

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

TUESDAY

10:00 A.M.

AUGUST 26, 2014

PRESENT:

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

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

The Washoe County Board of Commissioners convened at 10:03 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

**14-0740      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.”

Sam Dehne spoke about Burning Man, the National Guard, and the possibility of Tesla Motors coming to town.

**\*10:05 a.m.** Commissioner Weber arrived.

**14-0741      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 Slaughter, County Manager, advised that Consent Agenda Item 7C, Washoe County Regional Resiliency Study, and Agenda Item 15, designation of the Division Director of Engineering and Capital Projects as the County Engineer, were being pulled due to additional work needing to be done.

Mr. Slaughter read a letter he received from Bill Griffin commending Grace Sannazzaro, Planner, on providing superior customer service. He also read a letter from David Coke, Alpine Custom Interiors President, commending Stephanie Racy-McIntyre, Building Permit Technician, Don Ensminger, Plans Examiner, and Bob Flores, Building Inspection Supervisor, for their hard work and the excellent customer service they provided in helping his firm through the permitting process.

Mr. Slaughter noted October 1, 2014 was the deadline to apply for the new Regional Animal Services Director position, and there was a link to the recruitment materials on Washoe County's web site. He stated the plan was to have the public participate in the recruitment process before bringing the Manager's recommendation before the Board to make the appointment. He noted that process would go well into November.

Mr. Slaughter said staff sent the Board an update on their requests to staff on the last Monday of month. He noted since November 2013, 87 requests were tracked, 25 were completed, and there were nine requests on today's agenda that were being worked on or would be completed.

Commissioner Hartung said he attended the first day of a two day road-safety audit regarding State Route 341/342. He stated the purpose of the audit was to try and make that route safer. He stated there were suggestions about changing the signage and the road striping, which would come before the Board at some point as an agenda item. He said he attended the Wild West Motorsports Park Races on Saturday and it was a great event and was packed. He noted the Nugget's Rib Cook-Off and Burning Man were almost here.

Commissioner Hartung stated there had been feedback from the Wadsworth community meeting regarding some issues, which included the community's lack of ambulance service. He said there was an agreement reached with the Regional Medical Services Authority (REMSA) regarding providing that service in 1994, and REMSA received additional money to provide that service. He stated the Sheriff attended the Wadsworth community meeting along with Code Enforcement staff. He stated Bob Webb, Planning Manager, and Al Rogers, Management Services Director, were also present to answer questions about the possibility of getting a Citizen Advisory Board (CAB) back; and Dwayne Smith, Engineering & Capital Projects Director, answered a number of questions.

Commissioner Hartung said he recently toured Regional Animal Services, and he was impressed with how the employees handled things. He stated it was explained that the veterinarian from the Truckee Meadows Community College (TMCC) used the facility to teach students. He said he would like an agenda item to consider directing staff to research the possibility of creating a high school intern program to get high school students involved in veterinary care.

Commissioner Hartung said he, Kevin Schiller, County Manager; Dave Solaro, Community Services Director; and, Al Rogers, Management Services Director, toured Cashman Equipment to learn about their continuous process improvement board. He requested staff to investigate to see if the same or a similar protocol would be viable for use in Washoe County.

Commissioner Weber stated she took the tour of Burning Man last Friday that was arranged by the Nevada Association of Counties (NACo), and she felt Burning Man had flourished since the tour she took in 2003. She discussed how the vehicles waiting in line were handled and the issue with it raining on the Playa. She noted 10,000 people were already on the Playa at the time of the tour, but 70,000 people were expected.

Commissioner Weber said at the last Regional Transportation Commission (RTC) meeting, the discussion centered on what was happening regarding the Wells eastbound onramp of Interstate 80 and the issue with traffic merging onto Highway 395. She advised every RTC Commissioner complained about how bad that interchange was and how there was an accident there almost every day. She stated Rudy Malfabon, Nevada Department of Transportation (NDOT) Director, said that interchange would be looked at to see if anything could be done with it. She said she attended the RTC meeting last Thursday regarding the Keystone bike path, which was well attended. She believed over the last few years, the RTC had become very transparent and was willing to work with the citizens when the citizens felt there was a better direction to take on an issue.

Chairman Humke said he participated in the Nevada Juvenile Justice Commission meeting held in Elko on August 20 and 21, 2014 by telephone. He felt there was an effort to decommission the Nevada Youth Training Center due to how remote it was for the facility's youth and their families. He advised the Nevada Supreme Court had a committee on juvenile justice who was working on that issue. He noted the Committee ignored Washoe County as a site for a replacement facility.

Chairman Humke said he was not able to attend the Golden Anniversary of the Job Corp and the 35th anniversary of the Nevada Job Corp due to his attendance at the NACo meeting in Gerlach, which this time of year was known as the jumping off point for Burning Man. He said one of the issues discussed at the NACo meeting was the Sage Grouse legislation cosponsored by Senators Harry Read and Dean Heller. He stated the bill had not yet been written, because they were trying to put it out for citizen comment. He said some of the people in the rural areas did not support the creation of additional wilderness-study areas to protect the Sage Grouse, because they felt it would be counterproductive.

Commissioner Berkgigler mentioned that several Commissioners attended the Lake Tahoe Summit on Tuesday. She noted all four Senators representing Lake Tahoe were on board with the legislation working its way through Congress to provide an additional funding source to protect the Lake's clarity, which had improved drastically with the start of this whole process. She advised the agencies involved with Lake Tahoe were very serious about checking boats being put on the Lake due to the threat of the Quagga mussels. She said another serious problem in Emerald Bay was the Chinese snail, but putting down rubber mats where they bred and grew managed to kill about 70 percent of them so far. She stated this year the mats would be moved around to help kill off the rest of the snails. She said the legislation was important to protect the Lake, and she encouraged everyone to indicate their support of it.

Commissioner Jung said she got caught in some of the work being done to put in curbs and gutters on the west side of the Lake on her way to the Summit. She noted runoff would get into the Lake without those curbs and gutters, which would affect the Lake's clarity. She said a congressman on the west side of the Lake accused Nevada of owing California money from the Nevada Fire Safety Council. Commissioner Berkbigler clarified that the congressman from the west side of the Lake was incorrect in stating that Nevada owed California money.

**14-0742      AGENDA ITEM 5**

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

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

**Promote Yourself! Certificate**

Cassie Donnan, Sheriff's Office

Christine Tremlin, Sheriff's Office

**14-0743      AGENDA ITEM 6 – PRESENTATION**

**Agenda Subject: "Presentation by Jay Parker--Certificate of Merit from the American Radio Relay League. Requested by Commissioner Hartung."**

J. Edward Parker said on behalf of the American Radio Relay League, he had the privilege of presenting a Certificate of Merit to the Board of County Commissioners for their support of amateur radio.

Commissioner Hartung stated amateur (ham) radio operators all across the country made a huge difference during emergencies when the normal lines of communication were down.

In response to the call for public comment, Sam Dehne stated what ham radio operators did was very important and, when they were needed, they were really needed.

**CONSENT AGENDA – ITEMS 7A THROUGH 7H**

John Slaughter, County Manager, said Agenda Item 7C, to acknowledge receipt of the Washoe County Regional Resiliency Study, was being pulled.

In response to the call for public comment, Sam Dehne discussed the Consent Agenda.

**14-0744      AGENDA ITEM 7A**

**Agenda Subject: “Cancel September 16, 2014 County Commission meeting.”**

There was no public comment on this item.

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

**14-0745      AGENDA ITEM 7B**

**Agenda Subject: “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2013/2014 secured tax roll and authorize Chairman to execute the changes described in Exhibit A and direct the Washoe County Treasurer to correct the error(s); [cumulative amount of decrease \$4,081.96]--Assessor. (Parcels are in various Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 7B be approved, authorized, executed, and directed.

**14-0746      AGENDA ITEM 7D – TREASURER**

**Agenda Subject: “Acknowledge receipt of the Report of Sale- July 24, 2014 Delinquent Special Assessment Sale [sale proceeds \$4,638.05]--Treasurer. (Commission Districts 4.)”**

There was no public comment on this item.

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

**14-0747      AGENDA ITEM 7E – COMMUNITY SERVICES**

**Agenda Subject: “Approve the Water Rights Deed transferring 0.24 acre-feet of water rights from Washoe County to The Gourley Family Living Trust--Community Services. (Commission District 2.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 7E be approved.

