Kevin Schiller and Child Protective Services Division Director of Finances and Administration Leslie Williams at the County and said the most important stakeholders for the initiative were family caregivers. During the fall of 2016 they listened to hearings from 90 different caregivers along with representatives from non-profit and for-profit companies to hear what their top concerns were; the most important were access to information and knowledge of community resources. He said previously information was scattered and some of it was not accurate so they partnered with the Sanford Center of Aging and the Savitt Medical Library at the University of Nevada Reno to develop a comprehensive resource guide for caregivers of seniors. He stated they were collecting data from various guides and anticipated the guide would be completed within a few months. He added they intended to develop a caregiver manual to assist people suddenly thrust into being a full-time caregiver. Tips in the guide would include learning about respite care, making home modifications, and dealing with caregiver burnout. He intended to distribute the guidebook to discharge planners at area hospitals and to social workers who would get it into the hands of new caregivers.

**11:05 a.m. Commissioner Hartung left the meeting**

**17-0152 EMERGENCY AGENDA ITEM**

Paul Lipparelli, Legal Counsel, explained emergency items were permitted when there were natural disaster events, under which the County Manager's Declaration of Emergency qualified. Mr. Lipparelli stated the County Manager wanted the Board to have the earliest opportunity to ratify the action but the item would come back at a future meeting to be listed as an Action Item. He mentioned there were extraordinary powers available to people in an emergency declaration setting but the Board and public needed the safeguard of ratifying the declaration.

There was no public comment on this item.

On motion by Commissioner Berbigler, seconded by Commissioner Jung, which motion duly carried with Commissioners Hartung and Herman absent, it was

ordered that the County Manager's Declaration of Emergency be ratified. The Declaration for same is attached hereto and made a part of the minutes thereof.

When asked by Commissioner Jung about a timeline, David Solero, Acting County Manager, replied Ian Kenneston was in hourly contact with the State about the County being approved for disaster relief funding. Ms. Jung directed staff to let the Commissioners know if there was anything they could do to lobby.

**17-0153**      **AGENDA ITEM 7**    Appearance: Meghan Kelly, District Manager, Nevada Tahoe Conservation District. Nevada Tahoe Conservation District's contributions to Washoe County. [10 minutes]

Meghan Kelly, District Manager and Senior Project Engineer for the Nevada Tahoe Conservation District, conducted a Powerpoint Presentation, which was placed on file with the Clerk, with slides entitled: Overview, Rosewood Creek Restoration, Hybrid BMP Project, Incline Village Green Streets, Tahoe TMDL Assistance, Funding History, General Fund, and Request. She stated they were one of 3,000 conservation districts nationwide and they were over 99 percent grant funded. The areas on which they focused conservation efforts included Washoe County, Douglas County, and the Carson City rural district. She praised her staff for writing grants and receiving over \$2.6 million in federal and state funding, including a small contribution from the Truckee Regional Planning Agency (TRPA). She announced they received \$300,000 in funding from the state and federal governments to install a rain garden similar to the ones installed in Incline Village. Regarding working with Washoe County on their Tahoe Total Maximum Daily Load (TMDL) figures, she noted it would be hard to estimate since costs were rising annually; the more assets registered, the more monitoring had to be done. She added they received \$25,000 annually from Douglas County and a varying amount from the Carson City rural district. She acknowledged the County had many areas requiring funding but contended they could leverage small investments into projects that would cost 20 times the amount invested.

Commissioner Berkbigler directed staff to give a presentation to the Board about the issue as they moved toward a new budget cycle. She remarked she saw the rain garden and the stream restoration projects and complimented them.

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

Commissioner Berkbigler credited the William Pennington Foundation for the donation which made Agenda Item 8 possible.

**17-0154**      **AGENDA ITEM 8**    Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Bowers Mansion Pool Mechanical Building Project [staff recommends California Commercial Pools in the amount of \$349,000.00]. Community Services. (Commission District 2.)

There was no public comment.

