

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

TUESDAY

8:30 A.M.

OCTOBER 22, 2013

PRESENT:

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

**Jaime Deller, Deputy Clerk**  
**John Berkich, Interim County Manager**  
**Paul Lipparelli, Legal Counsel**

The Washoe County Board of Commissioners convened at 8:41 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 Deputy Clerk called the roll and the Board conducted the following business:

**13-924            AGENDA ITEM 3 – PUBLIC COMMENT**

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

Guy Felton expressed his condolences to the people affected by the Sparks Middle School tragedy.

**\*8:45 a.m.**    Commissioner Weber arrived.

Christopher Corbett discussed what it meant that Albany, New York became the first city in America to prohibit indefinite military detention without charge or trial, specifically under the 2012 National Defense Authorization Act (NDAA). He said he was present to deliver to the Commission the proposed resolution by the People Against the NDAA (PANDA). He asked the Commissioners to reconsider their positions regarding the NDAA. A copy of the resolution was placed on file with the Clerk.

Sam Dehne spoke about attending the Reno City Council and the County Commission meetings, the teacher who gave his life yesterday during the Sparks Middle School shooting, and hiring a new Washoe County Manager.

**13-925            AGENDA ITEM 4 – ANNOUNCEMENTS**

**Agenda Subject: “Commissioners’/Manager’s Announcements, Requests for Information, Topics for Future Agendas, Statements Relating to Items Not on the Agenda and any ideas and suggestions for greater efficiency, cost effectiveness and innovation in County government. (No discussion among Commissioners will take place on this item.)”**

John Berkich, Interim County Manager, said Agenda Item 24, AB 46, would be deferred to the next Commission meeting due to the tragedy at the Sparks Middle School.

Commissioner Hartung requested a standing agenda item regarding the Nevada Lands Task Force, and should be styled so a resolution could be drafted at any time. He also requested that standing item remain on the agenda until a decision was made on which federal lands the County might want to take over from the federal government.

Commissioner Berkbigler said at a previous meeting she asked staff to look into whether there was anything in the Nevada Revised Statutes (NRS) that allowed someone who had to rebuild their home after it was burned during a wildfire to be grandfathered in at the tax rate of the old home. She stated staff indicated there was nothing in the County Code that allowed doing that. She requested that discussion be placed on a future agenda, because it was a problem in this community and was causing people to lose their homes through no fault of their own.

Commissioner Weber said as a Nevada Association of Counties (NACo) Board member, she received a letter from Nye County about the Commission supporting Nye County’s request regarding reopening the conversation about Yucca Mountain. She stated she hoped that conversation would happen as soon as possible.

Later in the meeting Commissioner Weber said she attended the Shared Federal Framework meeting and discovered the Washington D.C. trip was rescheduled for December 16, 2013. She noted that was the week of the Commission meeting. Mr. Berkich clarified the trip was scheduled for the week of December 9th.

Commissioner Hartung requested staff craft a proclamation honoring Michael Landsberry, the Sparks Middle School teacher who demonstrated heroism and bravery well beyond the call of duty. He felt in some big way that Mr. Landsberry, the first responders, and some of the other teachers should be acknowledged on behalf of the entire Commission. Chairman Humke agreed.

**13-926            AGENDA ITEM 5 – PROCLAMATION**

**Agenda Subject: “Proclamation--October 24, 2013 as Food Day in Washoe County--Manager. (All Commission Districts.) Requested by Commissioner Jung.”**

Commissioner Berkbigler read and presented the Proclamation to Kelly Seals. Ms. Seals thanked the Board for its support of Food Day.

There was no public comment on this item.

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

**13-927      AGENDA ITEM 6 – RESOLUTION OF ACCOMPLISHMENT**

**Agenda Subject: “Resolution of Accomplishment--Ashley Graham--Manager. (Requested by Commissioner Jung.)”**

Commissioner Humke read and presented the Resolution of Accomplishment to Ashley Graham. Ms. Graham thanked Commissioner Jung for this Resolution of Accomplishment. She said the true heartbeat behind Community Affect was to make her children want to stay in the community and to show people what a great community it was. Chairman Humke stated Ms. Graham was doing great things for the community.

There was no public comment on this item.

On motion by Chairman Humke, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 6 be adopted. The Resolution of Accomplishment for same is attached hereto and made a part of the minutes thereof.

**13-928      AGENDA ITEM 7 – PROCLAMATION**

**Agenda Subject: “Proclamation--November 2013 as National Family Caregivers Month in Washoe County--Senior Services. (All Commission Districts.)”**

Commissioner Hartung read the Proclamation. He said the elderly used to live with their families, which provided the support they needed. He stated unfortunately because of the way the country had grown, many seniors no longer had family living close by. He said this was a wonderful way to acknowledge those giving care to the elderly.

There was no public comment on this item.

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

**13-929            AGENDA ITEM 9E – SOCIAL SERVICES**

**Agenda Subject: “Accept cash donations [\$1,886.45] for the period of July 1, 2013 through September 30, 2013; and direct Finance to make the appropriate budget adjustments--Social Services. (All Commission Districts.)”**

Ken Retterath, Social Services Division Director, introduced Jeff Schaefer, A & H Insurance Company President. Mr. Retterath said the employees of A & H Insurance had been making quarterly donations to Social Services over the last 15 years through payroll deductions. He advised those donations benefited the children in care at the Kids Kottage, and he thanked Mr. Schaefer for those donations on behalf of Social Services. Mr. Schaefer thanked the Commission for everything they did for the youth and the young children in the community.

There was no public comment on this item.

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

**13-930            AGENDA ITEM 8 – COUNTY MANAGER RECRUITMENT**

**Agenda Subject: “Washoe County Manager recruitment process including: Introduction of Washoe County Manager candidates and discussion and possible action to select a group of applicant finalists to proceed to the final interviews at 2:00 p.m.”**

John Berkich, Interim County Manager, explained the proposed interview process.

Heather Renschler, Ralph Anderson & Associates (RAA), said the search for the new County Manager started in August 2013 and yielded 57 applicants. She stated the resumes were looked at based on the core qualifications outlined in the brochure and were then submitted to the Commissioners for their independent review, which narrowed the field to eleven candidates. She said the field was further reduced when three candidates withdrew. She thanked Human Resources for forming the six interview panels. She stated the eight remaining candidates participated in the interview panels last Thursday and Friday and the comments from those reviewers were placed in binders for the Commissioners to review. She said there was a reception last Thursday evening, which was well attended and allowed the candidates to mingle with a variety of individuals. She said for the initial interviews, the candidates would introduce themselves and would then respond to one question. She stated the candidates were sequestered so they would not hear what the other candidates said. She said after all of the candidates had spoken, the Commissioners would select those candidates they wanted to interview further for the position of Washoe County Manager. Following those interviews, the Commissioners would select the new County Manager. She stated the final step in the

process would be the potential approval of a contract at the Commission's November 12, 2013 meeting. Chairman Humke thanked Ms. Renschler for conducting a very professional search and for bringing the Commission a great field of candidates. He asked if the candidates agreed to be sequestered from the open meeting voluntarily. Ms. Renschler replied they did.

A discussion ensued regarding how many of the candidates would be put through to the 2:00 p.m. interviews. Chairman Humke noted this would be the first opportunity for the viewing public and the people present to hear from the eight candidates.

Chairman Humke suggested recognizing the people who comprised the six interview panels. The Commissioners took turns reading the names of those who comprised the Community/Boards, Committees, and Associations; Inter-Government/Agencies/Legislative; Local Business; Washoe County Appointed and Elected Department Heads; Washoe County Collective Bargaining Associations; and Washoe County Employees interview panels. The names read were listed on the two pages of the backup entitled, "Interview Panels for Washoe County Manager." He thanked all of the panel members for their participation.

Commissioner Berkbigler drew the names of the candidates to determine the order of their appearance. The order was as follows: John Slaughter, Kevin Schiller, Lee Niblock, Bill Thomas, Jim Nichols, Jeff Fontaine, Bonnie Hammersley, and Rick Benson.