**14-0748      AGENDA ITEM 7F(1) – HUMAN RESOURCES**

**Agenda Subject:** “Approve the Collective Bargaining Agreement with the Washoe County Public Attorneys Association (WCPAA) for the period of August 1, 2014 through June 30, 2015; ratify same: a 1.5% Cost of Living Adjustment in base wage effective August 1, 2014; a 1% Cost of Living Adjustment in base wage effective January 1, 2015; and effective in Pay Period #20/14 (09/08/14 - 09/21/14) pay a recognition one-time only lump sum payment of \$1,000 for eligible full-time employees and \$500 for eligible part-time employees. FY14/15 fiscal impact [estimated at \$262,800]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 7F(1) be approved.

**14-0749      AGENDA ITEM 7F(2) – HUMAN RESOURCES**

**Agenda Subject:** “Approve a 1.5% Cost of Living Adjustment in base wage effective August 1, 2014; a 1% Cost of Living Adjustment in base wage effective January 1, 2015; and a recognition one-time only lump sum payment of \$1,000 for eligible full-time employees and \$500 for eligible part-time employees for the Confidential Attorneys commensurate with the recently negotiated agreement with the Washoe County Public Attorneys Association (WCPAA). FY 14/15 fiscal impact [estimated at \$65,900]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 7F(2) be approved.

**14-0750      AGENDA ITEM 7G – MANAGER**

**Agenda Subject:** “Approve Resolution declaring the Commission’s action to receive a cash donation in support of increased demand for fire and emergency medical services associated with the “Burning Man” event; and other matters related thereto [\$8,500 from Black Rock LLC] (event to take place August/September 2014); and if approved authorize Chairman to execute Resolution, and direct the Comptroller’s Office to make the appropriate budget adjustments--Manager. (Commission District 5.)”

On behalf of the Board, Commissioner Jung thanked Black Rock LLC for its donation in support of the increased demand for fire and emergency-medical services associated with the Burning Man event. She said the event was never subsidized by the taxpayers in this County or any other county. She advised Black Rock LLC reimbursed the Washoe County Sheriff’s Office and anyone else who supplied law enforcement personnel to the event.

In response to the call for public comment, Sam Dehne noted the Burning Man event paid its own way.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 7G be approved, authorized, executed, and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

**14-0751      AGENDA ITEM 7H – SHERIFF**

**Agenda Subject: “Accept donation [\$6,600] from Andrew Furer and Earlene Douglas to the County of Washoe on behalf of the Washoe County Sheriff’s Office to purchase three K9 ballistic jackets for the K9 Unit; and authorize Comptroller’s Office to make appropriate budget adjustments--Sheriff. (All Commission Districts.)”**

On behalf of the Board, Commissioner Jung thanked Andrew Furer and Earlene Douglas for their donation of \$6,600 to the Sheriff’s Office (SO) to purchase three K9 ballistic jackets for the K9 Unit. She stated some of the K9 handlers and their K9 officers were present, and she asked them to come up and meet the Commissioners.

Commissioner Hartung said he hoped the Board could find more funding for the K9 program. He stated the dogs were amazing animals. He said he would like to see more of them in the detention facility, because they helped keep everyone calm. He noted each dog lived with their handler and was a part of that family. He said his hat came off to all of them.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 7H be accepted and authorized.

**14-0752      AGENDA ITEM 8 – APPEARANCE**

**Agenda Subject: “Lt. Colonel Robert C. Slossen, Commander, Sierra Army Depot, Don Olson, Deputy to Commander, Sierra Army Depot and Lori McDonald, Public Affairs Officer, Sierra Army Depot. Introduction and update on Sierra Army Depot activities and services that are provided.”**

Lt. Colonel Robert Slossen, Sierra Army Depot Commander, noted the Depot was located in Herlong, California. He invited the Board to tour the Depot, because seeing it was important to understanding what the Depot did to support the national defense strategy. He said the economic impact the Depot’s workers provided to Lassen County was approximately \$289 million and its impact to Washoe County was approximately \$193 million. He said there was also an impact by the visitors to the Depot from its headquarters located in Michigan and Alabama and by visitors from other organizations.

Lt. Colonel Slossen said the Depot was the only facility that ran a nonstandard equipment mission for the Army. He explained as Army installations in Afghanistan, Iraq, and Kuwait closed, all of their equipment without a home came to the Depot. He said when the Army no longer needed the equipment, they first opened it up for distribution to the Department of Defense, then to other federal agencies, and finally to the National Association of State Agencies for Surplus Property. He said there might be canine kennels available that contained environmental controls. He advised if the Army no longer needed the kennels, Nevada's representative, Jeff Landry, could put in a request to obtain that surplus property, which would save the organization a lot of money. He noted 23 or 27 of the states obtained equipment, such as power generation systems and engineering equipment, from the Depot through that process. He stated the equipment the Depot had as inventory was pretty impressive.

Lt. Colonel Slossen said the Depot also supported the National Guard out of Carson City with clothing and individual equipment, which consisted of helmets, body armor, uniforms, and boots; anything the soldiers normally wore. He stated the Depot was an impressive operation consisting of 33,000 acres with 6,000 acres occupied by buildings and approximately 22,600 pieces of equipment. He said the equipment was constantly coming in and going out by rail and by truck.

Commissioner Jung believed it would be important to have an update from Mr. Landry regarding the Depot's inventory, if and what the County used, and to distribute that information to the Department Heads. She thanked Lt. Colonel Slossen for his invitation to visit the Depot.

Commissioner Weber thanked the representative for Congressman Doug LaMalfa for being present. She noted she had constituents living in the Cold Springs area who worked at the Depot. Lt. Colonel Slossen noted the Depot's 1,600 employees were split 60-40 percent between Northern California and Reno and with some even coming from Carson City.

Larry Wosick, Lassen County Board of Supervisor's Chairman, said they looked forward to Washoe County's participation in the surplus program and in strengthening the support for the base. He stated he did not know what went on at the Depot until he went on a tour.

Tom Hammond, Lassen County District 5 Supervisor, noted the Depot was in his district. He thanked the Washoe County Manager for responding the way he did when this meeting was requested. He said he looked forward to working with Washoe County regarding law enforcement and fire issues.

Richard Eagan, Lassen County Administrative Officer, thanked the Board and County staff for placing this item on the agenda. He said the Depot was an important economic contributor to Lassen County. He stated he noticed the agenda contained many issues that were similar to Lassen County's issues, such as the Sage Grouse and groundwater. He felt this was an opportunity to put names to faces and to hopefully begin a relationship with Washoe County to work together on a lot of those issues.

In response to the call for public comment, Sam Dehne spoke about his military service and the Depot.

There was no action taken on this item.

**14-0753      AGENDA ITEM 12 – APPEARANCE**

**Agenda Subject: “Sondra Rosenberg, PTP, Nevada Department of Transportation. Presentation and overview of the I-11 and Intermountain West Corridor Study project-- Community Services. (All Commission Districts.) Requested by Commissioner Weber.”**

Sondra Rosenberg, Nevada Department of Transportation (NDOT) Project Manager, said in 1995 Congress designated the CANAMEX Corridor, which would run from Nogales, New Mexico through Phoenix, Arizona to Las Vegas, Nevada and then northward along Interstate 15. She said most recently the portion of the corridor that was not an Interstate was designated as Interstate 11 (I-11), which would connect Phoenix to Las Vegas. She stated the Departments of Transportation for Arizona and Nevada began a study two-years ago to look at expanding the U.S. 93 Corridor to Interstate standards, to look at alternatives, and to look at north/south connections.

Ms. Rosenberg stated the final documents were being wrapped up. She reviewed the PowerPoint presentation, which included the partners in the study and the three phases of the work: the Corridor Vision, Justification, and Concept-Alternatives Analysis. She said when the Concept phase was reached, a series of stakeholder meetings were held and analyses were done to narrow down the alternatives so the development of an implementation plan could be started. She stated the evaluation criteria were based on the vision and goals to develop the objectives shown on Slide 8 under the Level 1 Screening heading. She said they then went back to the stakeholders and asked where all the possible places the Corridor could go were, which were indicated by the grey lines. She said the alternatives were narrowed down to the yellow lines and the portion between Phoenix and Las Vegas went through a more detailed and quantitative level of screening. She said Slide 9 showed the gaps in the existing railroad service. She said there had been a lot of support for the U.S. 95 Corridor connecting Las Vegas to Reno, which made the most sense. She stated based on the criteria developed and the goals and objectives, the 93 Corridor did not meet the goals and objectives for the I-11 extension. She said the 93 Corridor was important to the State and they would continue to work with its partners in eastern Nevada to craft some strategic improvements along that Corridor as well. She said going north from Reno depended on the states to the north, which had not taken a stance yet one way or the other. She noted that decision would be made very far into the future and the work with those states would continue.

