

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

MONDAY

8:30 A.M.

JULY 16, 2012

PRESENT:

**Robert Larkin, Chairman**  
**Bonnie Weber, Vice Chairperson**  
**John Breternitz, Commissioner**  
**Kitty Jung, Commissioner**  
**David Humke, Commissioner**

**Nancy Parent, Chief Deputy Clerk**  
**Katy Simon, County Manager**  
**Paul Lipparelli, Legal Counsel\***

The Washoe County Board of Commissioners convened at 8:36 a.m. in special 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 Chief Deputy Clerk called the roll and the Board conducted the following business:

Commissioner Weber participated in the meeting by telephone.

**12-685      AGENDA ITEM 3 – PUBLIC COMMENT**

**Agenda Subject:** “Public Comment. Comment heard under this item will be limited to two 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 two minutes per person. Comments are to be made to the Commission as a whole.”

Stuart Mackie discussed how he believed the Cities and the County were illegally taking water dedicated to property owners.

James Kozera thanked the Commissioners for the work they did on behalf of seniors.

Martha Gould said if the Commission had the authority to impose the first four cents by ordinance, why were they forcing the use of a Ballot Question for the last one cent. She was aware there were a lot of problems besides those of the seniors, but the senior population was increasing and doing nothing would be just kicking the can down the road and creating even bigger problems.

Shelia Sobell-Every thanked the Commission for throwing a lifeline to the seniors, who knew the Commissioners would do right thing when it came time to vote.

Katy Simon, County Manager, clarified the 4 percent of the Government Services Tax (GST) already collected was imposed by statute. She said the Legislature gave the County Commission the authority to enact the remaining 1 percent by ordinance.

**12-686            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.)”**

Chairman Larkin requested a report during the first meeting in August regarding the E-Verify process that was implemented in Carson City, Nevada.

**12-687            AGENDA ITEM 5 – MANAGEMENT SERVICES**

**Agenda Subject: “Discussion and possible approval and execution of a resolution designated as the “2012 Public Safety Automatic Aid Advisory Ballot Question Resolution”, thereby approving the submittal of an advisory question to the registered voters of Washoe County at the General Election on Tuesday, November 6, 2012--Management Services. (All Commission Districts.) Continued from the July 10, 2012 Commission meeting.”**

Commissioner Breternitz said the current language was slightly different than what was proposed last week. He stated the Chairman was right when he said people did not care what color the truck was that responded during an emergency. He said it was in a citizen’s best interest that the closest resource would respond to an emergency. He stated an agreement had been in place with the City of Reno since 1991, but it probably had been done informally long before that. He said fire personnel knew it was in the best interests of the public they served to get emergency services to the location of the emergency as quickly as possible regardless of the jurisdiction. He advised six or seven Automatic Aid Agreements were in place with other jurisdictions within the County and in the surrounding counties, with the exception being the City of Reno. He said the City of Reno also had Agreements with every jurisdiction except for Washoe County. He felt this situation was very unusual and was a disservice to the people living in the area.

Commissioner Breternitz stated he wanted to make sure it was clear this was an Advisory Ballot Question, which would not be binding on any entity, but would help educate the public regarding automatic aid. He felt it would also help them understand their best interests would not be served by not allowing the closest unit to respond.

Commissioner Humke noted this Resolution was different because it did not exclude any jurisdiction. Commissioner Breternitz confirmed it currently did not

exclude any jurisdiction, but he felt there might be a request to do so during public comment. He stated the wording was simpler to boil the issue down to its absolute essence.

In response to the call for public comment, Sparks Mayor Gino Martini requested the City of Sparks be left out of the Advisory Ballot Question. He said the City of Sparks had always had Mutual Aid Agreements with the County and the City of Reno and they worked well. He felt it was premature to bring this Advisory Question to the citizens, because it had not been vetted enough and there could be unforeseen consequences to doing this. He said the City of Sparks had obtained concessions from its people and had never closed any of its stations, so the City was doing fine. He reiterated his request that the City of Sparks be left out of the Advisory Question.