Commissioner Weber said she understood the Commissioners would not ask any questions. Chairman Humke stated this morning one question would be asked and this afternoon there would be a list of five questions asked. Mr. Berkich said the five questions being asked were the most popular questions on a list the Commissioners reviewed.

After further discussion regarding selecting the candidates, Chairman Humke said even though one question was being asked, the decision on which candidates would move forward was based on a lot of information, including their resumes and the comments from the interview panels. Commissioner Hartung stated he did not want to eliminate someone based on the one question, because that person might turn out to be a strong candidate during the afternoon interviews.

**\*9:50 a.m.** Commissioner Jung joined the meeting by phone.

Chairman Humke said during a previous discussion, it was suggested four or five candidates be chosen, and he suggested choosing four candidates. A consensus was reached on choosing four candidates.

The following question was provided to each of the candidates prior to the interviews, "What is your philosophy on local government and how would you

implement it here in Washoe County?” Each candidate was given 10 minutes to discuss their background and to answer the question.

John Slaughter, Washoe County Acting Assistant County Manager, said he was honored to be here today while the Commission made the important decision to select the next Washoe County Manager. He asked the Commission to consider his breadth of knowledge of the County organization, the region, and the State that he could offer as the County Manager. He discussed his work experience, which was detailed in his application and resume and was part of the backup for this item.

Mr. Slaughter said his management philosophy was to articulate a simple vision and to empower the County’s employees. He stated as an example of how that impacted the region, in 2004 he hired Emergency Management Administrator Aaron Kenneston, so the County would become the leader in emergency management, which he believed the County was. He said the words “loyal,” “facilitator,” and “trustworthy” embodied his leadership style. He stated his entire professional career had been spent with Washoe County, and he was very loyal to this organization. He stated by “facilitator,” he meant he tried to make things easier; and he placed a high value on keeping the trust of the public, the elected and appointed officials, and staff. He said with those three values in mind, his leadership style was to lead by example. He stated his philosophy of local government was based on a few basic tenets. He said local government was the level of government closest to the citizens and touched all aspects of their daily lives. He stated local knowledge solved local issues, and the decisions that impacted the local community were best made at the local level. He said that meant Washoe County had no choice but to be open and transparent. He stated the answer to how he would implement this at Washoe County would start with continuing the great things the County was already doing. He said a recent survey indicated a 90 percent approval rating regarding how Washoe County handled the fiscal crisis. He stated his plan to implement his philosophy was to focus on the County’s citizens and how the County impacted them every day. He said the County should always err on the side of open, transparent, and responsive government and should always look for ways to do things better. He stated the citizens needed to be involved in the County’s processes beyond the traditional methods, such as using social media. He said the citizens expected to be able to solve issues on their own using the County’s information and data, and the County should facilitate that type of grassroots governing. He stated throughout his career with the County, he encouraged being transparent, open, and responsive. He said as the Board reviewed the types of programs and projects he led while at the County, they would see he managed key functions with a great deal of visibility and impact on the County, the region, and the State.

Kevin Schiller, Washoe County Social Services Director, said it was a pleasure to be here today, and he discussed his work experience, which was detailed in his application and resume and was part of the backup for this item.

Mr. Schiller said his philosophy regarding local government was that local government was the government closest to the people, and was more about the

government being instituted by the people versus the state and federal framework where there was more delegation. He stated there was a responsibility and accountability that went with that closeness to the constituents. He said communication should be transparent and, because local government was so close to the public in how it received information, local government was more nimble. He believed local government versus the state and federal governments, had the ability to adjust and have continuous improvement to address issues, which would be what he would use to move forward as the Washoe County Manager. He said to maintain that nimbleness there had to be a balance between the community's and the government's needs in terms of how direct services were provided. He stated the County must be efficient in providing those services and, in as much as the State gave the County the authority in carrying out those services, the other piece that was absolutely critical was how the County would fund those services. He said he believed it was absolutely critical to move forward every day by using innovation to keep in contact with the constituents, including how information was received, processed, and put into action. He stated in some cases communication would be at the local level and might be something individuals did not want to hear the answer to, but the key component would be having the answer. He said there had been a significant impact on the organization's employees over the last five years and they had to do more with less. He stated it was imperative going forward to not look back at what the levels were six years ago, but to look at the efficiencies gained and the improvements made. He said as a leader, the financial crisis created an opportunity to be more efficient and to provide services differently. He stated he stood before the Commission because he wanted to be a part of the County's rebuilding, which the employees would be a significant piece of. He said as a leader he would have to provide the culture that would promote communication and transparency. He said the County Manager had to understand the region and the needs of the region. He stated there also should be a partnership with the people, the business community, and, in some instances, with the State when looking at providing services. He said he had the great opportunity to work up to be department head, but he would not be the department head if it was not for the support of the employees and the community. He stated he would not want to do the County Manager's job anywhere else in the world, and he wanted to be a part of leading the County forward.

Lee Niblock, County Administrator Marion County, Florida, said Marion County shared many characteristics with Washoe County, such as budget size, total employees, and a painful ride through the recession. He stated because of the many painful decisions made early on, he was confident Marion County was moving into a better economic environment. He discussed his education and work experience, which was detailed in his application and resume and was part of the backup for this item.

Mr. Niblock said the foundation of his philosophy was built on honesty and integrity. He stated with honesty came trust and with trust barriers would begin to break down, which was when a more efficient and affective organization could be created. He discussed being an International City/County Management Association (ICMA) credentialed manager. He said when his philosophy was fully implemented, it dictated leadership must model the behavior it desired. He stated collaboration at all

levels of government must be pursued to leverage valuable resources. He said those actions would demonstrate, even if there were many communities, that there was one county and one region. He said to reduce confusion, a singular local government should speak with one voice and support a common vision, message, and mission. He stated in Washoe County that message was well articulated in the Strategic Plan and, as such, all departments would develop business plans that would support the Commission's Strategic Plan. He said everyone would work together as a team and people would be held accountable, but would be rewarded for their accomplishments. He stated the implementation of his philosophy also required managing processes, not people; and he would constantly monitor and measure the County's progress. He said the focus would be on the outcomes and not the methods, which would drive innovation and sustainability. He stated change would be managed continuously, which would increase everyone's comfort level with change and would create an environment that would encourage superior performance. He said implementation of his philosophy would require a new way of preparing for the County Commission meetings, because agenda items must comprehensively offer options, address costs, and present supporting details. He stated for the Commissioners to do their jobs, they must be fully armed with the information necessary for thoughtful public deliberation and for making sound policy decisions. He said for his philosophy to be successful, he could never forget he spent the taxpayers' money to do his job, which would be the seamless implementation of the Commissioners' directives. He stated as a county administrator during the recession, he had to significantly reduce the workforce; however by most measures, customer service delivery was increased, Board reserve accounts were added to, and customer outreach was improved. He felt those were proven results the Washoe County Commission could embrace. He said he had transferable experience and could make an immediate contribution to the County.

Bill Thomas, City of Reno Assistant City Manager, said he was honored to have the opportunity to interview for the County Manager position. He discussed his work experience, which was detailed in his application and resume and was part of the backup for this item.

Mr. Thomas said he had significant experience in the public process in situations where controversy was involved. He stated he was interested in local government, because that was the branch of government closest to the people. He said local government was in a position to influence people, but it could also see the consequences of the actions it took. He felt that meant local government was the most accountable level of government. He said the public wanted value from their local government and wanted to hear what was being done with their money. He stated how local government approached its interactions with the public was critical, as was the expectations local government brought to the table. He said the public was suspicious of how and why the County did things, and transparency was about focusing on the things or areas that people were suspicious about, such as why decisions were made, who made the decisions, and who influenced those decisions. He said he saw the Manager's role as being a team member who worked in conjunction with the five Commissioners. He stated he would strive to have five supportive votes when he brought things forward to the

Commission, even though he was aware that would not always happen. He said regarding staff, he believed the best thing a manager could do was to allow employees to do their jobs, to be innovative, and to make mistakes; but to hold them accountable by discovering what went wrong and to ensure it would not happen again. He stated his view of leadership was not what he would get out of being the leader, but was about how much he was willing to give as a leader to this community and to the Commission. He said he would give everything he needed to in terms of his time, resources, skills, and knowledge to make sure Washoe County was successful.

