

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

TUESDAY

10:00 A.M.

SEPTEMBER 17, 2019

PRESENT:

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

Jan Galassini, Chief Deputy County Clerk
Dave Solaro, Interim County Manager
Nathan Edwards, Deputy District Attorney

ABSENT:

Vaughn Hartung, Chair

The Washoe County Board of Commissioners convened at 10:45 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:

Vice Chair Lucey assumed the gavel as Acting Chair in Chair Hartung's absence.

19-0701 **AGENDA ITEM 3** Introduction of new Washoe County Employees.

Interim County Manager Dave Solaro asked the following employees to introduce themselves to the Board:

Sophia Kirschenman, Community Services Department
Matthew Philumalee, Community Services Department
Brian Robards, Animal Services
Roland Albertson, Animal Services

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

19-0702 **AGENDA ITEM 4** Presentation of Excellence in Public Service Certificates honoring Washoe County employees who have completed essential employee development courses.

Interim County Manager Dave Solaro recognized the following employees:

Essentials of Personal Effectiveness

Juliana Aneiros, Library

Essentials of Management Development

** Michael Gonzales, Assessor's Office
Celina Gonzalez-Valenzuela, District Attorney's Office
Mayela Lozano, District Attorney's Office

Essentials of High Performing Teams

Laurie Griffey, Health District
Mary Pharis, District Attorney's Office
Tamara Pierce, District Attorney's Office
Lynn Sato, Assessor's Office
Crystal Theumer, District Attorney's Office

Promote Yourself! Mini Certificate Program

Laurie Griffey, Health District
Lynsy Nolan, Library

** This recipient was announced but was not present.

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

19-0703 **AGENDA ITEM 5** Public Comment

Ms. Sarah Schmitz of Incline Village spoke about complaints lodged with the Secretary of State, the Registrar of Voters, and Commissioner Berkbigler regarding former trustee Phil Horan. She said there were conflicting reports regarding when Mr. Horan was removed as a poll worker and whether he had been allowed to work during the primary or general election. She stated a public records request revealed Mr. Horan was allowed to work the polls until three days before the end of the primary election, and there had been no investigation by the Registrar of Voters or the Secretary of State. She urged the Board of County Commissioners (BCC) to establish written procedures for investigating election integrity complaints before the 2020 primary election.

Mr. Tim Fadda opined the County was overwhelmed by development and needed infrastructure improvements, including repairs to fire and police stations. He spoke about the total cost of addressing the flooding in Lemmon Valley, asked if pumps were still being rented or had been purchased outright, and said effluent was being released onto private property. He inquired as to the distribution of funds in different parts of the County

and implored the BCC to allocate resources to north valleys, the south valleys, and other areas in need of infrastructure upgrades.

Ms. Tammy Holt-Still objected that the 3-minute timer for her public comment started prematurely. She displayed a printout with excerpts from the Nevada Administrative Code (NAC) on Class C effluent, followed by images of current water levels and pumping activity in Lemmon Valley. She said there was a lot of foam and odor in the water, which she felt indicated the presence of chemicals. She thanked Washoe 311 and responding crews for pumping water away from a utility manhole after it was reported on Saturday morning. She spoke about a public records request emailed to County management on August 28 requesting test results and a copy of the contract with North Valleys Investments, saying she never received a response; she later put her request in letter form and resubmitted it. She stated the lack of response to her request was a violation of the Nevada Revised Statute (NRS) and federal law.

At the suggestion of Deputy District Attorney Nathan Edwards, the Board offered Ms. Holt-Still additional time to speak due to the timer starting prematurely. Ms. Holt-Still thanked Commissioner Berkgigler for mosquito spraying in the flood area, stated effluent was being pumped onto private property, and implored management to review applicable NAC and NRS sections regarding effluent.

Ms. Elise Weatherly spoke about an inspirational relative who maintained a positive outlook despite hardships he had faced. She shared a memory of flying in a C-130 airplane, summarized a conversation she had with an officer at the Sparks Justice Court, and voiced concerns about a judge whom she felt wasted public time and consistently sided in favor of individuals who broke the law.

Chief Deputy County Clerk Jan Galassini noted Mr. Jeff Church had submitted a handout for the Board, which was placed on the record. Deputy District Attorney Edwards advised copies of the handout were also available at the back of the room for the public to review. Mr. Church expressed concerns about the upcoming September 19 Community Homeless Advisory Board meeting and opined the housing-first model suggested by OrgCode Consulting, Inc., was wrong and would only serve to enable criminals, illegal aliens, and individuals with substance abuse issues. He said this model had already failed in California. He predicted funding to pay for new housing programs would come from further tax increases and noted Washoe County had the highest tax rates in Nevada. He warned the proposed new vehicle registration tax was unfeasible, calling for audits and oversight if the tax measure passed.