Ms. Rosenberg said an implementation plan was developed and the immediate actions were shown on Slide 11. She stated the plan would depend on there being a robust partnership between public, private, non-profit, and non-government organizations.

Commissioner Weber wondered if Ms. Rosenberg received the letter the Board sent. Ms. Rosenberg replied she did, and all of the information in the letters received from the

governmental agencies was being compiled. She said the findings of the study would be presented to NDOT's Board on September 8, 2014 for acceptance as well as giving the Board the option to take a policy action stance on some of the alternatives provided, particularly those in northern Nevada due to them being of such interest across the State.

Chairman Humke asked if there would be any deviation away from Highway 95 to Highway 50 or I-580 to serve the Reno/Sparks and Carson City areas before heading to Boise, Idaho. Ms. Rosenberg stated this was a high-level long-term picture. She said the existing highways were being looked at along with new roads. She said the alternatives that headed up Highway 95 to the point where they split was a very broad area and could connect Highway 50, I-580, USA Parkway, or Fernley, but additional studies would be needed to narrow down that possible connection. She said connecting the Las Vegas region to Reno/Fernley area made sense due to the Reno/Fernley economies being closely linked. She said getting to Carson City and I-580 would be looked at in a future study, but there would be complications in trying to cross the mountains or backtracking on Highway 50.

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

#### **14-0754      AGENDA ITEM 11 – APPEARANCE**

**Agenda Subject: “Doug Maloy, P.E., Project Manager, Regional Transportation Commission. Presentation and acknowledge receipt of the Pyramid Highway and U.S. 395 Connection Project Status Report and presentation of the Preferred Alternative--Community Services. (Commission Districts 3 and 5.)”**

Doug Maloy, Regional Transportation Commission (RTC) Project Manager, said the Pyramid Highway and U.S. 395 Connection Project was federally funded. He stated the Environmental Impact Statement (EIS) was being prepared in conjunction with the Nevada Department of Transportation (NDOT) for the Federal Highway Administration (FHWA). He stated the project would relieve congestion on Pyramid Highway to the north and provide east/west connectivity between Pyramid Highway and U.S. 395. He said 18 different alternatives were looked at to arrive at the preferred alternative. He conducted a PowerPoint presentation that reviewed the Study and Project Roadmap, traffic changes, the Pyramid/US 395 Connector overview and Draft Environmental Impact Statement (DEIS) alternatives, the alternatives moving forward, the elements common to all, the DEIS alternatives summary, the DEIS public hearing summary, right-of-way and relocations, right-of-way and relocations - Pyramid Alignments and Sun Valley options, the steps to preferred alternative, and the next steps.

Mr. Maloy said the project would require excavating a large amount of material and typically there should be a balance between the excavated material and the placed material, but this project would have more than 3 million cubic yards of excess material. He stated that excess would add to the cost of the project because there would have to be a place to put it. He said minimizing the amount of excess material was part of the selection process, but the number of relocations was really the determining factor. He stated the Preferred Alternative was identified as the Ridge Alignment with the south crossing going through Sun Valley and the interchange located west of Sun Valley, which lined up with Alternative 3.

Mr. Maloy stated it would take time to do the traffic work prior to preparing the final EIS and looking for the record of decision. He said nothing was funded and it was not anticipated that any activity, including the right-of-way acquisition, would occur any sooner than 2017. He said the construction of a phase of the project could begin as early as 2020. He stated the other segments would probably be the east/west connector with Pyramid Highway improvements to follow.

Chairman Humke said the RTC had done great customer service for years, but this took customer service to a new level. Mr. Maloy stated there had been quite a bit of outreach done over the seven years the project was being worked on.

Commissioner Hartung thanked Mr. Maloy for his presentation. He said he sat on the original committee who looked at this project, and he liked the original alignment. He stated he recognized it would take a long time to get a corridor like this put into place, but was there any idea regarding funding. Mr. Maloy said nothing was imminent, but staff would be looking at opportunities. He stated the project had to be shown as being fiscally constrained as it moved forward. He said he heard about the possibility of some federal loans that could be applied for, but beyond that there had not been a lot of effort towards determining what the funding might be. He stated parts of the project were in the RTC's long-range transportation plan, but all of it needed to be in the plan.

Commissioner Hartung asked if there was the potential in the near future to add an additional lane in each direction on Pyramid Highway. Mr. Maloy said this project would not preclude that from happening, but it might require revisiting and amending the EIS. He said having a smaller project was being looked at because of the reduced traffic numbers, which could mean just adding lanes. He stated it would be likely it would take more than that, but in the interim it would not preclude NDOT from having the ability to add a lane to Pyramid Highway. Commissioner Hartung stated the EIS to add a third lane would be minimal. He said NDOT already owned enough of the right-of-way to achieve that goal. Mr. Maloy said that was true and that might need to happen sooner than this project could be constructed. Commissioner Hartung stated a big part of the traffic on Pyramid Highway was at McCarran Boulevard going up to Los Altos Parkway, so adding a third lane in that area would solve a number of issues. Mr. Maloy said the right-of-way was a little tighter in that area. Commissioner Hartung said he realized that would be a Band-Aid and a short-term solution, not a long-term one.

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

**14-0755      AGENDA ITEM 10 – APPEARANCE**

**Agenda Subject: “Jim Holmes, Chairman of Northern Nevada DUI Task Force, Presentation regarding overview of Northern Nevada DUI Task Force. Requested by Commissioner Hartung.”**

This item would be rescheduled.

**BLOCK VOTE – AGENDA ITEMS 13, 14, 16, 17, 18, AND 20**

**10:44 a.m.** Commissioner Jung left during the reading of the agenda items.

**14-0756** **AGENDA ITEM 13 – PURCHASING**

**Agenda Subject:** “Recommendation to approve the use of the Western States Contracting Alliance (WSCA) cooperative agreement w17b-2007 administered by the State of Utah for Tires, Tubes and Services with Bridgestone/ Firestone (contract #MA210), Goodyear (contract #MA208), and Michelin (contract #MA211); and authorize the Purchasing and Contracts Manager to execute the participating addendums allowing the County to utilize any of the approved dealers in the State of Nevada for the purchase of Bridgestone/Firestone, Goodyear, and Michelin tires at WSCA approved contract pricing for the duration of the current WSCA agreement through March 31, 2015 and any periods of contract extension. Washoe County anticipates [expenditures in excess of \$220,000] for Tires, Tubes, and Services in the current fiscal year--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 13 be approved, authorized, and executed.

**14-0757** **AGENDA ITEM 14 – SHERIFF**

**Agenda Subject:** “Recommendation to approve the Forensic Support Services Agreements between Washoe County on behalf of the Washoe County Sheriff’s Office Forensic Science Division and the State of Nevada Inspector General’s Office for \$8,562 retroactive for the term of July 1, 2014 to June 30, 2015 and the City of Sparks Police Department for \$319,500 FY 14-15 and \$354,500 FY15-16 retroactive for the term of July 1, 2014 to June 30, 2016 for Forensic Laboratory Analysis Service fees with an income of [\$328,062 FY 14-15 and \$354,500 FY 15-16]--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 14 be approved. The Forensic Support Services Agreements for same are attached hereto and made a part of the minutes thereof.

**14-0758** **AGENDA ITEM 16 – COMMUNITY SERVICES**

**Agenda Subject:** “Recommendation to award Washoe County Bid No. 2906-15 for a new 200 ton capacity Water Cooled Chiller for the Detention Center Chiller Replacement

**Project to DMG Reno, Inc., the lowest responsive, responsible bidder [\$118,528]--Community Services. (Commission District 3.)”**

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 awarded.

**14-0759      AGENDA ITEM 17 – COMMUNITY SERVICES**

**Agenda Subject: “Recommendation to approve an Agreement for Consulting Engineering Services between Washoe County and Brown and Caldwell to provide design, bidding and inspection services for the Lemmon Valley Asbestos Cement Pipe Sewer Pipe Rehabilitation Project [\$109,635]--Community Services. (Commission District 5.)”**

There was no public comment on this item.

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

**14-0760      AGENDA ITEM 18 – COMMUNITY SERVICES**

**Agenda Subject: “Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the South Truckee Meadows Water Reclamation Facility Access Driveway Project recommended [A & K Earth Movers, Inc. \$1,596,000]--Community Services. (Commission District 2.)”**

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 awarded and approved.