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

**17-0155**      **AGENDA ITEM 9** Approve Intrastate Interlocal Contract between the State of Nevada Acting through the Nevada Department of Health and Human Services, Division of Welfare and Supportive Services and Washoe County District Attorney, Child Support Division for the period of July 1, 2017 to June 30, 2021, [\$4,482,202 for FY2018, \$4,571,546 for FY19, \$4,662,677 for FY20, and \$4,755,631 for FY2021] for the purpose of providing child support establishment and enforcement services in Washoe County on cases that do not involve state administered public assistance to one of the parents. District Attorney. (All Commission Districts.)

There was no public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioners Hartung and Herman absent, it was ordered that Agenda Item 9 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

**17-0156**      **AGENDA ITEM 10** Acknowledgement of Publication of Notice of Intent to Augment Budgets and approval of the attached resolution to augment the General Fund [in the amount of \$1,096,211] and approve the use of General Fund Carryover to cover previously approved unbudgeted expenditures for Fiscal Year 2016-17; and, direct the Comptroller to make the appropriate budget adjustments (net impact to County Budget is zero). Manager. (All Commission Districts.)

There was no public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioners Hartung and Herman absent, it was ordered that Agenda Item 10 be acknowledged, approved, and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**17-0157**      **AGENDA ITEM 11** Possible action to initiate an amendment to Washoe County Code Chapter 110 (Development Code), Article 505 (Sign Regulations), Section 505.30 (Electronic Message Display Signs) in order to provide for exceptions for certain electronic message display (EMD) placement requirements specifically for governmental entities when the EMD promotes the general welfare of the public; and if approved,

authorize the Chair to sign the initiation resolution. Community Services.  
(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 Commissioners Hartung and Herman absent, it was ordered that Agenda Item 11 be approved and authorized. The resolution for same is attached hereto and made a part of the minutes thereof.

**17-0158**      **AGENDA ITEM 13** Public Hearing, second reading, and possible action to adopt an ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 324 Communication Facilities at Section 110.324.50(e), to include the General Rural Agricultural regulatory zone among the regulatory zones where wireless communication facility monopole antennas are allowed with a special use permit; to clarify that all new monopole antennas require the approval of a Special Use Permit; and to replace the master plan designations of Rural Residential, Suburban Residential, and Urban Residential with the corresponding regulatory zones of High Density Rural (HDR), Medium Density Rural (MDR), Low Density Rural (LDR), Low Density Suburban (LDS), Medium Density Suburban (MDS), High Density Suburban (HDS), Low Density Urban (LDU), Medium Density Urban (MDU), and High Density Urban (HDU), and to make other changes necessarily connected therewith and pertaining thereto. Bill No. 1776. Community Services. (All Commission Districts.)

The Chair 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. 1591, Bill No. 1776.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioners Hartung and Herman absent, Chair Lucey ordered that Ordinance No. 1591, Bill No. 1776, be adopted, approved and published in accordance with NRS 244.100.

**17-0159**      **AGENDA ITEM 14** Public Hearing, second reading, and possible action to adopt an ordinance approving an “Amended and Restated Development Agreement (Silver Hills)” amending and restating a Development Agreement originally approved in 2012 (DA09-001) regarding Silver Hills Subdivision (approved in 2011 as Tentative Map TM09-001). This agreement (Case Number AC16-005) extends the deadline for filing the next in a series of final maps to February 28, 2022. Lifestyle Homes TND, LLC, Location: East and west of Red Rock Road, north of

Longhorn Road, Assessor's Parcel No: 086-203-05, 086-232-31, 087-390-10, 087-390-13, Parcel Size: ±36.67, ±192.39, ±307.84, ±243.02 & (±779.92 acres total), Regulatory Zone: Low Density Suburban (LDS), Master Plan: Suburban Residential, Area Plan: North Valleys, Citizen Advisory Board: North Valleys, Development Code: Article 814, Development Agreements, Section/Township/Range: Sec 23 & 24, T21N, R18E, MDM, Bill No. 1775. Community Services. (Commission District 5.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. Michael Welling talked about the natural catch basin on his property and the proposed protective wall that would tower over his neighbor's fence. He expressed concern over the water that was already running through his property. He was worried the water could increase the chance of mosquitos which could expose livestock and pets to the West Nile Virus. He claimed the death of animals could become a costly loss. He worried about losing the integrity of the Silver Knolls neighborhood with the development of streets, sidewalks, culverts, and a catch basin, and encouraged the developer to maintain the area's integrity. He had previously relayed those concerns to representatives at Lifestyle Homes as well as to Commissioner Jung. The hearing was closed.