Commissioner Jung stated she did not support this Advisory Ballot Question. She said there would be a joint meeting with the City of Reno to renegotiate Automatic and Mutual Aid Agreements. She said when reimbursements were necessary those reimbursements were made, which was called the “fair and square true-up model.” She stated she did not understand why that Model could not be used again. She said because of the varying tax rates the citizens paid, such as the City residents paying a tax to the County and to the City, the true-up had to be equitable; but she felt this Advisory Question was saying another entity would be subsidizing the County. She felt this Advisory Question was not fair and she would not support it. She also felt this Advisory Question and the other one being considered could muddy the waters and cause people to vote no to everything in disgust.

Commissioner Humke said he disagreed with Commissioner Jung, because he did not see any subsidy theory in this Advisory Question. He said it obviously would build rules so an entity could request help when needed. He stated to abuse that need for help by extending the period from hours to days would clearly be inappropriate if it was truly not necessary, such as during a natural disaster.

Commissioner Humke said he was evenly divided on this Advisory Question. He asked if a business agreement was needed to help out other entities. He stated this was one city or county helping out another, which was what people did because they were decent. He said resources were sent to the citizens on the other side of the line when the need was present, and the settling up could be done later. He suggested Mutual Aid Agreements were positive because they set out the rules, but he believed mutual aid could be done without them and it could certainly be done without having an agreement with one entity.

Commissioner Humke believed citizen education through an Advisory Question was problematic. He stated this was an extremely complicated issue, and it was hard to get citizens to read and understand the “for” and “against” arguments.

Commissioner Humke believed this issue had come and gone, and he was not sure this was something that needed to be taken to the citizens for their advice. He said he was trying to make a decision on what to do about this Advisory Question.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried with Chairman Larkin and Commissioner Jung voting “no,” it was ordered that Agenda Item 5 be adopted and executed with the amendment to have the Resolution pertain only to the City of Reno and the unincorporated areas of Washoe County. The Resolution for same is attached hereto and made a part of the minutes thereof.

Later in the meeting after Paul Lipparelli, Legal Counsel, arrived, Katy Simon asked if the Board would need to ratify a different version of the Automatic Aid Ballot Question because it was revised to remove the City of Sparks. Mr. Lipparelli said the item, as noticed on the agenda, was broad enough to allow changes to the Resolution. He stated it was permissible to remove the language from the draft prior to the Board adopting it.

Chairman Larkin asked if the Clerk understood the City of Sparks had been excluded from Commissioner Breternitz’s motion. Nancy Parent, Chief Deputy Clerk, advised she heard the motion included only the unincorporated areas and the City of Reno.

**12-688            AGENDA ITEM 6 – REGISTRAR OF VOTERS**

**Agenda Subject: “Recommendation to approve appointments to the Ballot Arguments Committees for Ballot Question (2012 Public Safety Automatic Aid Advisory Question) for the November 6, 2012 General Election--Registrar of Voters. (All Commission Districts.) Continued from the July 10, 2012 Commission meeting.”**

Katy Simon, County Manager, said appointments to the Ballot Arguments Committees needed to be made by July 24, 2012. She stated if those appointments were not made by that date, the District Attorney’s Office and the Registrar of Voters would write the arguments for and against the Ballot Question.

Commissioner Breternitz said he had not done any work on the Committees’ structure because he had not known whether or not the Ballot Question would be approved.

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

**12-689            AGENDA ITEM 7 – MANAGER**

**Agenda Subject: “Acknowledge report on the status of funding for Senior Services to meet the growing needs of seniors, including legal services, and discussion of**

**options for other funding, including the possible placing of an advisory ballot measure on the November, 2012 General Election Ballot for additional funding, including possible approval and execution of a Resolution--Manager. (All Commission Districts.) Continued from July 10, 2012 Commission meeting.”**

Katy Simon, County Manager, said there was a revised packet that contained slightly different wording of the Question.

In response to the call for public comment, Martha Gould said she believed the Commission could do this without a Ballot Question, but she would support anything that would increase funding for seniors. She said she was aware there were other problems to be dealt with, but the senior population was growing as were their needs. She suggested the Board take care of the funding for seniors instead of kicking the can down the road. She noted the two Senior Advisory Boards sent the Commissioners a letter suggesting some names of people who could serve in support of the Ballot Question.