**14-0761      AGENDA ITEM 20 – COMMUNITY SERVICES**

**Agenda Subject: “Acknowledge receipt of the Executive Summary and Recommendation from “A Report of the Nevada Land Management Task Force to the Nevada Interim Legislative Committee on Public Lands: Congressional Transfer of Public Lands to the State of Nevada.--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 20 be acknowledged.

**11:50 a.m.** The Board convened as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

**12:42 p.m.** The Board adjourned as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

**14-0762 AGENDA ITEM 19 – COMMUNITY SERVICES**

**Agenda Subject:** “Recommendation to acknowledge receipt of an update on the status of the Washoe County’s sign code amendment process (Washoe County Code Chapter 110, Article 502, Billboard Regulations and Article 504, Sign Regulations)--Community Services. (All Commission Districts.)”

Trevor Lloyd, Senior Planner, said the Board gave staff direction to move forward with amending the Code regarding signs, but required the Code amendment to be content neutral, to allow for signs on vacant properties only under limited situations, to regulate electronic-message displays under discretionary review, to allow for special treatment for election-period signs, and to not allow new billboards. He stated there had been seven meetings since then of the Sign Code Working Group, which was made up of representatives from the real estate industry, the Citizen Advisory Boards (CABs), a Planning Commissioner, the development community, Scenic Nevada, and County staff. He said there had been many revisions to the draft as a result of those meetings, but it was finally ready to be put out to the Working Group and was close to being taken to the community. He said a meeting with the Planning Commission was scheduled to initiate the amendment and, after holding several community workshops, the goal was to have the amendment adopted by end of the year. He said the draft Code was written in plain English, because there had been comments about the current Code being confusing. He stated the draft code was a fraction of the size of the current document and, besides being friendly to the public, it was also friendly from the enforcement standpoint.

Commissioner Hartung said his concern was there was not specific language allowing certain kinds of businesses to have signs that could be larger and commensurate with the adjoining jurisdictions, such as the City of Sparks. He said he wanted to make sure the sign had to be on the applicant’s property. He stated there was the potential for a casino to be built in Wadsworth, and allowing the casino to have an 8.5 by 11 foot sign on I-80 would not make sense with the 70 mph speed limit that was posted in that area. He stated the Wild West Motor Sports Park could not have signs on I-80 to help people get in and out of the Park, which made it very difficult to find. He stated that was a great venue, and he thought the County was missing the mark. He said it was not about littering the highways with signs, but was about economic activity. He stated he wanted to make sure there was specific language in the Code to address those types of instances.

Commissioner Jung said she remembered staff being given that direction by Commissioner Hartung, and she agreed with his comments about the lack of signs directing people to the Wild West Motor Sports Park. She felt it was very dangerous getting out of the Park at night. She said the Park provided a tremendous economic impact to the area and it needed big signs. She felt signs belonged in some places, but not in others. She said as a child coming into town from the west, the most exciting part for her was the big signs. She stated she did not want the area to look like Las Vegas, which had too many signs. She said a tremendous amount of economic activity was occurring on the east side of the County and the County needed to accommodate that economic development, which had been the Commission's number one mission and priority since 2008. She felt there had to be a way to preserve the beautiful open space, while also acknowledging there was some real density there.

Mr. Lloyd said the Board was clear in November that no new billboards would be allowed. He stated when there was discussion about the size of a type of sign, Commissioner Hartung talked about mirroring the size of a billboard. Commissioner Hartung said it needed to be remembered what the speed on I-80 was and, if a sign was small, someone going 65 or 70 mph would not be able to see it. He stated when a sign would be connected to a business that was there, he felt it would be appropriate to have a large sign. He suggested that might require a Special Use Permit (SUP) or some mechanism in the Code to look at those items individually. He said the decision might have to rise to the level of the Board of County Commissioners (BCC) rather than being decided at the Board of Adjustment level.

Commissioner Hartung said the Sign Code for the City of Sparks was completely different than the County's, which meant it would be a disadvantage for a business located in the County if the County did not allow a particular size sign and that might cause the business to move to the City of Sparks. He felt there should be some consistency with respect to the areas adjacent to the Cities of Sparks and Reno.

In response to the call for public comment, Garth Elliot said staff had been in touch with the Citizen Advisory Boards (CABs), but Sun Valley did not have a CAB; and he did not believe there had been an attempt to come before the Sun Valley General Improvement District (SVGID). He said he became aware of the update because of wanting to replace the rusty sign at the pool, which was put up by the County. He stated he was told the County was going to revise the Sign Code, which would require the sign to be shorter. He said the problem with that was the sign suffered a lot of damage from rocks because it was easily reached, and making it smaller would increase the amount of vandalism occurring. He thought things like that needed to be incorporated into the Sign Code. He stated if the sign was moved one mile to the south, it could be put up much higher; but he thought moving it would compromise the effectiveness of the sign. He agreed the Sign Code needed to be updated, but he felt there should have been an opportunity for the Sun Valley community to comment regarding the amendment through their GID.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 19 be acknowledged.

**Agenda Subject: “Update on medical marijuana establishments in the State of Nevada and Washoe County and possible direction to staff pertinent to medical marijuana establishments in Washoe County--Manager. (All Commission Districts.)”**

Kevin Schiller, Assistant County Manager, said the Division of Public and Behavioral Health (DPBH) Bureau Chief accepted the update by staff on the certifications pursuant to the Board’s direction, which would be used when the dispensaries applications were reviewed and the provisional certificates issued. He stated additional applications were received after August 12, 2014. He said 104 applications were received for the different types of medical marijuana facilities for all three jurisdictions. He stated there were 20 applications for dispensaries within the City of Reno, 14 within the County, and seven within the City of Sparks, for a total of 41 dispensary applications. He said three laboratory applications were submitted for the unincorporated County and the City of Sparks. He stated regarding cultivation facilities, the City of Reno had 13, the County had 13, and the City of Sparks had 11 applications. He said regarding production facilities, the City of Reno had nine, the County had eight, and the City of Sparks had six applications. He stated if all of the facilities were combined, the City of Reno had a total of 42 applications, the City of Sparks had 25, and Washoe County had 37. He said there were over 1,000 visits to the web site, and he advised staff had done a really good job in following up with the applicants.

Mr. Schiller said there would be a 90-day review period and, in terms of the County’s fee structure, staff wanted to get the fee structure before the Board prior to the provisional certificates being issued. He stated he would be setting up very specific Working Group tasks to look at the models regarding changing the fee structure. He said the intent was to bring the fees before the Board next month so, if any changes were requested by the Board, there would be enough time to get them made. He stated a flow chart was done that specifically indicated what the next step would be once the State determined the awards. He stated since the fee models involved legal counsel, Chris MacKenzie was doing that review. He said staff was reaching out to the Cities of Reno and Sparks regarding the award process, so they would be all on the same page if there was any crossover of the awards made by the State.

Commissioner Jung said there were over 500 applications statewide, which she thought was interesting since some counties opted out.

In response to the call for public comment, Garth Elliot thanked the Board for the speed in which they got this done. He felt the process should be in Washoe County hands, because one dispensary and one growing facility would be inadequate for Sun Valley. He said Sun Valley had many old people who were looking for marijuana to help them deal with Fibromyalgia, to combat the effects of cancer treatments, and things like that; and medical marijuana should be available to them as economically as possible so they were not spending their limited life savings to feel better.

**14-0764      AGENDA ITEM 22 – MANAGER**

**Agenda Subject: “Discussion and possible direction to staff regarding potential bill draft requests for the 2015 Legislative Session--Manager. (All Commission Districts.)”**

Al Rogers, Management Services Director, said during the last two Legislative sessions, Washoe County did not have any BDRs, and nothing had risen to the top as an issue for this session even though the issues brought to the Board before were still there. He stated the County was allowed two BDRs, which were due by next Tuesday. He reviewed his PowerPoint presentation, which was placed on file with the Clerk. The presentation highlighted the County’s Legislative goals and platform issues, the Legislative issues, the current Bill Draft Requests (BDRs), the BDRs considered by local governments or affiliated organizations, and Washoe County Departments’ legislative issues for consideration for possible BDRs.

Commissioner Berkbigler asked how he felt about the Nevada League of Cities change to issuing business licenses for liquor. Mr. Rogers said he would do a cursory analysis of that change and would get back to her on that issue.

Chairman Humke stated at the Nevada Association of Counties (NACo) meeting, there was a request to redistribute the small number of BDRs available to local governments. Commissioner Hartung said there could be a BDR to ask for more BDRs.