Nancy Parent, County Clerk, read the title for Ordinance No. 1592, Bill No. 1775.

Commissioner Jung pointed out the Ordinance was largely an extension with little development planned and she touted Lifestyle Homes as a reliable and communicative builder. She added on Mr. Welling's behalf, there was also a need for a fire break.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Hartung and Herman absent, Chair Lucey ordered that Ordinance No. 1592, Bill No. 1775, be adopted, approved and published in accordance with NRS 244.100.

**17-0160** **AGENDA ITEM 15** Hearing and second reading to adopt an Ordinance amending Washoe County Code Chapter 5 (Administration and Personnel) at Section 5.268 by amending certain provisions relating to semi-annual accrual of Personal Leave and exclusion of sick leave due to bereavement from the calculation of Personal Leave accrual. (Bill No. 1777). Human Resources. (All Commission Districts.)

The Chair 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. 1593, Bill No. 1777.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried with Commissioners Hartung and Herman absent. Chair Lucey ordered that Ordinance No. 1593, Bill No. 1777, be adopted, approved and published in accordance with NRS 244.100.

**17-0161**      **AGENDA ITEM 12**      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.)

David Solero, Acting County Manager, referenced the written report from the legislative team and offered to have Al Rogers respond if there were questions about the report. Commissioner Jung relayed compliments she had received from those at the legislative session about Chair Lucey and Commissioner Berkbigler. Chair Lucey admitted the legislative session could be daunting but he and Commissioner Berkbigler believed in protecting the preservation of the County. He thanked staff for their updates.

On the call for public comment, Joannah Schumacher, on behalf of Gifted Minds with Too Little Time, requested the comments of elected officials be free of judgment. She addressed the fluoridation bill being heard at Legislation directed specifically at Washoe County, noting Clark County was already fluoridating their water. She cited issues with fluoridation such as the cost to clean up the river from runoff and citizens being forced to use medication. She was concerned that too much fluoride was considered toxic and wondered how that would be regulated. She suggested spending money and resources on dental programs for low income people instead. She requested the Board take a position against the fluoride bill.

Juanita Cox, representing Citizens in Action, voiced concern for the people of Washoe County regarding the fluoridation bill. She stated it was an important topic as she was diagnosed with a naturally occurring form of fluorosis. She spoke against a minimum wage increase to \$15 per hour, citing a news story that Wendy's would automate their process and eliminate jobs. She alleged other companies would follow suit.

**17-0162**      **AGENDA ITEM 16**      Public Comment.

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

**17-0163**      **AGENDA ITEM 17** Announcements/Reports.

Commissioner Berkbigler stated she received an email from Barbara Perlman-Whyman, resident of Incline Village and an elected board member of the Nevada Tahoe Conservation District Board, which was placed on file with the Clerk.

Chair Lucey asked to invoke the 2-hour rule for use of staff time for the cyber bullying initiative with Clark County; he wanted to see this on a future agenda for approval. He announced the hearing for the annexation item in the Steamboat Valley area had been continued so the City of Reno could further discuss the plan.

**COMMUNICATIONS AND REPORTS**

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

**MONTHLY STATEMENT:**

**17-0164**      Office of the Washoe County Treasurer, Monthly Statement for Month Ending August 31, 2016 REVISED.

**17-0165**      Office of the Washoe County Treasurer, Monthly Statement for Month Ending October 31, 2016 REVISED.

**QUARTERLY STATEMENT:**

**17-0166**      Washoe County School District, Department of Taxation Summary Report, First Quarter 2015-2016.

**17-0167**      County Clerk's Quarterly Financial Statement, Quarter FY2016-2017, October 1st – December 31st.

**17-0168**      Clerk of the Court, Quarterly Financial Statement, Quarter Ending December 2016.

**17-0169**      Washoe County Sheriff, 2nd Quarter Report of Fees and Commissions, Fiscal Year 2016-2017.

**ANNUAL FINANCIAL REPORT:**

**17-0170**      Regional Transportation Commission, Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2016.

**17-0171**      Sun Valley General Improvement District, Financial Statements and Supplementary Information for the Fiscal Year Ended June 30, 2016.