Donna Clontz thanked the Commissioners for putting seniors as high on their priority list as they did. She said the Cities and the County had been looking at finding ways to fund the services that would be needed based on the projected growth in the senior population. She stated the Commission had the ability to use the 1 percent of the Governmental Services Tax (GST), which many felt would be the simplest and the most efficient way to fund the needs of senior services, public safety, and infrastructure. She believed if the Commission wanted to ask for the citizen's support, the Advisory Boards would work to form the groups necessary to write the opinions for the Ballot Question and would work to get the information about the Ballot Question out to the community so they would vote in favor of it.

Sally Ramm said she worked closely with the Senior Law Project as an Elder Rights Attorney for the Nevada Department of Human Resources, Aging and Disability Services Division. She stated the Senior Law Project had a sterling national reputation for working on the issues of veterans' benefits and senior guardianship reform. She said it served as a model for obtaining benefits for veterans that they were unaware of and for having accountability for the guardians of the seniors placed under guardianship. She stated the guardians helped people keep their homes, avoid illegal discharges from skilled nursing facilities, forestall financial exploitation, and many other issues. She said the District Court appointed a Senior Law Project lawyer to represent people who were about to be placed in a guardianship, which was the only way they could obtain legal representation. She noted once they were placed in a guardianship, they lost all of their civil rights.

Ellie Hays proposed the Board use the 1 percent of the GST, even if it had to be split into thirds. She said if the Board decided to go with raising property taxes, she calculated the 2 percent property tax increase on a \$300,000 house would be approximately \$20 per year; and she felt that should be explained in any materials

provided to the voters. She felt the Board should go for getting something without having to go on the ballot.

Marsy Kupfersmith thanked the Commissioners for recognizing the importance of seniors, and felt either option should be pursued.

Laura Coger said she worked with seniors and people with disabilities. She stated she was representing many seniors with disabilities that could not attend today's meeting to advocate for themselves. She said her organization, Consumer Direct Personal Care, provided personal care services and partnered with the County to help people age in place. She said she supported either method to keep the senior funding going.

Connie McMullen thanked the Commissioners for getting the senior funding issue this far. She noted Senior Services and the Senior Law Project were upfront preventative services and the backside of public safety included guardianship and District Court issues, which all needed more funding.

Jill Andrea thanked the Commissioners for talking with the all of the Senior Advisory Board members on how they felt about the best direction to go to obtain additional funding. She believed the GST was a good way to solve the problem, and she would prefer not going with the Ballot Question. She said she understood how government worked, but many seniors did not. She also felt there were not enough people in Senior Services to refer seniors so they could get the proper help.

Stephen Jacobs thanked the Commissioners and the two City Councils for entertaining this Resolution. He said this was a great opportunity to plan ahead for the tsunami of seniors that would be coming, many of which would be at or near the poverty level. He said this Resolution's passage could avoid a lot of hardship and expense.

Dr. Larry Weiss commended the Commissioners for recommending this Ballot Question, but he believed the Commissioners should make a decision today. He said Grady Tarbutton, Senior Services Director, expressed the need very well at the July 10th joint meeting and more people every day lost out on obtaining the services they needed because they were not funded. He stated if the Commissioners could not make a decision today, he requested they put the funding issue on the ballot this November.

Anita Ritter said the people in the aging community were very appreciative of all of the Commissioners' work. She believed the GST would be seen by the voters as a tax increase, but over the last few weeks it had been shown there was a real need for the additional funding. She said if the Board acted on the GST, there was a certainty that the funds needed to improve the lives of the most vulnerable citizens would be improved. She stated the other way to go would be to put the request for funds on the ballot, which would allow the citizens to make a decision regarding the priority of aging services. She said what direction to go was a hard choice that only the Commissioners

could make, but she personally supported increasing the GST by 1 percent because it would be the most reliable way of getting the funds.

John Madole said the Nevada Chapter of Associated General Contractors had no problem with funding senior services, but the cost should be borne by the people who would benefit from the assessment or the tax.

Katy Simon, County Manager, read the second question shown on page 3 of the staff report dated July 13, 2012. She said the increase was from 4 percent to 5 percent, which was actually an increase of 25 percent. She advised the District Attorney's Office approved this language as being sufficiently clear.

Commissioner Breternitz asked if a percentage of the revenues generated from the GST could go for streets and roads when the Commission prioritized the County's expenditures. Ms. Simon said the District Attorney's Office advised the uses outlined in an Advisory Question were not restricted by law. She believed the Board would be guided by the vote of the people and would have to make a tough argument for not funding those uses.