Commissioner Hartung asked if the County wanted to get involved with the sample balloting issue, since it was originally a request Washoe County made. John Slaughter, County Manager, said he was aware the election officials statewide were in discussion with the Secretary of State’s Office regarding the sample ballot. He stated it was anticipated the sample ballot language would be included in the Secretary of State’s biannual election bill. He said regarding the other topics and issues that the County’s departments brought forward and lacking a BDR that Washoe County would sponsor, he felt it was more than likely those items would find a home. He said the specific language would be brought to the Board for review during that process.

Mr. Rogers noted a new Government Affairs Manager would be on board in a couple of weeks. He stated that position would be critical during the upcoming Legislature session and to ongoing governmental relations.

There was no action taken on this item.

Mr. Slaughter reminded the Board that the Amyotrophic lateral sclerosis (ALS) ice-bucket challenge would be held at 3:00 p.m. in courtyard of the Washoe County Administration Complex.

**1:20 p.m.**      The Board recessed.

**6:00 p.m.**      The Board reconvened with all members present.

## PUBLIC HEARINGS

### **14-0765      AGENDA ITEM 23 – COMMUNITY SERVICES**

**Agenda Subject: “Second reading and adoption of an Ordinance amending Washoe County Code Chapter 110, Development Code, at Article 302 (Allowed Uses) and Article 304 (Use Classification System) to reduce regulatory barriers to the production and sale of food in certain regulatory zones, and to amend use definitions to authorize community gardens and increase opportunities for local, small scale food production; and providing for other matters properly relating thereto. Bill No. 1721--Community Services. (All Commission Districts.)”**

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

Nancy Parent, County Clerk, read the title for Ordinance No. 1540, Bill No. 1721.

Commissioner Jung said she cosponsored this bill along with Commissioner Weber, which came about due to the citizens’ grassroots activities throughout Washoe County. She stated staff did a great job of finding all of the best practices reflecting this new artesian way of doing meats, cheeses, vegetables, and so on.

Commissioner Hartung gave Commissioners Weber and Jung kudos for this amendment. He said it started as a grassroots effort, but they had the fortitude to carry it through. He stated Washoe County’s staff was phenomenal.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, Chairman Humke ordered that Ordinance No. 1540, Bill No. 1721, entitled, **"AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 110, DEVELOPMENT CODE, AT ARTICLE 302 (ALLOWED USES) AND ARTICLE 304 (USE CLASSIFICATION SYSTEM) TO REDUCE REGULATORY BARRIERS TO THE PRODUCTION AND SALE OF FOOD IN CERTAIN REGULATORY ZONES, AND TO AMEND USE DEFINITIONS TO AUTHORIZE COMMUNITY GARDENS AND INCREASE OPPORTUNITIES FOR LOCAL, SMALL SCALE FOOD PRODUCTION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO,"** be adopted, approved and published in accordance with NRS 244.100.

### **14-0766      AGENDA ITEM 24 – COMMUNITY SERVICES**

**Agenda Subject: “Second reading and adoption of an Ordinance approving the “First Amendment to Development Agreement (Broken Hills Subdivision)” amending a Development Agreement originally approved in 2009 (DA09-003) regarding the Broken Hills Subdivision (approved in 2005 as Tentative Map TM05-012). This amendment (Case No. AC14-003) extends the deadline for filing the next in a series of final subdivision maps to August 25, 2019, with a possible extension by the Community Services Department, Planning and Development Division Director to August 25, 2021. The subdivision is located**

**west of Kinglet Drive and Calle De La Plata and directly west of the Spanish Springs Airport and is currently undeveloped within Section 21, T21N, R20E (APN: 089-621-01, 089-632-01, 02, 03, 04 & 05) Bill No. 1722--Community Services. (Commission District 4.) This Item to be continued to the September 9, 2014 County Commission meeting.”**

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.

John Slaughter, County Manager, advised continuing the second reading due to the problem in mailing the notice about this public hearing.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that the First Amendment to Development Agreement (Broken Hills Subdivision) be continued to the September 9, 2014 County Commission meeting so proper notice could be made.

**14-0767      AGENDA ITEM 25 – DISTRICT ATTORNEY**

**Agenda Subject: “Second reading and adoption of an Ordinance amending Chapter 50 of the Washoe County Code (Public Peace, Safety and Morals), amending Sections 50.090 and 50.092 to remove certain restrictions on the discharge of firearms in portions of Warm Springs; and providing for other matters properly relating thereto. Bill No. 1723--District Attorney. (Commission District 5.)”**

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

Nancy Parent, County Clerk, read the title for Ordinance No. 1541, Bill No. 1723.

Commissioner Weber stated this had been a good opportunity for the citizens to share with the Board that the existing ordinance was not appropriate for their community. She thanked John Glatthar and his wife, Cathy, for their work on this amendment, which did something great for the community.

Paul Lipparelli, Legal Counsel, said the map in the Board’s packet during the first reading showed the area that was defined by this ordinance as the “Warm Springs Defined Area.” He stated that map was a matter of record, but it did not make it into his packet of materials for today’s second reading. He said he wanted to establish for the record that the exhibit that went along with this ordinance was not the one with the little red bubbles all over it in today’s packet, but was the one that showed the “Warm Springs Defined Area” as outlined in bold boundaries and showed an area in the center that was not included within the reach of this ordinance.

In response to the call for public comment, John Glatthar thanked the Board for considering this welcome change, which was a good thing for everyone in Warm Springs.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried, Chairman Humke ordered that Ordinance No. 1541, Bill No. 1723, entitled, "**AN ORDINANCE AMENDING CHAPTER 50 OF THE WASHOE COUNTY CODE (PUBLIC PEACE, SAFETY AND MORALS), AMENDING SECTIONS 50.090 AND 50.092 TO REMOVE CERTAIN RESTRICTIONS ON THE DISCHARGE OF FIREARMS IN PORTIONS OF WARM SPRINGS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO,**" be adopted, approved and published in accordance with NRS 244.100.

**14-0768      AGENDA ITEM 26 – 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 Hartung spoke about Commissioners participating in the ice-bucket challenge benefitting Amyotrophic lateral sclerosis (ALS). He noted Chairman Humke did not get to participate, and he dumped a bucket of confetti on the Chairman’s head. Commissioner Weber thanked staff for putting together the Board’s response to the ALS ice-bucket challenge. She said Commissioner Hartung and his wife were contributing \$500 to ALS and each Commissioner had been challenged to contribute \$100.

Commissioner Weber said there would be a Reno-Sparks Convention and Visitors Authority (RSCVA) meeting on Thursday.

Commissioner Jung stated there was a great turnout at the Duck Races, which benefited the Nevada Humane Society. She said she could not attend the Nevada Job Corp anniversary because she was attending the Lake Tahoe Summit, but Sarah Tone, Community Outreach Coordinator, let everyone know that she and Commissioner Weber, along with the entire Commission, were tremendous supporters of Lake Tahoe.

Commissioner Jung said she signed up as a Spellbinder for the Northern Nevada Literacy Council. She stated she would be the team leader for Washoe County, and anyone who was interested in helping to raise money for literacy should contact her. Commissioner Weber indicated she wanted to participate.

**14-0769      AGENDA ITEM 27 – CLOSED SESSION**

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

There was no closed session.

14-0770      AGENDA ITEM 29 – PUBLIC COMMENT

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

There was no response to the call for public comment.

\*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*

6:21 p.m.      There being no further business to discuss, the meeting was adjourned without objection.

\_\_\_\_\_  
**DAVID HUMKE**, Chairman  
Washoe County Commission

**ATTEST:**

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

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

WASHOE COUNTY COMMISSION

RESOLUTION TO ACCEPT DONATION

A RESOLUTION DECLARING THE COMMISSION'S ACTION TO RECEIVE A CASH DONATION IN SUPPORT OF INCREASED DEMAND FOR FIRE AND EMERGENCY MEDICAL SERVICES ASSOCIATED WITH THE "BURNING MAN" EVENT; AND OTHER MATTERS RELATED THERETO.

**WHEREAS**, the Gerlach Volunteer Fire Department ("GVFD"), supported by Washoe County, Nevada ("County"), provides fire related services and emergency medical services ("Services") in and around the town of Gerlach, NV; and

**WHEREAS**, the Black Rock City, LLC, ("BRC"), located in San Francisco CA, conducts the annual "Burning Man" event ("Event") in August-September near Gerlach, which causes GVFD and County to commit additional resources to provide increased Services and other functions to the large influx of visitors around the time of the Event; and

**WHEREAS**, BRC desires to help offset some of the costs associated with this increased need for Services and hereby offers a voluntary, one time donation in the amount of \$8,500.00 ("Donation") payable to the County before August 31, 2014; and

**WHEREAS**, County will apply the Donation toward the associated costs incurred by County to provide the increased Services during the Event held this year.