Ms. Lori Beach stated she had seen effluent in Lemmon Valley flowing onto residential properties and exceeding the 100-foot buffer zone. She expressed appreciation for the work being done to remove the water but said properties near the pumping area needed to be protected. She felt comments made by Interim County Manager Dave Solaro about Lemmon Valley residents endangering cleanup contractors and County staff were disingenuous and said she had never witnessed residents trying to harm workers. She asked whether security was present at all community meetings or only the ones held in Lemmon

Valley. She spoke about public employees who violated speed limits and suggested an officer be assigned to a school zone where she had witnessed speeding.

Mr. Levi Hooper suggested taxes from marijuana sales could be used to fund housing programs to address homelessness. He opined there should be requirements to qualify for affordable housing and assistance should not be provided to abusers of drugs and alcohol. He thought it was fair to drug test housing applicants.

Mr. Sam Dehne spoke about his flight experience in the Air Force, the Reno media, and former Reno City Manager Andrew Clinger. He mentioned the sale of the former *Reno Gazette-Journal* building and suggested the City of Reno refurbish the existing police station rather than spend money to tear it down.

Kelli Goatley-Seals, Health Educator Coordinator with the Health District's Chronic Disease Prevention Program, recognized Washoe County for establishing smoke-free and vape-free parks and open spaces. She presented the BCC with the Extra Mile Award in honor of their support of the initiative. She noted public demand for smoke-free environments was increasing significantly, saying 85 percent of Washoe County residents did not smoke. She cited a survey where 76 percent of the respondents favored smoke-free and vape-free parks and open spaces. She listed some of the top reasons for public support, including the carcinogenic effects of exposure to secondhand smoke, health conditions such as asthma and lung disease, fire risk, environmental concerns such as litter, waterway contamination, and effects on local wildlife and pets. She noted cigarette waste was the number one type of litter in public parks. She commended Community Services Department Division Director Eric Crump, Open Space and Regional Parks Commissioner Chris Nenzel, Park Operations Superintendent Colleen Wallace-Barnum, and the BCC on their success with the passing of the ordinance. She thanked them for helping to protect the health of both residents and visitors from exposure to toxic secondhand smoke.

Nevada Cancer Coalition Community Programs Manager Christine Thompson spoke about the task force which had worked collaboratively with other districts and regional entities for two years to investigate whether smoke-free parks and open spaces would be appropriate for Washoe County. She said the Nevada Cancer Coalition applauded those who had worked in support of the initiative.

Chief Deputy County Clerk Jan Galassini noted an email from Ms. Annemarie Grant had been received and would be placed on the record.

19-0704 **AGENDA ITEM 6** Announcements/Reports.

Interim County Manager Dave Solaro announced the Washoe Impact Awards would be held on October 17, 2019 at 4:30 p.m. in the Commission Chambers and would include a revamped State of the County Address highlighting key accomplishments achieved over the prior year. There would also be recognition of employees who contributed to the County's success based on its core values of integrity, effective communication, and quality public service.

Commissioner Berkbigler requested Mr. Solaro research the Registrar of Voters' procedures for handling and investigating complaints. She asked whether grievances were forwarded to the Secretary of State and said the process was unclear. Commissioner Jung added she wanted to know whether there were also procedures outlining the Secretary of State's responsibilities regarding complaints and asked what constituted an investigation. She felt the Registrar of Voters should have a policy already in place, but if not, the Commissioner requested staff draft recommendations for a written procedure the Board could consider and possibly adopt before the June 2020 primary election.

Commissioner Jung spoke about a 1-hour environmental engineering discussion she attended at the University of Nevada, Reno regarding a growing national and international trend toward low-impact development and stormwater storage for future use. She opined stormwater could be turned into a valuable commodity in desert environments and said the discussion was engaging with great questions and intelligent feedback from students. She stated she had shared her notes with Mr. Solaro and requested staff provide the BCC with more information on stormwater storage. She strongly encouraged other Commissioners to attend and said more sessions would be held weekly at 4:00 p.m. in October. She thanked Susy Valdespin of the County Manager's Office for facilitating her registration.

Vice Chair Lucey noted he spent the previous week in Washington D.C. working with delegates and the Department of Transportation through his position on the Regional Transportation Commission and had secured a number of grants for local mass transit and road repairs. He remarked he was named the Chairman of the National Association of Counties' subcommittee for transportation and would participate in transportation policymaking and bringing national attention to west coast issues. He said Commissioner Herman had also attended a conference on taxes during the past week and he felt their time had been well spent working on behalf of the citizens of Washoe County.