Commissioner Weber stated she appreciated the community supporting the Board in its decision making process. She said she supported the Advisory Question, because she felt the people who would be paying the tax should have the opportunity to vote yes or no on it.

Commissioner Humke said the wording of the Question on page 3 of the staff report made it clear the Commission would concentrate on senior services, public-safety services, and public infrastructure. He stated in this economic environment and with the rapid changes happening, such as the implementation of the Affordable Care Act, all of this revenue might be needed to go towards medical care.

Commissioner Humke said there was a host of reasons why policy makers would feel compelled to do an Advisory Question. He stated one was the Legislature always asked why local governments did not go to a vote of the people on an issue. He said secondly the prime movers of the senior services initiative brought it to the two City Councils who then came to the Commission for the County to put it on the ballot as an Advisory Question. He stated that action put the expectation of an Advisory Question, no matter what revenue source was sought. He stated finally local government could not go wrong by asking its citizens what they wanted. He believed if the initiative had life, it would pass.

Commissioner Jung said she supported this Resolution, which she believed was a preventive approach to what the County was facing for senior services, public-safety services, and public infrastructure. She stated the demographers predicted the number of seniors would continue to grow as the population aged and, additionally, this was an attractive place for seniors to relocate for their retirement. She said the underfunded and understaffed public-safety services could not continue; and the public

should be made aware of some of the staffing issues, especially issues at the jail. She stated public-safety services were also preventative, because more officers meant more arrests were made and more felons were taken off the streets. She said additional funding for Capital Improvement Projects would help shore up the County's crumbling infrastructure and would create jobs when the projects were put out to bid in the private sector. She believed the three special interest groups would work together to get the message out to the citizens on how this would affect the area's quality of life.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, it was ordered that a Resolution designated as the "2012 Public Services Funding Advisory Ballot Question Resolution" be approved and executed, thereby approving the submittal of an advisory question to the registered voters of Washoe County at the General Election on Tuesday, November 6, 2012. The Resolution for same is attached hereto and made a part of the minutes thereof.

**12-690            AGENDA ITEM 8 – REGISTRAR OF VOTERS**

**Agenda Subject: "Recommendation to approve appointments to the Ballot Arguments Committees for Ballot Question (Public Services Funding Advisory Question) for the November 6, 2012 General Election--Registrar of Voters. (All Commission Districts.) Continued from the July 10, 2012 Commission meeting."**

Kay Simon, County Manager, said appointments to the Ballot Arguments Committees needed to be made by July 24, 2012. She stated she was aware some names were submitted, but this item could be continued to a future meeting.

Chairman Larkin suggested continuing this item until July 24, 2012.

There was no response to the call for public comment and no action taken on this item.

**\*9:29 a.m.** Paul Lipparelli, Legal Counsel, arrived.

**12-691            AGENDA ITEM 9 – COMMUNITY SERVICES/COMMUNITY DEVELOPMENT**

**Agenda Subject: "Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving the First Amendment to a Development Agreement for Case Number DA11-001 for Reno Technology Park and Sparks Energy Park, approved by Ordinance 1476; which amendment permits the construction and operation of a certain Technology Park in a Special Development Area and modifies Special Use Permit Case Numbers SW11-001, SW11-002 and SW11-003 accordingly; and also provides for future amendments to the Washoe County Master Plan and the Washoe County Development Code specific to the Special Development Area and other matters**

**properly related thereto; and if approved, schedule the public hearing, approval of the First Amendment, second reading and possible adoption of the Ordinance for July 30, 2012 at 9:00 a.m.--Community Services/ Community Development. (Commission District 4.)”**

Commissioner Breternitz asked what the exact difference was between the approved Development Agreement and this Amendment.

Trevor Lloyd, Senior Planner, said the applicants modified the boundaries of the parcels that comprised the Reno Technology Park. He stated this Amendment was being brought forward to identify the new uses in the area indicated as Tourist Commercial and Open Space zoning as shown on the map, which was placed on file with the Clerk. He said this put Washoe County in the position to move forward on a very aggressive schedule to rezone, modify the Master Plan, and amend the Development Code. He said staff anticipated that would happen within the next sixty days.

