

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

TUESDAY

10:00 A.M.

JUNE 28, 2016

PRESENT:

Kitty Jung, Chair
Bob Lucey, Vice Chair
Marsha Berkgigler, Commissioner
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner

Jan Galassini, Chief Deputy County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 10:00 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:

16-0519 AGENDA ITEM 3 Public Comment.

The following individuals spoke in favor of the ordinance which would update the congested area and associated maps: Patricia Fager, Ben Tedore, Joy Anhold, Marilee Wintz, Mac Rossi, Ken McNeil, Chad Wilson, Pam McNeil, Kent Ervin and Max Haltom.

The above individuals' comments included: Concerns over safety due to irresponsible shooting, the negative impact on wildlife population due to shooting, the increased amounts of trash from bullets and objects used for target practice, the potential for wildfires caused by shooting, the inclusion of the peak of Peavine Mountain into the congested area, making Peavine Mountain a target shooting free zone, expansion of the congested area to cover the dense network of trails, educating people through simplified signage and maps, and the need for proper enforcement by the Sheriff's Office to prevent illegal and irresponsible shooting.

Mr. Rossi provided a handout showing a billboard that stated "shooting can cause wildfires". The handout was placed on file with the Clerk.

The following individuals spoke in opposition to the ordinance which would update the congested area and associated maps: William McCune, Pee Wee Henson and Jeffry Rodgers.

The above individuals' comments included: Concerns that changing the congested area boundaries would lead to an outright ban of certain activities, concern over alienating one group to accommodate another group, a request for definitive lines to indicate where shooting was and was not allowed, how shooters were blamed for many of the issues when non-shooters also contributed to the problems, and the need for proper enforcement by the Sheriff's Office to ensure all activities on Peavine Mountain were conducted properly.

Buck Sampson spoke about his Paiute heritage and how the Paiutes utilized Peavine Mountain for ceremonies. He said the encroachment of people onto the mountain was destroying sacred areas and sites. He mentioned his grandfather was the first Indian voted into the Nevada State Legislature in 1939.

Donna Clontz thanked the Board and specifically Chair Jung for the distribution of funds to the senior programs listed in Consent Agenda Item 5H4. She said the Center for Healthy Aging worked with County employees on caregiver issues and the Sanford Center for Aging was continuously working to assist seniors.

Pete Todoroff stated he was Chairman of the Citizens Advisory Board in Incline Village. He spoke about a roofing company on Tanager Street that violated County Code by having a junk yard in front of their building. He read an email from Wayne Ford of Wayne Ford Residential Design regarding the violation. A copy of the email was placed on file with the Clerk.

Sam Dehne believed the recent election was sabotaged due to the amount of votes he garnered. He said the State of Nevada should create a law to ensure companies, such as, Tesla, paid their fair share of taxes to fund schools.

Tim Stoffel spoke about the importance of animals. He requested the Board hold a workshop, moderated by an outside third-party mediator, to ensure animal owners' concerns were listened to and complied with by Animal Services.

Daniel Gray stated the Humane Society of the United States was not an animal welfare organization and that it did not work with or have any experiences with animals. He stated he supported regulation based on facts and reality. He added he opposed bans and regulations which affected the rights of County residents. He said exotic animals were already regulated by the United States Department of Agriculture and the Nevada Department of Wildlife; as well as, various other organizations. He asked the Board to listen to the stakeholders.

John Potash expressed his frustrations over the Animal Services Code revisions. He claimed County staff and outside special interest groups, which pushed for revised Codes, collected steady paychecks; whereas, he and others like him had to take time away from their businesses and jobs to fight for their rights. He asked the Board to take special notice of those who were not paid to be present and who stood to lose everything.

Cathy Brandhorst spoke of matters of concern to herself.

16-0520 **AGENDA ITEM 4** Announcements/Reports.

Chair Jung stated she would be attending the Crossroads awards ceremony. She also stated she would be attending the Save Our Schools canvassing event during which she would be promoting the importance of voting to increase the County's capability to improve its aging schools. In regards to the public comment about 911 calls made from Peavine Mountain being routed to California emergency dispatchers, she expressed her concerns that those calls were not routed to local emergency dispatchers. She requested a follow-up from the Sheriff's Office and the County's Dispatch Center.

CONSENT ITEMS 5A THROUGH 5M2

16-0521 **5A** Approval of minutes for the Board of County Commissioner's regular meetings of May 24, 2016.

16-0522 **5B** Approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered for the 2015/2016 secured and unsecured tax rolls and authorize Chair to execute the changes described in Exhibits A and B and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease \$3,189.90]. Assessor. (Parcels are in Commission Districts 2 and 4.)

16-0523 **5C** Approve a bequest of [\$56,171.99] from the estate of Philip Dare aka Philip Dare, Deceased to Family Services, CASA, a program of the Second Judicial District Court, and if approved, authorize the Comptroller's Office to make the appropriate budget adjustments. District Court. (All Commission Districts.)

Commissioner Berkbigler acknowledged the donation from Philip Dare's family.