PROCLAMATIONS

19-0705 **7A1** Proclaim the month of October 2019 as Breast Cancer Awareness Month.

Commissioner Berkbigler read the Proclamation and presented it to breast cancer survivors Rhonda Walker, Office Support Specialist with Child Protective Services, Marilyn Kramer, Assistant to the County Manager, and Elaine Anagnostou, Office Support Specialist with Human Resources.

Ms. Kramer said she had just passed her 5-year mark and thanked the County for the support she had been given. Ms. Anagnostou noted she had been cancer-free 11 years and thanked County supporters as well. Ms. Walker said she was a 10-year survivor and thanked the County, her coworkers, her family, and her husband for their support.

19-0706 **7A2** Proclaim October 2019 as National Community Planning Month.

Commissioner Berkbigler spoke about the importance of community planning, reading and presenting the Proclamation to Community Services Department Planning Manager Trevor Lloyd.

On behalf of the Planning and Building Division, Mr. Lloyd accepted the Proclamation and thanked the BCC for their support, saying quality planning would benefit everyone as the County continued to grow.

19-0707 **7A3** Proclaim October 2019 as Infant Safe Sleep Awareness Month.

Vice Chair Lucey read the Proclamation and thanked the Human Services Agency (HSA) for their work to help protect one of the most vulnerable populations in the County, noting he had seen a number of billboards about safe infant sleep practices.

Child Protective Services Division Director Ryan Gustafson, along with a large group of HSA employees, accepted the Proclamation on behalf of the HSA. Mr. Gustafson noted there had been a total of 18 infant deaths in Washoe County over the past five years due to unsafe sleeping practices. Through strategic campaigning and educational marketing, the HSA and partners such as the Medical Examiner's Office hoped to reduce that number to zero over the following five years. He explained the ABCs of safe infant sleep: Alone, on their Back, in a Crib. He noted the billboard campaign had been a year-long effort and another media campaign was set to launch during the month of October to continue to raise local awareness. He invited the community to follow the hashtag #safesleep on social media for more tips and information.

19-0708 **7A4** Proclaim October 2, 2019 as International Walk to School Day.

Commissioner Herman read the Proclamation and presented it to Safe Routes to School Coordinator M.J. McCloud.

Ms. McCloud said International Walk to School Day was designed to draw attention to the simple joys of walking whenever possible, but noted this fun time of year had been overshadowed by the injury of five students in the first five weeks of school. She mentioned Safe Routes to School continued to expand their efforts as a supporting member of the Vision Zero program. She said it was everyone's responsibility to foster and inspire change, and media coverage and elected official support could help remind drivers and pedestrians to be more aware of each other. She thanked the BCC for their support.

19-0709 **7A5** Proclaim September 24, 2019 as National Voter Registration Day.

Commissioner Jung read the Proclamation and presented it to Registrar of Voters Deanna Spikula, who thanked the Board for acknowledging the importance of registering and exercising the right to vote.

On the call for public comment, Ms. Elise Weatherly spoke about the general goal of proclamations, commented on citizenship and eligibility to vote in Washoe County, and called for more validation throughout the voting process.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Items 7A1 to 7A5 be adopted.

11:55 a.m. **Commissioner Jung left the meeting.**

DONATIONS

19-0710 **8A** Recommendation to accept monetary donations to Washoe County Regional Animal Services [\$8,464.73] received from April 1, 2019 to June 30, 2019 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 necessary budget amendments. Animal Services. (All Commission Districts.)

19-0711 **8B** Recommendation to retroactively approve in-kind donations [total estimated value of \$249.00] from The Discovery, The Salvation Army, Truckee Meadows Community College (TMCC), and Join Together Northern Nevada (JTNN) to be used as raffle prizes for the Washoe County Sheriff Office Community Resource Fair, held on July 22, 2019. Sheriff. (All Commission Districts.)

19-0712 **8C1** Recommendation to (1) acknowledge various items donated totaling an estimated market value of [\$2,654.60] retroactive for the period June 26, 2019 through July 31, 2019 and; (2) accept cash donations to Washoe County Human Services Agency to support child welfare activities in the amount of [\$2,111.10] retroactive for the period June 18, 2019 through July 31, 2019 and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

19-0713 **8C2** Recommendation to accept cash donations to the Human Services Agency -Senior Services Fund to support operations of the Washoe County Senior Centers in the amount of [\$2,066.75] retroactive for the period June 18, 2019 through July 31, 2019; and direct the Comptroller to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

On the call for public comment, Ms. Elise Weatherly spoke about matters of concern to herself with regard to Item 8A.