Jim Nichols, Assistant City Manager Midland, Texas, thanked the Commissioners for the opportunity to be considered for the position of Washoe County Manager. He discussed his work experience, which was provided in his application and resume and was part of the backup for this item.

Mr. Nichols said his philosophy of local government was based on the principals of transparency, inclusiveness, and collaboration. He believed everyone should be informed of the issues that would impact them and they should have a voice in how those issues were dealt with. He stated implementing that philosophy in Washoe County would include working with the Commission to review the County's current Strategic Plan, making any necessary revisions, and working with staff to implement those revisions. He said he would also want to work with the Commission to establish his first year's goals and objectives to ensure his efforts would be directed to the areas the Commission felt were the County's highest priorities. He stated he would want to give the employees the confidence that they could continue doing their jobs and do them well, and to encourage employee participation in the decisions that would affect their daily work. He said he would actively engage the community regarding issues of concern, and would try to become an active member of this community. He stated he would also look to work closely with the County's regional partners and stakeholders on projects and initiatives that would mutually benefit all of the parties involved. He believed his background and experience would be an asset to this organization, and he would appreciate the opportunity to become a part of it.

Commissioner Jung verified she was still on the phone.

Jeff Fontaine, Nevada Association of Counties (NACO) Executive Director, said he was honored to be a finalist for the position of Washoe County Manager. He discussed his work experience, which was detailed in his application and resume and was part of the backup for this item.

Mr. Fontaine believed local government was the foundation of democracy. He felt it had the best opportunity to make positive changes and to lead the communities into the future, because it was the level of government closest to the people. He said a recent study indicated Americans gave the highest marks to local government. He stated his philosophy on local government was it should be built on good governance, autonomy, local leadership, democracy, community engagement, and a commitment to continuous improvement. It must also have the capacity to provide economically,

socially, and environmentally sustainable services and infrastructure, which met the needs of the community. He stated local government must be responsive, accountable, transparent, and resilient; and should also reflect the priorities of the community it represented. He said while local government had a job to do, it should not try to do everything for everyone. He believed local government had the responsibility to provide for safe and secure communities, to provide for the most vulnerable members of society, had an important role in economic prosperity, and in contributing to the community's quality of life. He said because Nevada was a Dillon's Rule state, the Legislature could mandate local governments provide certain services, sometimes without funding. He stated the general application of Dillon's Rule was to limit the power of the counties, cities, and towns. He said he was a strong proponent of Home Rule, so local governments could be as responsive and efficient as possible. He said regarding his philosophy, he realized the Commission already had its priorities in place and there was a sustainable organization and resources, which he felt was important and should be followed. He stated also, his philosophy of county government was very much in line with the County's organizational values. He believed the County's Strategic Plan was a well developed road map on how to achieve the County's goals and objectives, which he would embrace as the Washoe County Manager. He said one of his responsibilities as County Manager would be to make sure there were measures in place to evaluate how the County was doing, to improve performance, and to make sure the Strategic Plan continued to support the goals and objectives the Commission adopted. He was aware he could only implement his philosophy with the support of the community, the department heads, the employees, and the Commissioners, which he would achieve through hard work, honesty, and communication. He stated he was aware implementing his philosophy was a long-term commitment, which would require earning the trust, respect, and confidence of the Commission. He said ultimately implementing his philosophy was about leadership and vision. He stated leadership was about taking the initiative, following through, and constantly being aware of the importance of being the County Manager. He said he would help the Commissioners to make decisions that were in the public's best interests, to inspire staff to excel in public service, and to collaborate with public and private partners. He said there were a lot of diverse groups in Washoe County, and success depended on finding common ground on the myriad issues that affected them.

Bonnie Hammersley, County Administrator Muskegon County, Michigan, said it was her pleasure to be considered for the important position of Washoe County Manager. She discussed her work experience, which was detailed in her application and resume and was part of the backup for this item.

Ms. Hammersley said her strategy for doing many tough tasks was to engage employees and stakeholders to find bottom-up solutions. She stated during the recession, she used the strategy of using staff and budget teams to arrive at budget reductions that the team as a whole could support. She said with the leadership of the Board and with using that same bottom-up approach, it lead to successfully implementing several important projects. Those projects included building a new jail and juvenile detention center, which was many years in the making, and the resolution of a 20-year

dispute with the county's largest city over wastewater costs. She discussed several other accomplishments that faced overcoming major hurdles. She said there was more to be done in Muskegon County, but Washoe County was offering a rare opportunity to address new challenges in an urban setting and in an organization of a similar size to where she began her career in county management. She stated her philosophy was that the role of county government was to provide services and perform functions that the state and county policy makers believed were in the best interests of the people, and which the private sector did not have the capacity or interest in providing. She said county government's role was also to provide an alternative when a service could be provided regionally cheaper or more affectively. She said when a service benefited the public at-large and the state mandated the counties perform the service or the municipalities looked to the county to provide it, the county had an obligation to provide the service or to consider providing it. She stated nonetheless, the private sector still needed to be involved. She said her philosophy of government would not be worthy of implementation if it was not mutually embraced. She stated the Commission, within the constraints of State law, decided to adopt policies that shaped what the County Manager could and could not do. She said in her role as County Manager, she could help the Commission define and refine what the County did and how it did it. She stated she would do that by bringing issues and concerns to the Commission's attention as they arose. She said she would also work to revise and update the County's Strategic Plan, so it would look to the future and anticipate issues and opportunities. She stated she hoped a way could be found for the employees to work better and more efficiently in providing the best possible customer service to the residents of Washoe County. She felt that could be achieved by modeling how she would want to be treated as a customer and taxpayer, which would be to be listened to and involved in resolving a particular challenge or concern. She stated she would spend a lot of time listening to staff and the County's other partners, and in engaging them in finding and implementing solutions. She felt it was only through collaboration and cooperation that the County could know when it needed to be involved and what that involvement should look like. She said she had terrific experiences with the two county governments she served over the last 25 years, and she would like the honor of serving the Commission, the employees, and the residents of Washoe County.

Rick Benson, County Administrator Mariposa County, California, thanked the Commissioners for this great opportunity. He discussed his work experience, which was detailed in his application and resume and was part of the backup for this item.

Mr. Benson said his philosophy on local government was simple, county government provided services to the public. He stated there was an obligation for the county to provide those services no matter where the citizen lived, which could be tricky when the citizens lived in remote areas. He stated there was also the obligation to provide the services in the most efficient and cost effective manner possible, because county government was the steward of public funds. He said another thing that could never be lost sight of was the county's employees made things happen. He stated a county manager or administrator must ensure the county was solvent and that things could be done with the funds available. He stated not doing that would jeopardize all of the

County's services and everyone relying on those services would suffer. He said there was also an obligation to conduct ourselves ethically within county government, which was a very high priority for him and the Board he currently worked with. He stated it must never be forgotten that the taxpayers had the right to an open and transparent county government. He said in implementing that philosophy, he would start at the top by making sure the people trusted the County Manager and understood the system. He stated he often reminded the county's departments that whatever was done should contribute to the county's mission of providing good quality services to the public in an open and ethical manner. He said if he was selected, he would continue to be responsive to the Commission, the department heads, and to the public. He stated he was confident he could provide the professional administration the Commission had come to expect from its County Manager.

**11:09 a.m.** The Board recessed.

**11:21 a.m.** The Board reconvened with Commissioner Jung participating by phone.

Commissioner Jung advised she listened to all eight of the presentations by the candidates.

Chairman Humke noted all of the candidates were present in the Commission Chambers.

Following discussion, it was determined that the order for naming the Commissioners' top choices would be: Commissioner Berkbigler, Commissioner Hartung, Commissioner Jung, Commissioner Weber, and Chairman Humke.

A spreadsheet was displayed, which was used to keep a tally of the votes. A copy of the spreadsheet after the voting was completed was placed on file with the Clerk and could be found under Agenda Item 21.