16-0524 **5D** Approve Library Services and Technology Act funds from the State of Nevada in the amount of [\$2,800, with no local match required], for the term from July 1 through September 23, 2016, for the support of the Summer Reading Program, direct the Comptroller's Office to make the necessary budget amendments and authorize the Director to sign the grant award document. Library. (All Commission Districts.)

16-0525 **5E** Approve a supplemental grant award from the Nevada Aging and Disability Services Division for the following Older Americans Act Title III Programs: Nutrition Services Incentive Program [\$68,406 no match required] retroactive from October 1, 2015 through September 30, 2016;

and direct Comptroller to make the appropriate budget amendments. Senior Services. (All Commission Districts.)

- 16-0526** **5F** Approve and execute Resolution directing County Treasurer to give notice of the sale of properties subject to the lien of a delinquent special assessment in the following districts: WCAD 23 – Arrowcreek Water, WCAD 29 – Mount Rose Sewer Phase 1, WCAD 32 – Spanish Springs Valley Ranch Rd, WCAD 39 – Lightning W Water System Supply Improvement (additional description of affected parcels contained in exhibit A of attached Resolution). Treasurer. (Commission Districts 2 and 5.)
- 16-0527** **5G** Approve elimination of position #70005827 Administrative Services Manager and Position #70001156 Senior Licensed Engineer and Direct Human Resources to make the necessary adjustments. Truckee River Flood Management Authority. (All Commission Districts.)
- 16-0528** **5H1** Approve and execute the Resolution levying tax rates for all Washoe County entities for the 2016-2017 fiscal year. (All Commission Districts.)
- 16-0529** **5H2** Approve the use of General Fund Contingency required to cover previously approved unbudgeted expenditures for Fiscal Year 2015-2016; approve cross function appropriation transfers required to move savings from one function to another function so as to bring the budget authority to the level of the actual expenditures required for Fiscal Year 2015-16; and, direct the Comptroller’s Office to make the appropriate appropriation transfers prior to June 30, 2016 [net impact to County Budget is zero]. (All Commission Districts.)
- 16-0530** **5H3** Approve the resignation of Joey Orduna Hastings and appoint Cathy Hill, Comptroller, to the Trustee position of “employee of the Employer who manages the fiscal affairs of the Employer” on the Washoe County, Nevada Other Post Employment Benefits (OPEB) Trust Fund Board of Trustees. (All Commission Districts.)
- 16-0531** **5H4** Approve recommendation for Commission District Special Fund grants for Fiscal Year 2015-2016 for Commission District 3 in the [total amount of \$20,000]; District 3 Chair/Commissioner Kitty Jung recommends a [\$3,000] grant to Washoe County Regional Parks to support efforts addressing the Peavine Mountain area congested area plan; a [\$500] grant to Washoe County Regional Parks to support the reopening of the Rancho San Rafael multi-use pasture; [a grant of \$9,500] to the Center for Healthy Again for the Washoe County Eldercare in the Workplace initiative; [a grant \$7,000] to Sanford Center for Aging to support variety of programs to further the Center; approve Resolutions

necessary for same; and direct the Comptroller's Office to make the necessary budget appropriation transfers. (Commission District 3.)

Commissioner Berkbigler thanked Chair Jung for donating her discretionary funds towards popular causes.

16-0532 **5H5** Approval of an agreement for professional services between Washoe County and Lewis Roca Rothgerber Christie LLP for legislative services for the period of July 1, 2016- June 30, 2017 for [\$121,666.62 plus pre-approved expenses]. (All Commission Districts.)

16-0533 **5H6** Approve re-appointment of Mr. Dave Stark, to the Washoe County Audit Committee for the term commencing July 1, 2016, and expiring on June 30, 2018. (All Commission Districts.)

16-0534 **5H7** Approve creation and recognition of Washoe County's Gerlach Combination Fire Department. (Commission District 5.)

16-0535 **5H8** Discussion and possible approval of Cooperative Emergency Agreements between Washoe County's Gerlach Fire Department and the Pyramid Lake Paiute Tribe Fire Department; Eagleville, CA, Volunteer Fire Department; Cedarville, CA, Volunteer Fire Department, Fort Bidwell, CA, Volunteer Fire Department; and the Modoc County, CA, Surprise Valley Health Care District. (Commission District 5)

16-0536 **5H9** Approve the creation of an intermittent hourly position, Fire Protection Officer (Gerlach) at pay grade FEII to provide fire suppression and emergency services to the area of unincorporated Washoe County that is located north of Township 22 and includes the town of Gerlach, Nevada. The cost of the position will be fully offset within the adopted annual County Manager's budget with existing funding or with a (SAFER) grant at a total estimated cost of [\$0]. (Commission District 5.)

16-0537 **5H10** Approve the renewal of the Agreement for appointed Counsel Administrator Services between the County of Washoe and Robert Bell, Esq., for professional legal services as the Appointed Counsel Administrator for the period of July 1, 2016 through October 31, 2016 [not to exceed [\$51,500] and if approved, authorize County Manager to execute the Contract. (All Commission Districts.)