**17-0172** Truckee Meadows Water Authority, Comprehensive Annual Financial Report for Year Ended June 30, 2016.

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

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**11:44 a.m.** There being no further business to discuss, the meeting was adjourned without objection.

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**BOB LUCEY, Chair**  
Washoe County Commission

ATTEST:

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

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

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

TUESDAY

10:00 A.M.

FEBRUARY 21, 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 10:44 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:

**17-0122      AGENDA ITEM 3 Public Comment.**

Ron McConnell, Sun Valley resident, spoke about the Waste Management (WM) contract and how his bill was raised by \$8 a month. He implied illegal dumping was caused by the Stead Transfer Station being closed Sundays and Mondays and because disposal of televisions was expensive. He expressed frustration that the WM call center was based in Phoenix, Arizona.

Donna Clontz, Chair of the Reno Senior Citizen Advisory Committee, provided a handout which was placed on file with the Clerk. She stated the Committee reviewed the new Codes that would consolidate departments and they discovered language pertaining to her board they wanted to see changed. She suggested the Committee go down to nine members, five of which would be appointed from each district and four at-large members. She said it was proposed they eliminate the ex officio members, which would include those from the Reno and Sparks City Councils. She opined those ex officio officers should not be eliminated. Second, the new Code stated reporting was to go through the department or the division, but she suggested it go through the Board of County Commissioners as well. Finally she requested the duty be reinstated that the Committee would once again recommend and evaluate programs and policies. She referenced a first reading of a proposed Ordinance scheduled for February 28, 2017.

**17-0123**      **AGENDA ITEM 9** Announcements/Reports.

John Slaughter, County Manager, noted the first reading Ms. Clontz referenced would not take place on February 28th.

Commissioner Jung directed Kevin Schiller, Assistant County Manager, to reach out to address Mr. McConnell's concerns. She would like to consider the Senior Citizen's Advisory Board's advice about the changes in the Code language. She suggested the County give the Senior Advisory Board money to enhance senior living, possibly using what the Cities of Sparks and Reno had done as models.

Commissioner Hartung stated he received a late notice from his home alarm company without having received a bill. While they waived the late fee, nobody had contacted him to resolve the issue. He stated the alarm registration fee was \$24, which was split evenly between the company and the Sherriff's Office (SO). The fee for not paying the registration on time was \$25. He requested an accounting of the late fees from Alarm Tracking and Billing (ATB) in Colorado Springs because he alleged the SO was not seeing any portion of the late fees.

Commissioner Berkbigler repeated an old request to see an audit from Cooperative Extension on how the County's funds were being used. Commissioner Herman expressed concern over the flooding in Lemmon Valley, saying some residents were staying in motels due to flooding. She pleaded the Commissioners find a way to help the residents, perhaps using the Governor's Emergency funds.

Chair Lucey requested an agenda item for Commissioner comments and announcements be added to agendas after the initial Public Comment. He told of spending a day with David Solaro, Director of Community Services, visiting with residents throughout the South Valleys. He said ditch and drainage concerns needed to be addressed and asked for a report about the maintenance efforts. He confirmed a plan by the City of Reno to annex a piece of property in Steamboat Valley that he felt was an overreach by the City into County lands. He urged the City of Reno deny the annexation plan and also a master plan amendment for the developers. He entreated Cathy Hill, County Comptroller, to contact ATB immediately to address the alarm system late bills. Commissioner Hartung added the Commissioners could ask ATB to come before the Board to discuss the topic in public.

Commissioner Hartung asked Mr. Slaughter to bring the Steamboat Valley annexation agreement before the Board, saying he felt the area was not contiguous to City property and therefore the annexation was a violation of the agreement. He expressed concern about the precedent this could set. Commissioner Herman added the major reason for the flooding in Lemmon Valley was due to the swelling of Swan Lake.