In response to the call for public comment, Katy Simon offered her deepest sympathies to Sharon Landsberry, the wife of teacher Michael Landsberry, and to everyone affected by the tragedy at the Sparks Middle School. She thanked the Commission for the opportunity to serve as the County Manager and for allowing her to be a part of this selection process by serving on one of the interview panels. She said Ms. Renschler and the Human Resources team did an outstanding job managing the process. She thanked everyone who served on the interview panels, because they did a wonderful job and provided a great service to the community. She also thanked Mr. Berkich and the County's outstanding team for their tremendous leadership in keeping the County moving forward. She congratulated all of the finalists and thanked them for their commitment to public service and for their interest in Washoe County.

The Commissioners named their top four choices as follows:

- Commissioner Berkgigler: Mr. Fontaine, Ms. Hammersley, Mr. Niblock, and Mr. Slaughter
- Commissioner Hartung: Mr. Fontaine, Ms. Hammersley, Mr. Slaughter, and Mr. Thomas
- Commissioner Jung: Ms. Hammersley, Mr. Schiller, Mr. Slaughter, and Mr. Thomas
- Commissioner Weber: Mr. Slaughter, Mr. Schiller, Mr. Niblock, and Mr. Fontaine
- Chairman Humke: Mr. Niblock, Mr. Nichols, Mr. Schiller, and Mr. Slaughter

Chairman Humke advised there were four candidates with three votes and one with five votes.

Commissioner Hartung made a motion to move Jeff Fontaine, Bonnie Hammersley, Lee Niblock, John Slaughter, and Kevin Schiller forward to the second round of interviews. Commissioner Berkgigler seconded the motion.

Commissioner Weber said one candidate received five votes, and she asked if there was an appetite to narrow the four candidates who received three votes, down to two candidates. Commissioner Berkgigler said there was no appetite to do that on her part. She noted the candidates were not put in order of who the first selection was for each Commissioner, and she felt all five candidates should move forward. Commissioner Jung said she was willing to narrow down the four candidates. Chairman Humke asked if there was a motion to amend Commissioner Hartung’s motion. There was no response.

On the call for the question with Commissioner Jung voting by phone, the vote was 5-0 in favor of moving John Slaughter, Kevin Schiller, Lee Niblock, Jeff Fontaine, and Bonnie Hammersley forward to the second round of interviews.

Chairman Humke thanked Bill Thomas, Jim Nichols, and Rick Benson for their interest in Washoe County and for going through the process.

**11:37 a.m.** Commissioner Jung hung up.

**CONSENT AGENDA – AGENDA ITEMS 9A THROUGH 9D AND 9F(1) THROUGH 9I(3)**

**13-931 AGENDA ITEM 9A**

**Agenda Subject:** “Approve minutes for the Board of County Commissioners’ September 10, 2013 meeting.”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9A be approved.

**13-932            AGENDA ITEM 9B – DISTRICT COURT**

**Agenda Subject: “Acknowledge acceptance of direct grant award from the Office of Traffic Safety [\$29,000, in-kind match required] for one year beginning retroactively October 1, 2013 to September 30, 2014; and authorize Finance to make necessary budget adjustments--District Court. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9B be acknowledged and authorized.

**13-933            AGENDA ITEM 9C – HEALTH DISTRICT**

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

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9C be approved and executed.

**13-934            AGENDA ITEM 9D – LIBRARY**

**Agenda Subject: “Accept donations [\$3,000] from ByWater Solutions, [\$500] from Equinox, [\$475] from Calyx, and [\$100] from David Bryan Nind for sponsorship of the KohaCon 2013 conference, and if accepted, direct Finance to make the appropriate budget adjustments--Library. (All Commission Districts.)”**

On behalf of the Commission, Commissioner Weber acknowledged the donations from ByWater Solutions, Equinox, Calyx, and David Bryan Nind for sponsorship of the KohaCon 2013 conference.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9D be accepted and directed.

**13-935            AGENDA ITEM 9F(1) – ASSESSOR**

**Agenda Subject:** “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2013/2014, 2012/2013, 2011/2012 secured tax roll; and authorize Chairman to execute order and direct the Washoe County Treasurer to correct the error(s) [cumulative amount of decrease \$12,484.28]. (Parcels are in various Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9F(1) be approved, authorized, executed, and directed.

**13-936            AGENDA ITEM 9F(2) – ASSESSOR**

**Agenda Subject:** “Acknowledge receipt of Change Log for the 2013/2014 Assessment Roll that results in a [net increase of \$185,070,749 in assessed values]. (All Commission Districts.) *Copy of log on file in County Manager’s Office*”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9F(2) be acknowledged.

**13-937            AGENDA ITEM 9G(1) – COMMUNITY SERVICES**

**Agenda Subject:** “Approve the State of Nevada Manufacturer’s (Brew Pub) License, with recommendations contained in the staff report, for Yaska, LLC dba Pigeon Head Brewery; and if approved, authorize each Commissioner to sign the State of Nevada Application for Manufacturer’s License with direction for the County Clerk to attest the license application. (Commission District 3.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9G(1) be approved and authorized.

**13-938            AGENDA ITEM 9G(2) – COMMUNITY SERVICES**

**Agenda Subject:** “Approve Water Rights Deed transferring 2.02 acre-feet of water rights from Washoe County to Elizabeth Anne McCleary. (Commission District 2.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9G(2) be approved.

**13-939            AGENDA ITEM 9G(3) – COMMUNITY SERVICES**

**Agenda Subject: “Request that the Chair appoint, and the Board of County Commissioners approve, the appointment Sarah Chvilicek to the Washoe County Planning Commission to fill an unexpired term beginning October 22, 2013, and ending on June 30, 2015, or until such time as a successor is appointed. (Commission District 5.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Sarah Chvilicek be appointed to the Washoe County Planning Commission to fill an unexpired term beginning October 22, 2013, and ending on June 30, 2015, or until such time as a successor was appointed.

**13-940            AGENDA ITEM 9H(1) – FINANCE**

**Agenda Subject: “Acknowledge receipt of written Washoe County Workplace Safety Program, per NRS 618.383. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9H(1) be acknowledged.

**13-941            AGENDA ITEM 9H(2) – FINANCE**

**Agenda Subject: “Acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the three months ended September 30, 2013 - Unaudited. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9H(2) be acknowledged.

**13-942            AGENDA ITEM 9I(1) – SHERIFF**

**Agenda Subject: “Approve grant award [\$36,565, no match required] from the Nevada Department of Public Safety, Office of Criminal Justice Assistance, Paul Coverdell Forensic Science Improvement to purchase wireless bar code readers, notebooks or tablets and associated software and licenses to enhance the wireless capability in the Forensics Laboratory; grant period is 10/1/13-9/30/14; and authorize Finance to make necessary budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9I(1) be approved and authorized.

**13-943            AGENDA ITEM 9I(2) – SHERIFF**

**Agenda Subject: “Approve sub-grant funding [\$15,000, no match required] from the Reno Police Department through their grant award 13-JAG-26 from the Justice Assistance Grant (JAG) program, Office of Criminal Justice Assistance for overtime costs associated with the Regional Gang Task Force activities; grant period is retroactive from 7/1/13 through 6/30/14; and if approved, authorize Finance to make the necessary budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9I(2) be approved and authorized.

**13-944            AGENDA ITEM 9I(3) – SHERIFF**

**Agenda Subject: “Approve sub-grant funding [\$15,000, no match required] from the Reno Police Department through their grant award 13-JAG-27 from the Justice Assistance Grant (JAG) Program, Office of Criminal Justice Assistance for overtime costs associated with the Street Enforcement Team (SET) Force activities; grant period is retroactive from 7/1/13 through 6/30/14; and authorize Finance to make the necessary budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 9I(3) be approved and authorized.

**13-945            AGENDA ITEM 10 – DISTRICT COURT**

**Agenda Subject:** “Recommendation to acknowledge the appointment of Frank W. Cervantes as the new Director of Washoe County Department of Juvenile Services effective August 2013--District Court. (All Commission Districts.)”