**NOW, THEREFORE, BE IT RESOLVED** by the County Commission that it approves of and accepts the generous Donation from BRC, and directs that the Donation be applied to the extra costs associated with the provision by County and GVFD of the increased need for the Services during this year's Burning Man Event. The Donation and this Resolution alone shall not obligate BRC to any additional payments for the Services.

14-0750

Upon motion by Board Commissioner, Hartung, seconded by Commissioner Berkbigler, the foregoing Resolution was passed and adopted this 26<sup>th</sup> day of Aug., 2014 by the following vote:

AYES: HUMKE, WEBER, JUNG, Berkbigler & Hartung NAYS: NONE

ABSENT: NONE ABSTAIN: NONE

BOARD OF COUNTY COMMISSIONERS

ATTEST:  
  
CLERK: L. Parent

David Humke  
David Humke, Chair

**FORENSIC SUPPORT SERVICES AGREEMENT  
BETWEEN  
WASHOE COUNTY ON BEHALF OF  
THE WASHOE COUNTY SHERIFF'S OFFICE  
AND  
THE STATE OF NEVADA ON BEHALF OF  
THE STATE OF NEVADA INSPECTOR GENERAL'S OFFICE**

THIS AGREEMENT is made and entered by and between **WASHOE COUNTY**, on behalf of the **WASHOE COUNTY SHERIFF'S OFFICE**, hereinafter referred to collectively as **WASHOE**, and the **STATE OF NEVADA** on behalf of the **STATE OF NEVADA INSPECTOR GENERAL'S OFFICE**, hereinafter referred to as **USER**.

**W I T N E S S E T H:**

**WHEREAS**, pursuant to NRS 277.180, **WASHOE** and **USER** may, in the performance of their functions, use each other's facilities and services, with the consent of the other party and subject to such terms and conditions as the parties may agree upon; and

**WHEREAS**, **USER** desires to acquire the assistance of **WASHOE** in providing **USER** the use of **WASHOE'S** Forensic Support Facilities and Services;

**WHEREAS**, **WASHOE** desires to provide its assistance to **USER** in regard to the use of **WASHOE'S** Forensic Support Facilities and Services;

**NOW, THEREFORE**, based on the foregoing premises and the following covenants, terms and conditions, the parties hereto do hereby agree as follows:

1. **SERVICES PROVIDED**: Unless otherwise provided and/or amended by written agreement of the parties hereto, **WASHOE** shall provide for **USER** forensic analyses within the existing capabilities of **WASHOE** as set forth in **Exhibit B** attached hereto and hereby incorporated by reference. In this regard, it is the understanding and intent of the parties, as the capabilities of **WASHOE** change over time, to execute written amendments to this Agreement indicating any services no longer provided as well as to identify any new services to be provided and the cost thereof.

**WASHOE** staff shall be available, upon reasonable notice should **USER** require said staff, to participate in legal proceedings (discovery practice or court appearances) to testify as to any testing and certification services performed for **USER** pursuant to this Agreement.

A. For fiscal year 2014/2015 **USER** shall pay to **WASHOE** a fee of **\$8,562**, which fee shall entitle **USER** to the use of the forensic laboratory services currently within the capability of **WASHOE** as such are more fully set forth in **Exhibit B** attached hereto and hereby incorporated by reference. The annual fee shall be due and payable in full within 30 days of **USER'S** receipt of billing by **WASHOE**. Toxicology services shall continue to be invoiced quarterly. Toxicology services are not included in this Agreement. Any costs incurred for toxicology services shall be invoiced separately and shall be paid in addition to the annual fee paid by **USER** hereunder.

14-0757

B. In the event, during any fiscal year covered by this Agreement, WASHOE shall increase its forensic laboratory services beyond those set-forth in **Exhibit B**, the parties agree to negotiate, in good faith, an increase in the annual fee charged by WASHOE to USER to compensate WASHOE for the provision of the additional forensic laboratory services to USER. Any such agreement shall be memorialized by a written addendum to this Agreement signed by both of the parties hereto. Any increase in the annual fee shall be due and payable in full within 30 days after execution of said addendum.

C. In the event that the governing body of the county fails to obligate any funds necessary to carry out the duties created hereunder beyond the county's then current fiscal year, this agreement shall terminate without charge, penalty, or sanction.

D. During the term of this Agreement, in the event that WASHOE shall be required to engage the consultation services of any outside forensic laboratory or specialist in order to provide USER with any additional expertise or equipment outside of the current capability of WASHOE to perform for USER, USER shall reimburse WASHOE in full for any costs or fees incurred as a result of said consultation. Any such consultation fees shall be due and payable in full within 30 days of USER'S receipt of billing by WASHOE for any such consultation services.

E. In the event that USER shall require the testimony of any of the staff of WASHOE in any legal proceedings in order to testify as to any testing or certification performed for USER pursuant to this Agreement, USER agrees to reimburse WASHOE for any compensation, benefits, travel and per diem costs incurred by WASHOE in providing said staff at the time, place and for the purposes required to assist USER. Any such reimbursement shall be due and payable in full within 30 days of USER'S receipt of billing by WASHOE for any such staff services.

**2. INDEMNIFICATION:** USER agrees to indemnify, defend and hold harmless WASHOE, its officers, employees, and agents, from and against any and all claims, demands, or actions by any person or entity which arise or result from any act or omission to act on the part of any officers, employees, or agents of USER in connection with the services to be provided pursuant to this Agreement.

WASHOE agrees to indemnify, defend and hold harmless USER, its officers, employees, and agents, from and against any and all claims, demands, or actions by any person or entity which arise or result from any act or omission to act on the part of any officers, employees, and agents of WASHOE in connection with the services to be provided pursuant to this Agreement.

The parties do not waive and intend to assert any liability limitations available under law, including but not limited to those defenses available under chapter 41 of Nevada Revised Statutes in all cases.

**3. MODIFICATION:** Any modification or amendment to this Agreement, in order to be binding upon the parties, must be in writing and be signed by both of the parties hereto.

**4. EFFECTIVE DATE AND RENEWAL:**

A. This Agreement shall be effective as of July 1, 2014 and terminate as of June 30, 2015.

B. Either party to this Agreement may terminate this Agreement at any time of the term of the Agreement by giving the other party to this Agreement 180 days prior written notice.

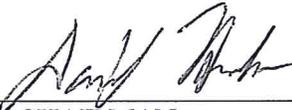
C. This Agreement may be renewed by the parties for any subsequent fiscal year by virtue of the parties' execution of a renewal agreement setting for the fiscal year for which the renewal shall be effective, the services to be rendered, and the costs and fees to be incurred by USER to WASHOE. Any such renewal shall be contingent upon the parties agreeing to the annual fee to be charged by WASHOE to USER.

DATE: 5/30/14

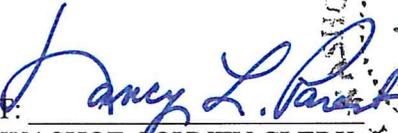
BY:   
WASHOE COUNTY SHERIFF

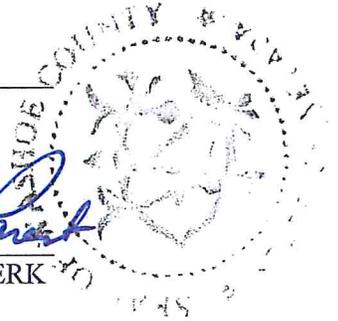
**WASHOE COUNTY BOARD OF COMMISSIONERS**

DATE: 8-26-14

BY:   
CHAIRMAN

DATE: August 26, 2014

ATTEST:   
WASHOE COUNTY CLERK



DATE: 6/27/2014

BY:   
Scott Sisco – Deputy Director  
Support Services

TO FORM: \_\_\_\_\_

DATE: \_\_\_\_\_

BOARD OF EXAMINERS: N/A \_\_\_\_\_  
DATE

## **Exhibit B**

### **Services Provided Under the Forensic Science Division Contract (No Crime Scene/Photo Laboratory Services Included)**

Forensic services within the existing capabilities of the laboratory will include the following:

