

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

MONDAY

8:30 A.M.
SPECIAL MEETING

MAY 19, 2014

PRESENT:

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

Nancy Parent, County Clerk
John Slaughter, 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 Clerk called the roll and the Board conducted the following business:

14-453 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. "

There was no response to the call for public comment.

14-454 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.) "

Commissioner Weber explained that she had incorrectly stated during the May 13, 2014 Board meeting that Warm Springs was a congested area. She confirmed that Warm Springs was not a congested area and apologized for the misstatement.

Commissioner Berkbigler requested an ordinance to prohibit puppy mills in the County. She thanked Truckee Meadows Fire Protection District (TMFPD) Fire Chief Charles Moore for keeping the Board informed on the recent Hunter Creek fire near Caughlin Ranch.

Chairman Humke said the Washoe Valley Association recently held an event to showcase the positive improvements taking place by that private, non-profit Association. He requested an agenda item to fully explain and discuss the medical marijuana issue and to hear from citizens and the potential regulated community.

Commissioner Weber reported on the grand opening of the North Valleys Water Splash Park that occurred on May 17th. She said citizens attended from all over the County and it was a huge success.

Commissioner Jung asked staff to send her information on the process and policy for naming parks in the community.

Tentative Budgets, as well as possible changes to adoption of the Final Budgets, for Fiscal Year 2014/15.

8:50 a.m. The Board convened as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

9:10 a.m. The Board adjourned as the TMFPD/SFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners.

9:11 a.m. The Board recessed.

9:20 a.m. The Board reconvened with all members present.

14-455 AGENDA ITEM 7 – WASHOE COUNTY

Agenda Subject: "Washoe County. May be continued to Wednesday, May 28, 2014 at 8:30 a.m."

John Slaughter, County Manager, said this item represented a balanced budget with \$307 million in General Fund expenditures, transfers and contingencies. He said the total revenue and sources were growing at approximately 3.7 percent, and property tax receipts were budgeted to increase by 4.7 percent. He commented that the tax rate remained at \$1.39 for the 11th consecutive year, and sales tax receipts were budgeted for a 3.1 percent increase. Mr. Slaughter explained that the budget recommended 14 authorized positions, and also allowed for employee salaries and wage increases of 6.6 percent, which included cost of living increases that were still in discussion. The budget also included 4.5 percent for mandatory, indigent medical expenditures. He noted that the support was continuing for the Health District for

approximately \$10 million and \$1.4 million for the Senior Services Fund. Mr. Slaughter thanked the entire Budget and Finance staff for their hard work and dedication and concluded that the County's AA Bond Rating was affirmed.

Commissioner Weber thanked all the departments and the department heads for their budget presentations. She said those presentations made the budget process more transparent for the public.

Commissioner Hartung asked for an outline on the public safety function. Mr. Slaughter replied that eight additional Sheriff Deputies were recommended and included in the budget along with additional staff for the Crime Lab.

Commissioner Hartung thanked Commissioner Weber, Commissioner Jung and Chairman Humke for guiding the Board over the past several years in the budget process. Based on some of the difficult decisions that were made, he said the County was solvent.

Chairman Humke commented on the billing and contract for services with other entities. He asked how those payments were being received, if they were all being received timely, if all the entities were being billed and, if there were any outstanding balances.

Valerie Moser, Washoe County Sheriff's Office (WCSO) Finance Manager, replied that all the entities had been billed for their lab services. She explained that every year a letter was sent to the entities breaking down the corresponding costs, the scope of work and the percentages of Crime Lab services for those entities. Based upon an exchange for services, she indicated that the City of Reno had not paid those invoices, but she was unclear on the outstanding balance for the City. Chairman Humke asked if this was the first instance where the City had not made a payment. Ms. Moser was unclear how far back the unpaid invoices dated.

Chairman Humke stated that a record was made during the WCSO's budget presentation on the annual amount that had not been paid. Mr. Slaughter stated that staff was aware of the City being billed and the County not receiving payment. He was in discussion with Reno City Manager Andrew Clinger, but there had not been any conclusions at this time. Chairman Humke recalled that the balance owed to the County from the City for the Crime Lab work was about \$1.2 million per year and went back several years for payment not forthcoming. Ms. Moser stated that the City would continue to receive an invoice every year in regard to their use of the Crime Lab services.

Chairman Humke said this issue needed to be resolved and it deserved some public attention.

There was no public comment on this item.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried with Chairman Humke voting "no," it was ordered that the Washoe County Fiscal Budget for 2014/15 be approved.

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Later in the meeting, the Board returned to Agenda Item 4: 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

Commissioner Hartung said some concerns had been raised about a judicial issue. He requested the Reno Justice Court vacancy be brought back to the Board during their next scheduled meeting.

John Slaughter, County Manager, said the Board's next scheduled meeting was June 17th; however, that meeting was too late for the reconsideration process. If there would be a reconsideration of a previous action, he suggested a meeting be held on May 27th. He explained that the action being discussed needed to take place during a regularly scheduled Board meeting.

Chairman Humke indicated that the cancelled May 27th meeting would have to be reinstated to cover the notice of reconsideration.

Paul Lipparelli, Legal Counsel, indicated that the Board's rule on reconsideration required that reconsideration be completed within 25 days of the original action, which made the June 17th date too late, unless the Board's rules were suspended. He said the filing period for the General Election for this seat would begin on June 16th, which could cause a problem with the Registrar of Voters and potential candidates if the Board were to meet on June 17th. He recommended that the Board act in May for everyone concerned to be prepared on whatever route was taken.

9:45 a.m. Commissioner Jung left the meeting.

Commissioner Hartung explained there had been some angst expressed over not narrowing the field of candidates with a primary election. He said a notice from the Secretary of State indicated that a "do nothing option" was not an option.

Mr. Lipparelli clarified there were three options, but one option was disfavored by individuals that believed the Board had a duty to fill the vacancy. He said a suggestion was made that the seat could be left vacant until 2016 when it came up for election. He explained that approach would expose the County to potential legal action and would force the County to act and fill the vacancy. The other options were an election and/or an appointment. He said the Board could give clear direction to staff about the next meeting and then the agenda would be posted. Mr. Lipparelli commented

that it was possible to meet on a different day for reconsideration, but the Board had to suspend their rules that required the reconsideration be conducted within 25 days of the original vote. He said any date past May 27th would be outside the 25 day range.

Commissioner Hartung questioned what would occur if the Board chose not to fill the position and move forward with an election. Mr. Lipparelli replied that the Board had taken action to fill the vacancy by an election, unless the Board undid that action, the last word from the Board was to hold the election. By withdrawing that order and not acting at all, the County could potentially face legal action from an interested person arguing there was an obligation for the Board to fill the vacancy and leaving it open for two years was not contemplated.

Commissioner Weber asked how many Board members needed to be present for reconsideration. Mr. Lipparelli replied if the Board had a bare minimum of three members present, there would have to be a unanimous vote to take any action.

Chairman Humke commented that he voted against the budget based on the balance due from the City of Reno for Crime Lab services.

14-456 AGENDA ITEM 9 – 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.

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9:50 a.m. There being no further business to discuss, on motion by Commissioner Hartung, seconded by Commissioner Weber, which motion duly carried with Commissioner Jung absent, the meeting was adjourned.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Stacy Gonzales, Deputy County Clerk*