This item was postponed at the request of the District Court.

**BLOCK VOTE – AGENDA ITEMS 14, 15, 16, 17, 18, AND 19**

**13-946            AGENDA ITEM 14 – SOCIAL SERVICES**

**Agenda Subject:** “Recommendation to award Request for Proposal (RFP) #2871-14 for the Community Based Case Management Substance Abuse Support Program, to the Children’s Cabinet, 1090 S. Rock Blvd., Reno, NV 89502, in the annual award amount [not to exceed \$300,000] on behalf of Washoe County Department of Social Services; and request that the Purchasing and Contracts Manager execute the agreement, once finalized, with The Children’s Cabinet for fiscal year 2014, with an option to renew for two additional one year periods--Social Services. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 14 be awarded, requested, and executed.

**13-947            AGENDA ITEM 15 – PURCHASING**

**Agenda Subject:** “Recommendation to award Invitation to Bid #2867-14 for Janitorial Services for various Libraries to the lowest, responsive, responsible bidder, Qual-Econ U.S.A. Inc., 1015 Telegraph Street, Ste C, Reno, NV 89502 [estimated amount \$12,704 per month] for seven Washoe County Library Buildings; and authorize the Purchasing and Contracts Manager to execute agreement with Qual-Econ U.S.A., Inc. for the term of the initial agreement from October 1, 2013 through September 30, 2015 with the County retaining the option for one single year renewal; estimated annual value for janitorial services at the seven Libraries is [\$152,448]--Purchasing. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 15 be awarded, authorized, and executed.

**13-948            AGENDA ITEM 16 – SHERIFF**

**Agenda Subject:** “Recommendation to approve transfer from Other Restricted Revenue Fund (2011 State Criminal Alien Assistance Program (SCAAP) grant funds-IO 10989), to the Capital Improvement Fund, [\$150,000] for the Housing Unit 10 Remodel Program; accept a donation, as needed for the balance of the project [total project estimate \$267,000], from the Washoe County Sheriff’s Office Commissary Fund to Washoe County Capital Improvement Fund, for the Washoe County Sheriff’s Office Housing Unit 10 Remodel Program, and authorize Finance to make appropriate budget adjustments--Sheriff. (All Commission Districts) To be heard before Agenda item #17.”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 16 be approved, accepted, and authorized.

**13-949            AGENDA ITEM 17 – COMMUNITY SERVICES/SHERIFF**

**Agenda Subject:** “Recommendation to award a bid and approve the agreement to the lowest responsive, responsible bidder for the Washoe County Sheriff’s Department Housing Unit 10 Remodel Project recommended Reyman Brothers Construction, Inc., [\$267,000]--Community Services/Sheriff. (Commission District 3.) To be heard after Agenda item #16.”

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 17 be awarded and approved.

**13-950            AGENDA ITEM 18 – SHERIFF**

**Agenda Subject:** “Recommendation to approve a direct grant award [\$350,000, no County match required] from the National Institute of Justice (NIJ) FFY2013 DNA Backlog Reduction Program grant Project No 2013-DN-BX-0121, to the Washoe County Sheriff’s Office Forensic Science Division for the DNA Backlog Reduction Program; grant period is retroactive from 10/1/13 through 3/31/15; and authorize Finance to make necessary budget adjustments--Sheriff. (All Commission Districts.)”

There was no public comment on this item.

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

**13-951            AGENDA ITEM 19 – COMMUNITY SERVICES**

**Agenda Subject: “Recommendation to approve contribution [\$3,896.50] a 1/17 equal amount of \$66,240, to Nevada Associations of Counties (NACO) on behalf of the Nevada Land Management Task Force to compile the final report on the findings of the Nevada Land Management Task Force (Assembly Bill 227) prepared by Intertech Services Corporation and status report on public workshop process--Community Services. (All Commission Districts.) Requested by Commissioner Hartung.”**

There was no public comment on this item.

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

**13-952            AGENDA ITEM 11 – RENO JUSTICE COURT**

**Agenda Subject: “Recommendation to support Reno Justice Court’s effort to establish a state-funded community court pilot project, pursuant to AB 415, which provides an alternative to formal sentencing of people charged with misdemeanor crimes--Reno Justice Court. (All Commission Districts.)”**

Jeremy Bosler, Public Defender, said the County had been operating therapeutic courts since 1995, and he reviewed the list of courts. He stated the success of the programs had been proven many times by empirical studies and had been measured in fewer jail days. He stated they reduced operating costs for the courts and for the police, and the ultimate goal for a therapeutic court was to increase public safety.

Mr. Bosler said when AB 415 was discussed at the Legislature, the Public Defender’s Office immediately reached out to the Justice Court, the prosecutors, and County management because they saw this as a great opportunity for Washoe County to improve upon the processes already in place. He said the project brought together some nontraditional agencies, such as the State Epidemiologist and Social Services. He recognized Kevin Schiller, Social Services Director, who helped conceptualize and organize the pilot project and who he believed would bring some much needed resources to the project. He said the Center for Court Innovation had also been contacted regarding information about the national community court projects. He stated 1,200 people participated in the therapeutic courts on any one day in Washoe County, which did not include the 300 people who currently participated in the Reno Justice Court’s Community Core Compliance program. He believed the Community Court program would be a unique opportunity to build upon the successes in the felony court therapeutic court

population and would provide the opportunity to reach a larger population of misdemeanants. He said the Public Defender's Office asked the Commission to agree to move the Community Court pilot project forward.

Scott Pearson, Reno Justice Court Chief Judge, said historically the judge's options at the time of sentencing were to incarcerate the individual or put them on probation. He stated the problem was a different result was expected even through probation put the individual back into the same environment they came from without any treatment whatsoever. He said that was done over and over, until the individual was incarcerated. He stated finally some people decided those individuals needed help rather than incarceration, in part, because the finances no longer existed to incarcerate drug addicts. He said the program was then expanded to cover some of the crimes drug addicts committed and then to cover people with mental health problems that were not being adequately addressed. He stated originally the courts were called drug courts, but now they were seen as problem-solving courts.

Chief Judge Pearson stated he put thousands of people in prison during his 12 years as a prosecutor, but he was frustrated when he saw them come back again and again and with seeing the victims being victimized over and over. He stated the Community Courts looked at the entire problem and at the resources that were available to help the individual. He said for example, one individual was having seizures and needed a prescription, but as a Judge he did not have the ability to handle that so he was sent to a clinic; but Mr. Schiller said he could help with those types of problems. He said the idea was to get together as a community and decide how to best solve the problem of the low-level misdemeanor defendants that were draining resources, but could actually become productive members of society. He stated even if it was called a minor misdemeanor, to the business owner it was not; and putting that person back out on the streets without addressing the real problem was not the solution. He stated using the Community Court and Alternative Sentencing would benefit the people in the community, where the low-level misdemeanor defendants were causing the problem, by having them clean up the area or by having them rehabilitate a park.

Chief Judge Pearson said AB 415 passed unanimously in both the Assembly and the Senate, and the Nevada District Attorneys Association and the Public Defenders were in support of the bill. He said the Department of Alternative Sentencing would be the Court's eyes and ears to make sure the person was following through with what they needed to do and to get them back on track when they were not.

Chief Judge Pearson thanked Chairman Humke for being a leader in starting the Misdemeanor Probation Department and this Commission for supporting Mr. Schiller's ability to help out. He also thanked the Sheriff's Office for coordinating the efforts in the community to help the individuals, while incurring no additional costs to the County's taxpayers. He said the Reno Justice Court would handle all of the Community Court's administration, but AB 415 was written so the County Commission had to create the Community Court; and he asked the Commissioners to please do so.

Commissioner Berkbigler said this type of service was so important because there were a lot of people who needed help. She agreed that doing the same thing over and over was not producing a positive result, and she really appreciated all of the work being done to pull those types of courts together. Commissioner Hartung said this was a great way to deal with this problem.