#### **Arson (Ignitable liquids)**

#### **Qualitative Testing of Controlled Substances**

- Qualitative analysis and identification of substances controlled under the Federal Controlled Substances Act (CSA) or the Nevada Administrative Code (NAC).
  - ✓ Up to five different items can be submitted in a case. For cases involving more than five items, contact the District Attorney handling the case and the Laboratory prior to submission.
  - ✓ Evidence will be accepted in cases that are being actively prosecuted or cases for which the Laboratory results will be used at a Grand Jury, to substantiate charges that will be filed or are pending, to obtain a warrant, in an on-going investigation or for officer safety.
- Only selected items from those submitted will be analyzed.
  - ✓ Multiple items that are visually similar in appearance and packaging only will be tested when the total net weight could substantiate a trafficking charge. This analysis may be deferred until the case is set for District Court.
  - ✓ When multiple substances likely to contain a Schedule I compound are submitted, one of each type of substance will be analyzed.
  - ✓ When a Schedule I compound is identified, substances likely to contain a compound in a lower schedule will not be analyzed.
  - ✓ Items bearing or containing residue only and paraphernalia items only will be tested when no other controlled substance evidence exists or when other items do not contain a controlled substance.
- Pharmaceutical preparations (tablets or capsules)
  - ✓ Visual examination only with comparison to a database when a scheduled controlled substance (except marijuana) is identified in a non-pharmaceutical preparation.
  - ✓ Analysis and identification of any controlled substance in one dosage unit of the pharmaceutical preparation when no other controlled substance evidence is present (except marijuana).
  - ✓ Visual examination only for pharmaceutical preparations consistent with preparations containing a prescription only or over-the-counter compound.

Additional controlled substance exhibits may be analyzed on a case by case basis. If services beyond those listed above are needed, please contact the division for consultation prior to submitting the evidence.

#### **Shoeprint and Tire Track Comparison**

## **Firearms/Toolmark Examinations**

- Distance determination
- Comparative analysis
- Weapon function test
- Serial number restoration

## **Latent Print Processing**

- Appropriate chemical or powder processing of submitted items
- Development and submission of latent prints of value
- WIN/AFIS (Western Identification Network/Automated Fingerprint Identification System) database
- 10-print or suspect comparison

## **Primary Examination**

- Presumptive and Confirmatory Stain Characterization
  - Semen (presence of sperm cells)
  - Seminal fluid (absence of sperm cells)
  - Saliva
  - Blood including Human Blood
- Determination of human vs animal hair and suitability of hair for DNA testing

## **DNA Analysis**

- Homicide (up to 15 evidentiary samples and 10 reference samples)
- Sexual crimes (with presence of sperm up to 3 evidentiary samples and 5 reference samples)
- Sexual crimes (absence of sperm up to 5 evidentiary samples and 5 reference samples)
- Crimes against a person (up to 4 evidentiary samples and 5 reference samples)
- Property crimes (up to 2 evidentiary samples and 5 reference samples)
- DNA samples in addition to above limits can be processed at \$250.00 per hour

## **Forensic services within the existing capabilities of the laboratory do NOT include the following:**

- DNA analysis on weapons violations, possession of stolen property, found property, vandalism, controlled substances, and larceny unless extenuating circumstances are approved by the Laboratory Director or DNA Supervising Criminalist.
- DNA analysis of convicted offenders samples per NRS 176.0913. The funding for this analysis is provided through the \$150.00 fee collection per NRS 176.0915 and grant funding.
- While the laboratory will continue to analyze liquids and solids for the presence of controlled substances; current personnel do not have the experience in the analysis of clandestine laboratories and therefore will not be able to provide detailed testimony on clandestine manufacture of drugs. This inability is limited to drug analysis not crime scene response.

- Analysis of the contents of syringes; unless extenuating circumstances approved by the Laboratory Director exist.
- Analysis of non-controlled substances
- Trace evidence analysis of fibers, glass, paint, hair, chemical unknowns, physical match and explosive materials
- Document examination such as handwriting comparisons
- With the conversion of all agencies to digital cameras, the need for processing of 35mm film and creating photographic prints has fallen to a level that it is no longer practical to maintain the necessary equipment. Therefore photographic prints and 35mm film processing will no longer be offered.

**The following services can be offered on a fee for service basis:**

### **Crime Scene Investigation**

- Crime Scene Investigation can be provided for the following types of cases at a rate of \$250.00 per hour per investigator. Calls outside of the Reno area will always required a minimum of 2 investigators. The FIS Sergeant will determine the number of investigators needed based on the case information.
  - Homicide
  - Attempted homicide
  - Officer involved shootings
  - Questionable deaths with detective on scene
  - Kidnapping
  - Child abuse
  - Sexual assault with substantial bodily injury or unknown suspect
  - Battery with a deadly weapon with substantial bodily injury
  - Armed robbery with substantial bodily injury
  - Bank robbery with substantial bodily injury
  - Robbery, strong armed, with substantial bodily injury
  - Fatal traffic accidents when vehicular homicide is suspected
  - Homicide autopsy

**Photo Laboratory services can be provided per the following fee schedule:**

- \$25.00 per CD

**Note:** The IBIS (Integrated Ballistic Identification System) (firearms database) is included for all agencies. This is not a service that is charged for.

**This scope of work does not include Toxicology services. Toxicology will continue to be billed on a per test basis. If you have any questions regarding Toxicology services, contact the Forensic Science Division.**

**FORENSIC SUPPORT SERVICES AGREEMENT  
BETWEEN  
WASHOE COUNTY ON BEHALF OF  
THE WASHOE COUNTY SHERIFF'S OFFICE  
AND  
THE CITY OF SPARKS ON BEHALF OF  
THE SPARKS POLICE DEPARTMENT**

THIS AGREEMENT is made and entered by and between **WASHOE COUNTY**, on behalf of the **WASHOE COUNTY SHERIFF'S OFFICE**, hereinafter referred to collectively as **WASHOE**, and the **CITY OF SPARKS** on behalf of the **SPARKS POLICE DEPARTMENT**, hereinafter referred to as **USER**.

**WITNESSETH:**

**WHEREAS**, pursuant to NRS 277.180, **WASHOE** and **USER** may, in the performance of their functions, use each other's facilities and services, with the consent of the other party and subject to such terms and conditions as the parties may agree upon; and

**WHEREAS**, **USER** desires to acquire the assistance of **WASHOE** in providing **USER** the use of **WASHOE'S** Forensic Support Facilities and Services;

**WHEREAS**, **WASHOE** desires to provide its assistance to **USER** in regard to the use of **WASHOE'S** Forensic Support Facilities and Services;

**NOW, THEREFORE**, based on the foregoing premises and the following covenants, terms and conditions, the parties hereto do hereby agree as follows:

1. **SERVICES PROVIDED**: Unless otherwise provided and/or amended by written agreement of the parties hereto, **WASHOE** shall provide for **USER** forensic analyses within the existing capabilities of **WASHOE** as set forth in **Exhibit A** attached hereto and hereby incorporated by reference. In this regard, it is the understanding and intent of the parties, as the capabilities of **WASHOE** change over time, to execute written amendments to this Agreement indicating any services no longer provided as well as to identify any new services to be provided and the cost thereof.

**WASHOE** staff shall be available, upon reasonable notice should **USER** require said staff, to participate in legal proceedings (discovery practice or court appearances) to testify as to any testing and certification services performed for **USER** pursuant to this Agreement.

A. For fiscal year 2014/2015 **USER** shall pay to **WASHOE** a fee of **\$319,500** and for fiscal year 2015/2016 **USER** shall pay **\$354,500**, which fee shall entitle **USER** to the use of the forensic laboratory services currently within the capability of **WASHOE** as such are more fully set forth in **Exhibit A** attached hereto and hereby incorporated by reference. The annual fee shall be due and payable in full within 30 days of **USER'S** receipt of billing by **WASHOE**.

B. In the event, during any fiscal year covered by this Agreement, WASHOE shall increase its forensic laboratory services beyond those set-forth in **Exhibit A**, the parties agree to negotiate, in good faith, an increase in the annual fee charged by WASHOE to USER to compensate WASHOE for the provision of the additional forensic laboratory services to USER. Any such agreement shall be memorialized by a written addendum to this Agreement signed by both of the parties hereto. Any increase in the annual fee shall be due and payable in full within 30 days after execution of said addendum.

C. In the event that the governing body of the county fails to obligate any funds necessary to carry out the duties created hereunder beyond the county's then current fiscal year, this agreement shall terminate without charge, penalty, or sanction.