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

**17-0124**      **AGENDA ITEM 4** Introduction of new Washoe County Employees.  
Human Resources.

John Slaughter, County Manager, asked the following employees to introduce themselves to the Board:

Alicia Seefeldt, Social Services  
Melanie Lever, Comptroller's Office  
Kari Estrada, Manager's Office  
Jay Johnson, Technology Services  
Joseph Prutch, Community Services  
Casey Berry, Social Services  
Jonathan Brown, Registrar of Voters  
Jamie Rodriguez, Manager's Office

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

**17-0125**      **AGENDA ITEM 5** 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:

**Promote Yourself! Mini Certificate Program**

Sue Councilman, District Attorney  
Pamela Matson, Comptroller

**Essentials of Management Development**

Judy Ayila, Juvenile Services  
Erin Dixon, Health Department

**Essentials of Personal Effectiveness**

Lisa Cairns, Reno Justice Court  
Nicholas Steuer, Community Service Department – Parks

Chair Lucey thanked the employees for taking advantage of the programs  
the County offered and thanked the department heads for allowing their staff to  
participate.

## PROCLAMATIONS

**17-0126**     **6A1** Proclaim heartfelt gratitude to the many staff and volunteers for their tremendous effort during and after the 2016 Little Valley Fire and the January 2017 Flooding.

Chair Lucey stated there was a series of tremendous events including fires, flooding, and massive snow, but that there were a number of emergency groups and response teams that supported the County throughout. Chair Lucey read and presented the Proclamation to Zanny Marsh, Executive Director of American Red Cross, among others.

Chair Lucey stated Governor Brian Sandoval announced the County was declared a Federal Emergency Management Agency (FEMA) disaster area and would receive funds to pay for some of the disaster relief. He presented a YouTube video entitled Emergency Relief and thanked the Communications Department for putting it together.

Zanny Marsh, Executive Director of American Red Cross of Northern Nevada, thanked the Board on behalf of more than 200 volunteers and six paid employees for the recognition. She echoed the comments of Aaron Kenneston, County Emergency Manager, in the video saying the joint effort saved lives and protected property. Bob Miller, Emergency Coordinator for Amateur Radio Emergency Services, stated they were on call for the Little Valley Fire and for the flood event. On January 10 he received an email from Mr. Kenneston requesting they provide emergency communications between 911 dispatch in the Sutcliffe area due to the loss of their system and they maintained those communications for 36 hours. Jim Cain, Chairman of the Northern Nevada Voluntary Organizations Active in Disaster (VOAD), provided business cards to the Board and offered services such as helping to sandbag and clean. Brian Cain, Hungry Valley Firefighter and VOAD member, stated he was sent out to Hungry Valley and Sutcliffe to sandbag and provide water during the flood. Chair Lucey thanked Governor Sandoval's office for their help and the current administration who offered funding to the area. He additionally thanked the Commissioners and the County Manager's office for their hard work.

**17-0127**     **6A2** Proclamation – February 21, 2017 is Brian and Linda Polian Day.

John Slaughter, County Manager, clarified the Proclamation was intended to honor Brian and Laura Polian.

Commissioner Berkbigler read and presented the Proclamation to Alice Ledesma on behalf of Brian and Laura Polian who were not present.

Alice Ledesma, Division Director of Social Services, explained how the Polians helped her department improve recruitment and retention efforts. She remarked the department's partnership with the university through the Board's support resulted in

increased attendees and more people getting licensed. Further it changed the way they considered recruiting for foster parenting. The partnership had most directly impacted relationships with the community. She attributed the change in direction to the department's relationship with the Polians. She commended them, saying they believed in the mission of the campaign and undertook all invitations with enthusiasm. They never shied from an interview invitation, they attended functions, and often visited with foster kids, which were all examples of support Ms. Ledesma had not seen before. She thanked the Board again on the Polians' behalf.

There was no public comment on the Proclamations listed above.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Items 6A1 to 6A2 be adopted.

### **DONATIONS**

**17-0128**      **6B1** Accept Monetary Donations to Washoe County Regional Animal Services [totaling \$6,253.00] for the period of October 1, 2016 to December 31, 2016 to be used for the humane care and treatment of sick and/or injured, stray, abandoned, or at risk animals received; express appreciation for these thoughtful contributions; and direct the Comptroller's Office to make the appropriate budget amendments. Animal Services. (All Commission Districts.)