On motion by Commissioner Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 3-0 vote with Chair Hartung and Commissioner Jung absent, it was ordered that Agenda Items 8A to 8C2 be accepted.

19-0714 **AGENDA ITEM 9** Presentation and discussion on the 80th Legislative Session Report for 2019. Manager's Office. (All Commission Districts.)

Government Affairs Liaison Jamie Rodriguez conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. She reviewed slides with the following titles: Overview, Washoe County 2019 Legislative Team, Highlight of Legislation (3 slides), Bills That Require Commission Action, Final Legislative Report (2 slides), and Questions.

Ms. Rodriguez said the 2019 Session of the Nevada Legislature began on February 4 and ended on June 3. The Washoe County legislative team monitored 760 of the 1,164 bills introduced, of which 301 passed and would have some level of impact on the County. She noted the team also responded to 197 fiscal note requests. She thanked the 2019 legislative team and the many employees who helped with the monitoring and review process.

Ms. Rodriguez explained the team had been able to provide an estimate of fiscal impact to the County for the 2017 legislative session, but the fiscal impact for a majority of 2019's bills was more difficult to determine. She provided two examples: a bill which would affect future labor negotiations and one which would impact workers' compensation in situations where claim totals could not be estimated in advance. For this reason, Ms. Rodriguez said, determining fiscal impacts had not been the team's focus for the 2019 session. They instead worked to negotiate on a number of bills the Board of County Commissioners (BCC) had opposed or taken strong positions on. She noted negotiations in favor of the County were successful in several cases. Ms. Rodriguez then summarized details from the Washoe County 80th Legislative Session 2019 Report provided to Commissioners and noted the full report was available to the public on the County website.

12:12 p.m. **Commissioner Jung returned to the meeting.**

Commissioner Berkbigler asked whether Assembly Bill 240 defined who the representative from the County should be. Ms. Rodriguez said the representative must be the County Manager or their designee.

Commissioner Berkbigler requested clarification of a bill which mentioned personnel training related to the use of body cameras. Ms. Rodriguez noted the draft legislation had been somewhat vague but training for forensic technicians to process body camera footage was one example of an eligible personnel expense. Ultimately, the BCC would be responsible for determining which expenses to fund from a list of eligible uses.

Commissioner Berkbigler also inquired whether Senate Bill 287, which

revised provisions governing public record requests, applied to all governing entities including local general improvement districts. Ms. Rodriguez responded that it did.

Vice Chair Lucey thanked Ms. Rodriguez for her time and said she had worked diligently during the session. He noted the session had been interesting with many freshman legislators in roles they may not have been accustomed to. He thanked members of the 2019 legislative team and Commissioner Jung, who all helped ensure that the County maintained a large presence at the session. He remarked it was a successful undertaking and had been beneficial for County representatives to educate new legislators about northern Nevada issues while they spent time working on the bills.

There was no response to the call for public comment.

On motion by Commissioner Berkgigler, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Chair Hartung absent, it was ordered that Agenda Item 9 be accepted.

19-0715 AGENDA ITEM 10 Public Comment.

Ms. Elise Weatherly thanked the Board for showing integrity by allowing Ms. Tammy Holt-Still extra time to speak after the timer for her public comment started prematurely. Ms. Weatherly described an eviction case she witnessed in a Sparks court where one party claimed disability due to a hand injury but used her hands to hold papers during the proceedings. She opined this judge always sided with the guilty and she wanted something done about it. She then spoke about voting and the candidates of the 2016 presidential election.

Ms. Lori Beach said the area between Chickadee Drive and Waterash Street was dry and might be a good place to move water during pumping efforts. She said she was grateful for efforts to remove the water as she knew the County was operating under budget constraints and residents of that area were not the County's only constituents. She reiterated offense at comments about Lemmon Valley residents endangering County workers or contractors during cleanup efforts. She said the Sheriff's Office had advised her that their response was often dictated by the volume of calls received about a particular issue. She suggested more police presence in the area during work hours, and encouraged workers to report problems to the Sheriff and not just to County management or crew supervisors.

19-0717 AGENDA ITEM 11 Announcements/Reports.

Vice Chair Lucey stated he had received a number of emails about speeding in school zones including Lemmon Valley, Lenz, and Hunsberger Elementary Schools; he requested this information be relayed to the Sheriff. He spoke about a personal friend known as ‘Sober Sally’ who had just held a local event in celebration of recovery. He asked Interim County Manager Dave Solaro to prepare a Proclamation for the month of September in recognition of recovery, suggesting it could be proclaimed retroactively in October if one could not be put together in time.

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12:26 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, 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