Nancy Parent, Chief Deputy Clerk, read the title for Bill No. 1674.

There was no response to the call for public comment.

Bill No. 1674, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING THE FIRST AMENDMENT TO A DEVELOPMENT AGREEMENT FOR CASE NO DA11-001 FOR RENO TECHNOLOGY PARK AND SPARKS ENERGY PARK, APPROVED BY ORDINANCE 1476; WHICH AMENDMENT PERMITS THE CONSTRUCTION AND OPERATION OF A CERTAIN TECHNOLOGY PARK IN A SPECIAL DEVELOPMENT AREA AND MODIFIES SPECIAL USE PERMIT CASE NUMBERS SW11-001, SW11-002 AND SW11-003 ACCORDINGLY; AND ALSO PROVIDES FOR FUTURE AMENDMENTS TO THE WASHOE COUNTY MASTER PLAN AND THE WASHOE COUNTY DEVELOPMENT CODE SPECIFIC TO THE SPECIAL DEVELOPMENT AREA AND OTHER MATTERS PROPERLY RELATED THERETO,**" was introduced by Chairman Larkin, and legal notice for final action of adoption on July 30, 2012 at 9:00 a.m. was directed.

**12-692            AGENDA ITEM 11 – PUBLIC COMMENT**

**Agenda Subject: “Public Comment. Comment heard under this item will be limited to two 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 two minutes per person. Comments are to be made to the Commission as a whole.”**

There was no response to the call for public comment.

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**9:36 a.m.** There being no further business to discuss, the meeting was adjourned without opposition.

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**ROBERT M. LARKIN**, Chairman  
Washoe County Commission

**ATTEST:**

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**AMY HARVEY**, County Clerk and  
Clerk of the Board of County Commissioners

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

Summary: A resolution designated as the “2012 Public Safety Automatic Aid Advisory Ballot Question Resolution”. This advisory question would ask the voters of the City of Reno and the unincorporated areas of Washoe County whether local governments should be required to provide closest unit emergency response to fire and medical emergencies, regardless of jurisdiction.

## RESOLUTION

**WHEREAS**, Washoe County (the "County"), in the State of Nevada was duly organized and created pursuant to Nevada Revised Statutes ("NRS")243.340, and is operating as a County under NRS Chapter 244 and the general laws of the State; and

**WHEREAS**, the Board of County Commissioners (the "Board" or the "Governing Body") of the County has determined that it is necessary and advisable that the County, pursuant to NRS 293.482, ask the advice of the registered voters of the City of Reno and the unincorporated areas of Washoe County regarding a question that the Board has under consideration; and

**WHEREAS**, in the judgment of the Board, it is necessary and advisable that an advisory question be placed on the ballot at the general election to be held on November 6, 2012 (the "Election") to submit to the electors of the City of Reno and the unincorporated areas of Washoe County the question in the form set forth in the Resolution (the "Question"); now, therefore, be it

### **RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA:**

- Section 1. This resolution be known and may be cited as the “2012 Public Safety Automatic Aid Advisory Ballot Question Resolution”.
- Section 2. The Board hereby finds and declares the necessity of placing the Question on the ballot for the Election for the purpose of asking the advice of the registered voters of the City of Reno and the unincorporated areas of Washoe County whether local governments should enter into reciprocal agreements to dispatch the closest emergency response unit to fire, medical and other emergencies regardless of which jurisdiction the emergency is located.
- Section 3. The Question is hereby designated and ordered to be placed on the ballot of the Election within the County on Tuesday, November 6, 2012 at which there shall be submitted to the registered voters of the City of Reno and the unincorporated areas of Washoe County the Question hereinafter set forth. The Election shall be conducted in accordance with Chapter 293 and 293B of NRS, and all laws amendatory thereof (the “General Election Act”).
- Section 4. This question is advisory in nature and does not place any legal requirement on the governing body, any member of the governing body, any officer of the political subdivision or the Nevada Legislature.