Chairman Humke asked if there would be a guarantee there would be no need for any General Fund money to support this effort long term. Chief Judge Pearson said currently \$7 for every misdemeanor, including traffic tickets, was received from the State, which the Administrative Office of the Nevada Supreme Court (AOC) administered. He stated a portion of other administrative assessments collected by the courts also went into that fund, which he recalled was at approximately \$5.6 million and which they received a portion of. He stated as the population grew, so would the amount of misdemeanors and that fund should match the need. He advised the model was in place and it should be self-sustaining. He stated what was important about the Community Court model was not only having the defendants in a position where they could pay for the services they needed, but to harness the resources available in the community. He said he was confident they would not come before the Commission to ask for any money to allocate to this court, but he did not know if it would lead to any additional services being required from the services the County supported.

Mr. Schiller stated in response to the General Fund impact, he noted during the last Legislative session, changes were made in how hospital billing was done, which opened up the indigent dollars for direct services. He stated the business plan was centered on using those indigent dollars to support any impact on the Court. He said there was a very sustainable budget, and those dollars needed to be used or they would go away. Chairman Humke asked if Mr. Schiller could describe some of the fundraising efforts that might be a part of this by nonprofit or religious organizations. Mr. Schiller said from the perspective of the courts, the funding shifts around the Affordable Care Act would mean the private component would be a significant part of fund raising. He also felt because there was a foundational fund in terms of Social Services, it allowed us to go out to the community's religious groups to get a match for whatever funding the County was providing for the program. He said especially since they could be shown the metrics and the outcomes, which would indicate hospital costs, arrests, and jail time would be cut. He stated from a business owner's perspective, the program would keep people from being a nuisance and would make them more productive.

Chairman Humke said he believed in the work of the specialty courts. He stated his problem with them was they heaped many resources on a few specific defendants, while other defendants did not qualify because they were not in a substance abuse program or were not employed. He felt that could rise to the level of being an equal protection issue. Chief Judge Pearson advised because the drug courts were a radical idea when they were started, the Legislature limited the types of crimes that could qualify for participation in them. He clarified employment initially was not a requirement because the vast majority of the people were drug addicts or had untreated mental health issues. He said what had to be addressed first was to get them stable and then to address the

other things like employment. He stated he was very patient and, as long as the person was working hard towards solving their main issue, he did not require them to be employed. He said when they were stable, then their resume would be brought up-to-date, and they would be taught interview skills. He stated a lot of employers attracted drug users because of the wages they paid but, if they hired one of the defendants being monitored by the Department of Alternative Sentencing who was being drug tested regularly, it made them good candidates for those types of jobs. He said the Community Court portion of AB 415 passed both the Senate and the Assembly with no restrictions. He stated another portion of the bill forced the matter to go to committee during the final day of the Legislative Session, where the DUI and domestic-battery defendants were removed from qualifying for the Community Court program.

Chief Judge Pearson said he allowed everybody to participate and 61 percent of the 200 to 300 defendants in the Court's Compliance Program (CCP) were felons. He stated because of the way the program was set up, if a person was having problems complying with the Court, the Court would find out why and help them before they failed and there would be another victim. He said the staff report saying employment was a requirement to enter the program was inaccurate.

Paul Lipparelli, Legal Counsel, confirmed AB 415 did not require any qualifications must be satisfied before the person could get into the program. He stated the law said to get transferred to the Community Court, the defendant first had to plead guilty and had to agree to the conditions that would be imposed. He said if the defendant failed the program, their guilty plea could be triggered, and they could suffer the fines and incarceration that was a part of their plea. He stated Chief Judge Pearson was talking about the second step, the imposition of conditions, which was where the partnership with Social Services could be put to the greatest use. He said Chief Judge Pearson explained to him he envisioned the early intervention of Social Services could identify the root cause of the problem, so the conditions the Court imposed could be aligned with what those underlying problems were.

Chief Judge Pearson said the Court would provide updates to the Commission. He noted for the young offenders that participated, the conviction would go off their records, so they could honestly answer they were never convicted of the crime.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 11 be supported.

**12:20 p.m.** The Board convened as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners with Commissioner Jung absent.

13-953

**AGENDA ITEM 13 – COMMUNITY SERVICES/SIERRA FIRE PROTECTION DISTRICT**

**Agenda Subject:** “Recommendation to approve Addendum #2 to the Vacant Land Offer and Acceptance Agreement to extend the Closing date to December 20, 2013, for the sale of the original Arrowcreek fire station parcel (donated/deed restricted parcel of land APN 152-921-02), between Washoe County, its assign Sierra Fire Protection District, and Southwest Pointe Associates, LLC, (“Sellers”) to Arrowcreek Construction LLC (“Buyer”) resulting in [approximately \$34,119 in revenue] to the Sierra Fire Protection District, and further, upon approval, authorize the Chairman to execute upon presentation all closing documents, deeds, warrants, and checks, as needed to facilitate the closing and transfer--Community Services/Sierra Fire Protection District. (Commission District 2.)”

**12:42 p.m.** Fire Chief Charles Moore noted this item was also on the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) agenda as Agenda Item 5. The Board remained convened as the Board of County Commissioners (BCC) and convened as the Board of Fire Commissioners (BOFC) for the TMFPD and the SFPD.

Chief Moore said this item was pulled when it was before the Board previously due to the seller needing additional time to be able to put the deal together. He advised everything was now ready to be finalized.

There was no public comment on this item.

On motion by Chairman Humke, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 13 be approved, authorized, and executed.

**12:47 p.m.** The Board adjourned as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners and reconvened as the Board of County Commissioners (BCC) with Commissioner Jung absent.

13-954

**AGENDA ITEM 20 – COMMUNITY SERVICES**

**Agenda Subject:** “Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207, approving Amendment of Conditions Case Number AC13-008 to extend the previous approval, by the Board of County Commissioners, of Amendment of Conditions Case Number AC09-002 which extended the previous Development Agreement Case Number DA07-002 for the Harris Ranch Subdivision, Tentative Subdivision Map Case Number TM05-016, which was originally approved by the Washoe County Planning Commission on December 6, 2005. The purpose of the current amendment (Second Amended and Restated Agreement) to the Development Agreement is to extend the expiration of

the Tentative Subdivision Map from December 7, 2013 until December 7, 2017, with a possible extension of two years until December 7, 2019, at the discretion of the Director of Planning and Development. The project is located on the east side of Pyramid Highway, approximately 1200 feet southeast of its intersection with Alamosa Drive and within Sections 11, 13 and 14, Township 21N, Range 20E, MDM, Washoe County, Nevada (APNs: 534-600-01, 534 600-02 and 076-290-44); and if supported, schedule public hearing, second reading and possible adoption of the Ordinance approving the Amendment of Conditions for November 12, 2013--Community Services. (Commission District 4.)”

Jaime Dellera, Deputy Clerk, read the title for Bill No. 1702.

There was no public comment on this item.

Bill No. 1702, entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207, APPROVING AMENDMENT OF CONDITIONS CASE NUMBER AC13-008 TO EXTEND THE PREVIOUS APPROVAL, BY THE BOARD OF COUNTY COMMISSIONERS, OF AMENDMENT OF CONDITIONS CASE NUMBER AC09-002 WHICH EXTENDED THE PREVIOUS DEVELOPMENT AGREEMENT CASE NUMBER DA07-002 FOR THE HARRIS RANCH SUBDIVISION, TENTATIVE SUBDIVISION MAP CASE NUMBER TM05-016, WHICH WAS ORIGINALLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON DECEMBER 6, 2005. THE PURPOSE OF THE CURRENT AMENDMENT (SECOND AMENDED AND RESTATED AGREEMENT) TO THE DEVELOPMENT AGREEMENT IS TO EXTEND THE EXPIRATION OF THE TENTATIVE SUBDIVISION MAP FROM DECEMBER 7, 2013 UNTIL DECEMBER 7, 2017, WITH A POSSIBLE EXTENSION OF TWO YEARS UNTIL DECEMBER 7, 2019, AT THE DISCRETION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT. THE PROJECT IS LOCATED ON THE EAST SIDE OF PYRAMID HIGHWAY, APPROXIMATELY 1200 FEET SOUTHEAST OF ITS INTERSECTION WITH ALAMOSA DRIVE AND WITHIN SECTIONS 11, 13, AND 14, TOWNSHIP 21N, RANGE 20E, MDM, WASHOE COUNTY, NEVADA (APNS: 534-600-01, 534-600-02 AND 076-290-44)." was introduced by Commissioner Weber, and legal notice for final action of adoption was directed.