**17-0129**      **6B2** Accept a donation of approximately three hundred and fifty (350) aluminum frame glass windows [\$7,000 value] from the Washoe County Honorary Deputy Sheriff's Association to be used by the Washoe County Sheriff's Office for training purposes. Sheriff. (All Commission Districts.)

**17-0130**      **6B3** Accept Burning Man donations of [\$13,500.00] for Gerlach Combination Fire Department personnel costs during the festival. Manager. (Commission District 5.)

There was no public comment on the donations listed above.

On motion by Commissioner Jung, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Items 6B1 to 6B3 be adopted.



**17-0131**      **AGENDA ITEM 7** 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.)

Jamie Rodriguez, Management Analyst with the Manager's Office, stated the hearings of bills were in the early phase and more detailed updates would be forthcoming. She mentioned about 450 bills had been introduced of which staff was tracking about 250. She noted the five bills the Commission asked her to track had had little movement. She requested direction about how to proceed with Assembly Bill 140 (AB140), the bill revising the boundary line between Washoe and Carson Counties.

John Slaughter, County Manager, explained the bill, requested by Assemblyman Al Kramer, involved 12 properties on the southernmost Washoe County border. He indicated staff was concerned about the precedent this could set; in the past, boundary change requests all involved vacant land. He expressed concern that property owners could change counties prompted by service issues and suggested Washoe County could address those issues. Chair Lucey acknowledged there were challenges in servicing the owners of the Duck Hill area but agreed the precedent would not be favorable. He preferred addressing the service challenges rather than changing County lines. He maintained it was too early to take an official position on the bills. Ms. Rodriguez noted staff was scheduled to give a presentation at the County to the Assembly Government Affairs Committee on March 7th.

Mr. Slaughter interrupted, revealing the Truckee Meadows Regional Planning Agency approved a legislative memorandum of cooperation and he received a request from the executive director of Regional Planning to be reviewed by the Board. He was waiting for answers on questions he had posed about the last time a memorandum was approved regionally and about the Memorandum of Understanding (MOU) process.

When asked by Chair Lucey about AB43, Ms. Rodriguez replied it had been referred to committee but it was not yet scheduled for a hearing. Mr. Slaughter clarified this was the Nevada Association of Counties (NACO) bill and Ms. Rodriguez stated Assembly Taxation and Senate Revenue and Economic Development did joint hearings on the topic of tax abatements but these were largely educational. Chair Lucey inquired whether Washoe County was planning to testify on behalf of the NACO bills, to which Mr. Slaughter responded it was being considered. He assumed the bill would have a long life and noted staff would come to the Board with recommendations on positions and testimony when they felt it was appropriate.

Commissioner Berkbigler voiced concern about the number of rules that had been waived at the session. She warned there might not be adequate notification to brief the Board on legislative issues that came up and asked Mr. Slaughter how that problem could be handled. Mr. Slaughter reminded the Board they had approved a set of

legislative principles that staff used for guidance in those situations. He also noted as County Manager he had authority to make decisions in consultation with the County's legislative liaison. It was possible staff could testify on a position and tell the Board after the fact; if the testimony did not represent the Board's position, they would correct it.

There was no public comment on this item.

**17-0132      AGENDA ITEM 8 Public Comment.**

There was no public comment.

**17-0133      AGENDA ITEM 9 Announcements/Reports.**

Upon request by Commissioner Berkbigler, Agenda Item 9 was reopened. She noted Lake Tahoe had gone up 4 feet as of a February 20, 2017 report, which was about double a normal year. She noted the lake could rise another four feet when the snowpack melted. This could affect Washoe County not only because dam controlled releases would affect the Truckee River, but also because they had to ensure lakefront properties would not flood. She also announced a section of highway 50 near Bridal Veil Falls had collapsed into a ravine. Commissioner Hartung affirmed each foot Lake Tahoe rose was equivalent to 122,400 acre feet of water, or 10,200 acre feet per inch of rise.

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

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**11:51 a.m.** There being no further business to discuss, the meeting was adjourned without objection.

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**BOB LUCEY**, Chair  
Washoe County Commission

ATTEST:

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

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