D. During the term of this Agreement, in the event that WASHOE shall be required to engage the consultation services of any outside forensic laboratory or specialist in order to provide USER with any additional expertise or equipment outside of the current capability of WASHOE to perform for USER, USER shall reimburse WASHOE in full for any costs or fees incurred as a result of said consultation. Any such consultation fees shall be due and payable in full within 30 days of USER'S receipt of billing by WASHOE for any such consultation services.

E. In the event that USER shall require the testimony of any of the staff of WASHOE in any legal proceedings in order to testify as to any testing or certification performed for USER pursuant to this Agreement, USER agrees to reimburse WASHOE for any compensation, benefits, travel and per diem costs incurred by WASHOE in providing said staff at the time, place and for the purposes required to assist USER. Any such reimbursement shall be due and payable in full within 30 days of USER'S receipt of billing by WASHOE for any such staff services.

**2. INDEMNIFICATION:** USER agrees to indemnify, defend and hold harmless WASHOE, its officers, employees, and agents, from and against any and all claims, demands, or actions by any person or entity which arise or result from any act or omission to act on the part of any officers, employees, or agents of USER in connection with the services to be provided pursuant to this Agreement.

WASHOE agrees to indemnify, defend and hold harmless USER, its officers, employees, and agents, from and against any and all claims, demands, or actions by any person or entity which arise or result from any act or omission to act on the part of any officers, employees, and agents of WASHOE in connection with the services to be provided pursuant to this Agreement.

The parties do not waive and intend to assert any liability limitations available under law, including but not limited to those defenses available under chapter 41 of Nevada Revised Statutes in all cases.

**3. MODIFICATION:** Any modification or amendment to this Agreement, in order to be binding upon the parties, must be in writing and be signed by both of the parties hereto.

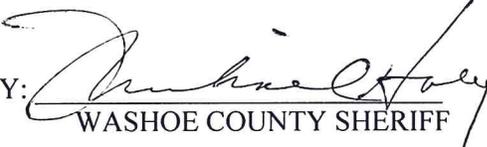
**4. EFFECTIVE DATE AND RENEWAL:**

A. This Agreement shall be effective as of July 1, 2014 and terminate as of June 30, 2016.

B. Either party to this Agreement may terminate this Agreement at any time of the term of the Agreement by giving the other party to this Agreement 180 days prior written notice.

C. This Agreement may be renewed by the parties for any subsequent fiscal year by virtue of the parties' execution of a renewal agreement setting for the fiscal year for which the renewal shall be effective, the services to be rendered, and the costs and fees to be incurred by USER to WASHOE. Any such renewal shall be contingent upon the parties agreeing to the annual fee to be charged by WASHOE to USER.

DATE: 5-30-14

BY:   
WASHOE COUNTY SHERIFF

**WASHOE COUNTY BOARD OF COMMISSIONERS**

DATE: 8-26-14

BY:   
CHAIRMAN

DATE: August 26, 2014

ATTEST:   
WASHOE COUNTY CLERK



**USER - CITY OF SPARKS**

DATE: 07/15/14

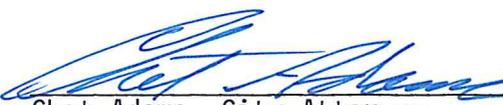
BY:   
Mayor Geno Martini

DATE: 7-15-14

ATTEST:    
Teresa Gardner, City Clerk

DATE: 7-14-14

APPROVED AS TO FORM:

  
Chet Adams, City Attorney

## Exhibit A

### Full Services Provided Under the Forensic Science Division Contract

Forensic services within the existing capabilities of the laboratory will include the following:

#### Arson (Ignitable Liquids)

#### Controlled Substances

- Qualitative analysis and identification of substances controlled under the Federal Controlled Substances Act (CSA) or the Nevada Administrative Code (NAC).
  - ✓ Up to five different items can be submitted in a case. For cases involving more than five items, contact the District Attorney handling the case and the Laboratory prior to submission.
  - ✓ Evidence will be accepted in cases that are being actively prosecuted or cases for which the Laboratory results will be used at a Grand Jury, to substantiate charges that will be filed or are pending, to obtain a warrant, in an on-going investigation or for officer safety.
- Only selected items from those submitted will be analyzed.
  - ✓ Multiple items that are visually similar in appearance and packaging only will be tested when the total net weight could substantiate a trafficking charge. This analysis may be deferred until the case is set for District Court.
  - ✓ When multiple substances likely to contain a Schedule I compound are submitted, one of each type of substance will be analyzed.
  - ✓ When a Schedule I compound is identified, substances likely to contain a compound in a lower schedule will not be analyzed.
  - ✓ Items bearing or containing residue only and paraphernalia items only will be tested when no other controlled substance evidence exists or when other items do not contain a controlled substance.
- Pharmaceutical preparations (tablets or capsules)
  - ✓ Visual examination only with comparison to a database when a scheduled controlled substance (except marijuana) is identified in a non-pharmaceutical preparation.
  - ✓ Analysis and identification of any controlled substance in one dosage unit of the pharmaceutical preparation when no other controlled substance evidence is present (except marijuana).
  - ✓ Visual examination only for pharmaceutical preparations consistent with preparations containing a prescription only or over-the-counter compound.

Additional controlled substance exhibits may be analyzed on a case by case basis. If services beyond those listed above are needed, please contact the division for consultation prior to submitting the evidence.

#### Shoepoint and Tire track Comparison

#### Firearms/Toolmark Examinations

- Distance determination

- Comparative analysis (bullets, cartridge cases, toolmarks etc.)
- Weapon function test
- Serial number restoration

## **Crime Scene Investigation**

- Homicide
- Attempted homicide
- Officer involved shootings
- Questionable deaths with detective on scene
- Kidnapping
- Child abuse
- Sexual assault with substantial bodily injury or unknown suspect
- Battery with a deadly weapon with substantial bodily injury
- Armed robbery with substantial bodily injury
- Bank robbery with substantial bodily injury
- Robbery, strong armed, with substantial bodily injury
- Fatal traffic accidents when vehicular homicide is suspected
- Homicide autopsy
- Does not include response to non-major crimes such as burglary, recovered stolen vehicle, evidence collection from officer at hospital, consensual sexual cases, single vehicle fatality or response to collect a piece of evidence in the absence of a CSI officer

## **Latent Print Processing**

- Appropriate chemical or powder processing of submitted items
- Development and submission of latent prints of value
- WIN/AFIS (Western Identification Network/Automated Fingerprint Identification System)
- 10-print or suspect comparison

## **Photo Laboratory Services**

- Creation of CDs from scene photos taken by FIS
- CDs created from previously processed 35mm negatives

## **Primary Examination**

- Presumptive and confirmatory stain characterization
  - Semen (presence of sperm cells)
  - Seminal fluid (absence of sperm cells)
  - Saliva
  - Blood including human blood
- Determination of human vs animal hair and suitability of hair for DNA testing

## **DNA Analysis**

- Homicide (up to 15 evidentiary samples and 10 reference samples)
- Sexual crimes (with presence of sperm up to 3 evidentiary samples and 5 reference samples)
- Sexual crimes (absence of sperm up to 5 evidentiary samples and 5 reference samples)
- Crimes against a person (up to 4 evidentiary samples and 5 reference samples)
- Property crimes (up to 2 evidentiary samples and 5 reference samples)

- DNA samples in addition to above limits can be processed at \$250.00 per hour

**Forensic services within the existing capabilities of the laboratory do NOT include the following:**

- DNA analysis on weapons violations, possession of stolen property, found property, vandalism, controlled substances, and larceny unless extenuating circumstances are approved by the Laboratory Director or DNA Supervising Criminalist.
- DNA analysis of convicted offenders samples per NRS 176.0913. The funding for this analysis is provided through the \$150.00 fee collection per NRS 176.0915 and grant funding.
- While the laboratory will continue to analyze liquids and solids for the presence of controlled substances, current personnel do not have the experience in the analysis of clandestine laboratories and therefore will not be able to provide detailed testimony on Clandestine Manufacture of Drugs. This inability is limited to drug analysis, not crime scene response.
- Analysis of the contents of syringes; unless extenuating circumstances exist as approved by the Laboratory Director.
- Analysis of non-controlled substances
- Trace evidence analysis: fibers, glass, paint, hair, chemical unknowns, physical match and explosive materials
- Document examination such as handwriting comparisons

**Note:** The IBIS (Integrated Ballistic Identification System) (firearms database) is included for all agencies. This is not a service that is charged for.

**This scope of work does not include Toxicology services. Toxicology will continue to be billed on a per test basis. If you have any questions regarding Toxicology services, contact the Forensic Science Division.**