**13-955            AGENDA ITEM 26 – CLOSED SESSION**

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

There was no closed session.

**12:50 p.m.**    The Board recessed.

**2:12 p.m.** The Board reconvened with Commissioner Jung participating by phone.

**13-956** **AGENDA ITEM 21 – COUNTY MANAGER RECRUITMENT**

**Agenda Subject:** “Washoe County Manager recruitment process including: Interview of final group of Washoe County Manager candidates and discussion, selection of the County Manager, and possible direction to staff regarding the negotiation of an employment contract.”

Chairman Humke said earlier the participants in the six interview panels were recognized, and he wanted to recognize Kathy Hart, Indu Moore, and Nora Boisselle of Human Resources, who worked tirelessly alongside the consultant and the County’s management staff. He stated also participating extensively was Julie Paholke and Patricia Knight. He said those individuals worked throughout the weekend to make the interviews happen.

Chairman Humke asked if there had been a voluntary agreement by the candidates to absent themselves from the chambers when they were not at the podium. John Berkich, Interim County Manager, said they had agreed to that.

Names were drawn to determine the order of the interviews, which was as follows: Bonnie Hammersley, Lee Niblock, John Slaughter, Kevin Schiller, and Jeff Fontaine. Each candidate was given 30 minutes to provide a quick biography, answer the six questions provided to them after the morning session, and to wrap up with their closing remarks. The six questions were as follows:

1. Fiscal sustainability is very important in these challenging economic times. How do your executive skills specifically prepare you for dealing with financial and budgetary issues that the County will be facing in both the short and long-terms?
2. In the broadest scope, what indicators do you use to initially assess and continually measure the cost effectiveness and efficiency of programs including service delivery to the public?
3. Please describe your communication style and approach in keeping the Board of Commissioners informed about key issues.
4. As a Board we are very focused on maintaining the highest level of transparency and openness on behalf of the public. What can we expect under your leadership?
5. How have you dealt with opposing interests of policymakers? How do you attempt to guide and facilitate discussion yet remaining apolitical?

6. If you could select the top three initiatives you would focus on in our first year with Washoe County, what would they be?

Bonnie Hammersley, Lee Niblock, John Slaughter, Kevin Schiller, and Jeff Fontaine each briefly reviewed their work experience, answered the above six questions, and ended with their closing remarks. The Commissioners did not ask any follow-up questions. An audio copy of the interviews is available from the Clerk's Office.

**5:15 p.m.** The Board recessed and Commissioner Jung hung up.

**5:27 p.m.** The Board reconvened with Commissioner Jung participating by phone.

Chairman Humke said the consultant recommended selecting a first and second choice in case the contract negotiations with the first choice failed. Commissioner Weber agreed. After further discussion, it was decided each Commissioner would name their first and second choice.

In response to the call for public comment, Gary Schmidt discussed his background. He said he was here 15 years ago when a different Commission selected a new County Manager and passed over Howard Reynolds, who was a strong fiscally conservative candidate. He stated the Commission should select the most fiscally conservative candidate for County Manager to maintain sustainability, so there would not be a repeat of the last 10 years.

The Commissioners named their first and second choices (in that order) as follows:

- Commissioner Berkgigler: Ms. Hammersley and Mr. Slaughter
- Commissioner Hartung: Mr. Slaughter and Ms. Hammersley
- Commissioner Jung: Mr. Slaughter and Ms. Hammersley
- Commissioner Weber: Ms. Hammersley and Mr. Slaughter
- Chairman Humke: Mr. Slaughter and Ms. Hammersley

There were three votes for Mr. Slaughter as the first choice and two votes as the second choice, and two votes for Ms. Hammersley as the first choice and three votes as the second choice. A copy of the tabulation spreadsheet was placed on file with the Clerk.

Commissioner Berkgigler made a motion that the position of County Manager be offered to John Slaughter. The motion was seconded by Commissioner Weber.

Paul Lipparelli, Legal Counsel, said staff was looking for direction regarding the terms of the contract. He stated the Commission could vote on the selection process and then come back to the terms of the contract.

Commissioner Berkbigler amended her motion to designate Bonnie Hammersley as the second choice for County Manager if the terms of the contract could not be worked out with Mr. Slaughter. Commissioner Weber as the seconder agreed.

On the call for the question with Commissioner Jung participating by phone, the vote was 5-0 in favor of the motion.

Mr. Berkich stated regarding the contract, in addition to the package provided to the former County Manager, which included pay, benefits, and other compensation elements; he suggested taking into consideration all of the other things mentioned in the brochure advertising the position of Washoe County Manager. He said staff would like to have the Chairman participate in the discussions so, when the proposed employment agreement came back to the Commission on November 12, 2013, it would agree with what the Commission wanted. A copy the brochure was included as part of the backup for this agenda item.

Commissioner Hartung asked if the Commission would be directing staff to prepare a contract commensurate with that of the previous County Manager or would they look at other extenuating factors and adjust accordingly. Chairman Humke believed it would be the latter.

Commissioner Hartung made a motion to direct the Interim County Manager, Human Resources staff, and the Chairman to negotiate the contract with Mr. Slaughter. Commissioner Jung seconded the motion.

Chairman Humke asked if they wished to incorporate by reference some of the items found in the brochure, which was used as the primary search instrument. Commissioner Hartung felt when the group looked at the candidate's experience and tenure, they would come back with what they considered to be a reasonable figure and the Commission would go through the negotiating process. He believed all of those things would automatically go into play, but they could certainly be articulated if necessary. Chairman Humke asked Legal Counsel if the motion did everything necessary to negotiate the contract. Mr. Lipparelli said the direction on the terms was clear, as well as what staff was looking for. He said he had a concern about designating a group of individuals, because that could cross over into the realm of the Commission creating a committee, which might require that work be done under the Open Meeting Law. He felt Mr. Berkich was asking for the Chair to be willing to participate at the County Manager's request, rather than at the Commission's request. He said participating at the Manager's request would not create an Open Meeting Law issue, because it would be the Manager who would be directing the process.

Commissioner Hartung amended the motion to direct Mr. Berkich to select whoever he deemed proper to participate in the contract negotiation process for the new Washoe County Manager. Commissioner Jung as the seconder agreed. Mr. Lipparelli indicated that was satisfactory.

On the call for the question, the vote was 5-0 in favor of the motion with Commissioner Jung participating in the by phone.

Mr. Slaughter thanked the Commissioners for their confidence in him. He noted it was a great group of candidates, and it was very humbling to be standing before the Commissioner as their choice. He said he was proud to say that Washoe County was his home, and he was very passionate about this organization and its employees.

**4:55 p.m.** The Board recessed and Commissioner Jung hung up.

**5:01 p.m.** The Board reconvened with Commissioner Jung absent.

**13-957** **AGENDA ITEM 25 – REPORTS AND UPDATES**

**Agenda Subject:** “Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to.”

Commissioner Berkbigler said she attended the Regional Jobs Network meeting with John Berkich, Acting County Manager. She stated the Network was directed towards improving the image of Northern Nevada, as well as improving job and business growth. She stated she was aware there would be a future discussion regarding medical Marijuana based on the passage of the law in Nevada; and she had some information regarding the real property tax collections, which she would provide to staff. She said she would be attending the Tahoe Regional Planning Agency (TRPA) meetings tomorrow and Thursday to deal with the final review and approval of the Douglas County Area Plan. She stated that approval would give the County something to look at so it could move forward with its Area Plan. She stated she met yesterday with the representatives of the Tahoe Transportation Board to finalize the bike trail between Incline Village and Sand Beach. She said that bike trail was extremely important to Nevada, because it was nationally designated as a scenic bikeway. She stated after they opened the section of the bike trail on the south shore, over 10,000 bikers in one month used it. She stated the same type of tourist draw could be anticipated at Incline Village once the bike path was open next year.