12-687

- Section 5. The County Clerk shall immediately provide the County Registrar of Voters with a copy of the Question, including an explanation of the question, the fiscal note and any additional information as set forth herein.
- Section 6. The Registrar of Voters is hereby authorized to initiate the process for the appointment of a committee to prepare arguments advocating and opposing the Question pursuant to NRS 295.121.
- Section 7. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the County relating to:
  - A. The Election, and
  - B. The Question,
 is ratified, approved and confirmed.
- Section 8. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.
- Section 9. All orders, bylaws and resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed. This repealer shall not be construed to revive any bylaw, order or resolution, or part thereof, heretofore repealed.
- Section 10. In any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.
- Section 11. The Question and explanation shall read as follows:

**This question is advisory only:**

**“Should local governments be required to provide closest unit emergency response to fire and medical emergencies, regardless of jurisdiction?”**

Yes...../\_\_\_\_\_/

No...../\_\_\_\_\_/

**Explanation:**

In emergency services, automatic aid agreements are used to automatically dispatch closest public safety resources to an emergency incident. Such agreements are entered into by two communities or fire districts to lend assistance to one another across jurisdictional boundaries. Such formal standing agreements are intended to ensure resources are dispatched from the nearest emergency facility, such as a fire station, regardless of which side of the jurisdictional boundary the incident is located. Automatic aid agreements are intended to be reciprocal in nature, such that both parties benefit from the agreement. Because of the mutual benefit, automatic aid through such agreement is typically provided without expectation of reimbursement for the first twelve to twenty-four hours of the incident. Beyond the commitment response time, automatic aid agreements typically include reimbursement based on rates established in an agreed upon operating plan.

A “Yes” vote would inform the local governments in the City of Reno and the unincorporated areas of Washoe County that they should be required to provide closest unit emergency response to fire and medical emergencies, regardless of jurisdiction.

A “No” vote would inform the local governments in the City of Reno and the unincorporated areas of Washoe County that they should not be required to provide closest unit emergency response to fire and medical emergencies, regardless of jurisdiction. A “No” vote does not prohibit any local government from entering into an automatic aid agreement.

This question is advisory in nature and does not place any legal requirement on the governing body, any member of the governing body, any officer of the political subdivision or the Nevada Legislature.

12-687

Section 12. The Fiscal Note shall read as follows:

**Fiscal Note:**

The fiscal effect of passage of this advisory ballot question on local governments cannot be determined with any reasonable degree of certainty. Automatic aid agreements for emergency services are intended to be reciprocal, whereby both parties to the agreement benefit from the agreement. Automatic aid agreements typically provide for more efficient and effective delivery of public safety services and result in lower costs for all parties to such agreements. Implementation of such agreement is not expected to result in a new tax or fee, and would be paid from existing resources of the participating fire or emergency service entities.

Section 13. This Resolution shall be in effect from and after its adoption.

Adopted this 16<sup>th</sup> day of July 2012.

  
Robert M. Larkin, Chairman



Attest:  
  
County Clerk

12.657

Summary: A resolution designated as the “2012 Public Services Funding Advisory Ballot Question Resolution”. This advisory question would ask the voters of Washoe County whether the Board of County Commissioners should increase funding for essential public services such as senior services, public safety services, and public infrastructure by increasing the Government Services Tax from the current rate of 4% to a maximum of 5% of the depreciated value of a motor vehicle.

RESOLUTION

**WHEREAS**, Washoe County (the "County"), in the State of Nevada was duly organized and created pursuant to Nevada Revised Statutes ("NRS")243.340, and is operating as a County under NRS Chapter 244 and the general laws of the State; and

**WHEREAS**, the Board of County Commissioners (the "Board" or the "Governing Body") of the County has determined that it is necessary and advisable that the County, pursuant to NRS 293.482, ask the advice of the registered voters of the County regarding a question that the Board has under consideration; and

**WHEREAS**, in the judgment of the Board, it is necessary and advisable that an advisory question be placed on the ballot at the general election to be held on November 6, 2012 (the "Election") to submit to the electors of the County the question in the form set forth in the Resolution (the "Question"); now, therefore, be it

**RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
WASHOE COUNTY, NEVADA:**

- Section 1. This resolution be known and may be cited as the “2012 Public Services Funding Advisory Ballot Question Resolution”.
- Section 2. The Board hereby finds and declares the necessity of placing the Question on the ballot for the Election for the purpose of asking the advice of the registered voters of Washoe County whether to increase funding for essential public services such as senior services, public safety services, and public infrastructure by increasing the Government Services Tax from the current rate of 4% to a maximum of 5% of the depreciated value of a motor vehicle.
- Section 3. The Question is hereby designated and ordered to be placed on the ballot of the Election within the County on Tuesday, November 6, 2012 at which there shall be submitted to the registered voters of the County the Question hereinafter set forth. The Election shall be conducted in accordance with Chapter 293 and 293B of NRS, and all laws amendatory thereof (the “General Election Act”).
- Section 4. This question is advisory in nature and does not place any legal requirement on the governing body, any member of the governing body, any officer of the political subdivision or the Nevada Legislature.
- Section 5. The County Clerk shall immediately provide the County Registrar of Voters with a copy of the Question, including an explanation of the question, the fiscal note and any additional information as set forth herein.
- Section 6. The Registrar of Voters is hereby authorized to initiate the process for the appointment of a committee to prepare arguments advocating and opposing the Question pursuant to NRS 295.121.

12.659

- Section 7. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and by the officers of the County relating to:
  - A. The Election, and
  - B. The Question,
 is ratified, approved and confirmed.
- Section 8. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.
- Section 9. All orders, bylaws and resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed. This repealer shall not be construed to revive any bylaw, order or resolution, or part thereof, heretofore repealed.
- Section 10. In any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.
- Section 11. The Question and explanation shall read as follows:

**This question is advisory only:**

**Should more funding for essential public services such as senior services, public safety services, and public infrastructure be provided by increasing the Government Services Tax from the current rate of 4% to a maximum of 5% of the depreciated value of a motor vehicle?**

Yes...../\_\_\_\_\_/

No...../\_\_\_\_\_/

**Explanation:** This ballot question will serve to advise the Washoe County Board of Commissioners on whether a majority of the voting public in Washoe County support increasing the Government Services Tax from the current rate of 4% to a maximum of 5% of the depreciated value of a motor vehicle to provide additional funding for essential public services such as senior services, public safety services, and public infrastructure.

12-689

The Washoe County Board of County Commissioners are seeking the advice of the voting public in Washoe County regarding raising the Government Services Tax (GST), which is a tax on the depreciated value of a motor vehicle. Currently, the GST in Washoe County is 4% of the depreciated value of a motor vehicle. The Board of County Commissioners currently has authority to increase the GST by up to 1% of the depreciated value of a motor vehicle. The Washoe County Board of County Commissioners has been approached by the City Councils of the Cities of Reno and Sparks, and by other groups and individuals to increase funding for Senior Services in Washoe County. The Board has also identified additional essential public services such as public safety services and infrastructure that could benefit from increased funding.

A "Yes" vote would inform the Washoe County Board of Commissioners that the Board should increase funding for essential public services such as senior services, public safety services, and public infrastructure by increasing the Government Services Tax from the current rate of 4% to a maximum of 5% of the depreciated value of a motor vehicle.

A "No" vote would inform the Board of County Commissioners that the Board should not increase funding for essential public services such as senior services, public safety services, and public infrastructure by increasing the Government Services Tax from the current rate of 4% to a maximum of 5% of the depreciated value of a motor vehicle.

This question is advisory in nature and does not place any legal requirement on the governing body, any member of the governing body, any officer of the political subdivision or the Nevada Legislature.

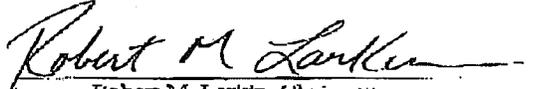
Section 12. The Fiscal Note shall read as follows:

**Fiscal Note:**

Currently, the Government Services Tax is 4% of the depreciated value of a motor vehicle. An increase in the Government Services Tax of 1% of the depreciated value of motor vehicles would result in an estimated \$0.4 million in annual revenue to Washoe County. The fiscal impact on an individual owner of a motor vehicle will vary depending on the age of the vehicle and the original manufacturer's suggested retail value of the motor vehicle. If the Government Services Tax in Washoe County were increased by 1% on the depreciated value of a motor vehicle, the average additional cost to a motor vehicle owner would be approximately \$43 per year.

Section 13. This Resolution shall be in effect from and after its adoption.

Adopted this 16<sup>th</sup> day of July 2012.

  
Robert M. Larkin, Chairman

Attest:

  
County Clerk

12-689