Commissioner Weber stated she attended the I-11 Corridor meeting. She said at least one of the three proposed routes would go into Oregon, but Oregon had indicated they were not too interested in the I-11 Corridor doing that. She advised Idaho had not been approached about the I-11 Corridor. She stated the County Commissioners in both Oregon and Idaho would be contacted and encouraged to work with us on the I-11 Corridor project over the next couple of months. She said more than likely the route would go into Oregon. She said the Regional Transportation Commission (RTC) Transit Summit would be held on December 6, 2013. She stated Washoe County was being asked to co-present the Transit Connections 2013 Conference, because it was felt having all of the entities as participants would encourage others in the community to participate as well. She believed the Conference was important because so many people needed public

transit due to it being their only form of transportation. She said part of the discussion would be about providing transit service to the non-served outlying areas. She said the RTC meeting in November was scheduled as a workshop to discuss the paratransit service.

Commissioner Hartung noted the Truckee Meadows Water Authority (TMWA) got back its customer satisfaction numbers, which showed a 93 percent favorable satisfaction rating for both residential and commercial customers. He said TMWA's water quality was rated at 87 percent in 2013, which was excellent or good and was the same rating as in 2012. He advised the merger with the South Truckee Meadows General Improvement District (STMGID) and the Department of Water Resources (DWR) was on track.

Chairman Humke said the Reno-Sparks Convention and Visitors Authority (RSCVA) would meet on Thursday. He discussed the Criminal Justice Advisory Committee (CJAC).

Commissioner Weber wished Chairman Humke a happy birthday tomorrow.

**5:15 p.m.** The Board recessed.

**6:05 p.m.** The Board reconvened with Commissioner Jung absent.

### **PUBLIC HEARINGS**

#### **13-958 AGENDA ITEM 22 – COMMUNITY SERVICES**

**Agenda Subject:** “Second reading and adoption of an Ordinance amending the Washoe County Code at Chapter 110, Article 306, Accessory Uses and Structures, and Article 310, Temporary Uses and Structures, to implement uses authorized by SB206 and AB200 of the 2013 Legislature by allowing the establishment of a Cottage Food Operation as an accessory use in certain facilities, and to add a Farm to Fork event as an allowed temporary use, and providing for other matters properly relating thereto. (Bill No. 1700)--Community Services. (All Commission Districts.)”

**6:05 p.m.** The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Jaime Deller, Deputy Clerk, read the title for Ordinance No. 1519, Bill No. 1700.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, Chairman

Humke ordered that Ordinance No. 1519, Bill No. 1700, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110, ARTICLE 306, ACCESSORY USES AND STRUCTURES, AND ARTICLE 310, TEMPORARY USES AND STRUCTURES, TO IMPLEMENT USES AUTHORIZED BY SB206 AND AB200 OF THE 2013 LEGISLATURE BY ALLOWING THE ESTABLISHMENT OF A COTTAGE FOOD OPERATION AS AN ACCESSORY USE IN CERTAIN FACILITIES, AND TO ADD A FARM TO FORK EVENT AS AN ALLOWED TEMPORARY USE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (BILL NO. 1700)," be adopted, approved and published in accordance with NRS 244.100.

**13-959            AGENDA ITEM 23 – COMMUNITY SERVICES**

**Agenda Subject: “Second reading and adoption of an ordinance amending the Washoe County Code at Chapter 25 (Business Licenses, Permits and Regulations) by amending certain provisions relating to providing emergency medical services at outdoor festivals with 2,500 or more persons in attendance, amending the definition of private investigator, and amending home-based business development standards to allow for cottage food operations. Recommendations include providing other matters properly relating thereto. (Bill No. 1701)--Community Services. (All Commission Districts.)”**

**6:08 p.m.**        The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Jaime Dellera, Deputy Clerk, read the title for Ordinance No. 1520, Bill No. 1701.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried with Commissioner Jung absent, Chairman Humke ordered that Ordinance No. 1520, Bill No. 1701, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 25, (BUSINESS LICENSES, PERMITS AND REGULATIONS) BY AMENDING CERTAIN PROVISIONS RELATING TO PROVIDING EMERGENCY MEDICAL SERVICES AT OUTDOOR FESTIVALS WITH 2,500 OR MORE PERSONS IN ATTENDANCE, AMENDING THE DEFINITION OF PRIVATE INVESTIGATOR, AND AMENDING HOME-BASED BUSINESS DEVELOPMENT STANDARDS TO ALLOW FOR COTTAGE FOOD OPERATIONS. RECOMMENDATIONS INCLUDE PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (BILL NO. 1701)," be adopted, approved and published in accordance with NRS 244.100. The finding that the Ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business was included in the motion.

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

Bill Fine said he was a substitute teacher for years, and he felt what the schools looked like was a disgrace. He stated if a business was thinking about relocating here and they saw how ugly the schools were, it could affect their decision. He said something had to be done with not only the structural issues, but with how the schools looked.

\* \* \* \* \*

**6:15 p.m.** There being no further business to discuss, the meeting was adjourned without objection.

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**DAVID HUMKE**, Chairman  
Washoe County Commission

**ATTEST:**

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

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

# RESOLUTION OF ACCOMPLISHMENT

**WHEREAS**, Ashley Graham, President of Community Affect, Editor and Chief of *100Affect Magazine* and Founder and CEO of Plum11, Inc. a Reno marketing/branding firm which celebrates the courage and character of the Reno/Tahoe community; and

**WHEREAS**, Celebrating the courage and character of the Reno/Tahoe region Ashley Graham has created a magazine and event dedicated to the idea of living beyond a mediocre mindset in both business and in life; and

**WHEREAS**, Ashley Graham recognized the brand of our community and how we were portrayed through various sources was hindering our economic growth and the spirit within our community to tell a positive story about living here; and

**WHEREAS**, Whose mission is to spread the word about the positives of our community, allowing people to feel confident investing in our area, traveling here and being part of what the area has to offer. Focusing on local stories, heroes, scientists, non-profits, artists, teachers and leaders who seize opportunities and drive our economic engine; and

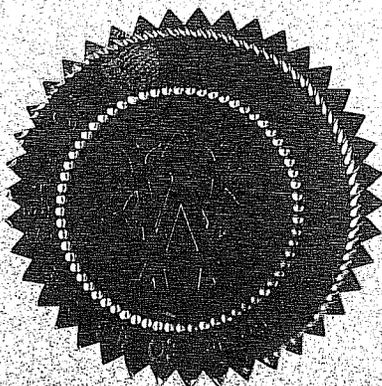
**WHEREAS**, The 100Affect Awards recognize people who are leading the community forward and what they are doing and showcase those great leaders within and outside our region; from charitable endeavors to entrepreneurship, the inaugural top 10 most influential people doing good things in the Reno-Tahoe region have been chosen by Reno online magazine *100Affect*; and

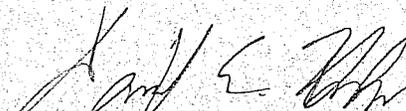
**WHEREAS**, Her agency conducted a six-week email and Facebook survey seeking nominations in 10 categories: Foodies; Beautiful Minds; Scientists and Tech Savvy; Artists & Icons; Superheroes; Community Leaders; Charity Drivers; Extraordinary; Risk Takers & Visionaries; and Business Owners & Industry Experts; and

**WHEREAS**, Ashley Graham provides an excellent awareness of people in our community and endeavors to promote the city in a positive light. The spirit of our entrepreneurs who innovate, grow and go after the thrill "because I can"; now, therefore, be it

**RESOLVED**, That the Washoe County Board of Commissioners recognizes Ashley Graham, for her unwavering dedication to our community on behalf of all the citizens of Washoe County and wishes her lifelong success in her future efforts.

**ADOPTED** this 22<sup>nd</sup> day of October, 2013.



  
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David E. Humke, Chairman  
Washoe County Commission

13-927

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