16-0538 **5I1** Approve award of Washoe County Bid No. 2971-16 for Security Guard Services to Alert Security Asset Protection, 625 Margrave Drive, Suite 100, Reno, NV 89502 at the contracted rate of [\$15.98]per hour (and [\$23.97] per hour for work performed on County-observed holidays), and [\$9.50]per site visit for security patrols, on behalf of the Operations and Maintenance Division of the Washoe County Community Services

Department; and authorize the Purchasing and Contracts Manager to execute a one (1) year agreement commencing July 1, 2016, with the County retaining an option to renew the agreement in annual increments up to two (2) additional years. The estimated budget for security guard services in FY 17 is approximately [\$120,000.00] funded from Community Services with the potential for another [\$20,000.00] from other departments including Senior Services, Health, and Registrar of Voters on an as-needed basis. The annual amount indicated may vary depending on the number of actual hours of service requested over the course of each fiscal year. (All Commission Districts.)

- 16-0539** **5I2** Approve the proposed amendment to the Trust Agreement for the Washoe County, Nevada OPEB Trust Fund to eliminate references to the Sierra Fire Protection District (SFPD), pursuant to the consolidation of SFPD into the Truckee Meadows Fire Protection District as directed by Washoe County Ordinance 1577 and if approved, authorize the Chairman to execute the amended Washoe County, Nevada OPEB Trust Agreement on behalf of Washoe County, direct County staff to deliver the Amendment to the Trustees, and direct the Trustees to take all such other and further actions as are required to effectuate the assumption by TMFPD of all SFPD's duties, debts, obligations, liabilities and expenditures described in the Trust Agreement, and which are consistent with Ordinance 1577 and the consolidation of SFPD with TMFPD as described therein. (All Commission Districts.)
- 16-0540** **5J1** Approve the asset reassignment of five vehicles from the Community Services Department Building & Safety Fund 560 to Equipment Services Division Fund 669; and direct the Comptroller's Office to make the appropriate asset adjustments [no fiscal impact]. (All Commission Districts.)
- 16-0541** **5J2** Approve a Lease Amendment – 1999 Legal Description Washoe County Complex between Washoe County and the State of Nevada to correct the legal description associated with the current property located at 1001 E. Ninth Street (13.503 acres) that is exempt from the trust imposed by Chapter 561 of the Nevada Revised Statutes [no cost]. (Commission District 3.)
- 16-0542** **5J3** Approve the Water Rights Deed transferring 6.23 acre-feet of water rights from Washoe County to Robert Howell. (Commission District 2.)
- 16-0543** **5J4** Approve the Fourth Amendment to the Cooperative Agreement for Contractual Professional and Administrative Staff Services between the Western Regional Water Commission and Washoe County to reimburse the Community Services Department for staff services provided to the

Western Regional Water Commission and the Northern Nevada Water Planning Commission. (All Commission Districts.)

- 16-0544** **5J5** Approve an Employee Residence Agreement between Washoe County and Robert R. Brown (Community Services Department, Operations Division) to allow occupancy within the County-owned residence located at Bowers Mansion Regional Park, 4005 Old Highway 395 North, Washoe Valley, Nevada. (Commission District 2.)
- 16-0545** **5J6** Approve an Employee Residence Agreement between Washoe County and Andrew M. Brown (Community Services Department, Operations Division) to allow occupancy within the County-owned residence located at Davis Creek Regional Park, 25 Davis Creek Park Road, Washoe Valley, Nevada. (Commission District 2.)
- 16-0546** **5J7** Approve a change in the name of Washoe County’s Fund 566 from the Water Resources Fund to the Utilities Fund. (All Commission Districts.)
- 16-0547** **5K1** Approve FY17 Purchase Requisition #3000030466 issued to Cardinal Health (Contract #MMS10001) in the approximate amount of [\$105,725] for pharmaceutical products in support of the medical clinic operations on behalf of the Community and Clinical Health Services Division of the Washoe County Health District. (All Commission Districts.)
- 16-0548** **5K2** Approve amendments totaling an increase of [\$2,727] to the AFDO - FDA/WAFDO Training Grant, IO 11307; and if approved direct the Comptroller’s office to make the appropriate budget adjustments. (All Commission Districts.)
- 16-0549** **5K3** Approve FY17 Purchase Requisition #3000030472 issued to Board of Regents - UNR School of Medicine (single source) in the approximate amount of [\$100,000] for laboratory testing primarily in support of the medical clinic operations on behalf of the Community and Clinical Health Services Division of the Washoe County Health District. (All Commission Districts.)
- 16-0550** **5K4** Approve an Interlocal Contract between the Washoe County Health District and Washoe County through its Department of Juvenile Services to provide consultative and clinical services, Tuberculosis (TB) testing and Sexually Transmitted Disease (STD)/TB treatment medications for Wittenberg juveniles for the period upon ratification by the governing parties through June 30, 2017 unless extended by the mutual agreement of the Parties; with automatic renewal for two successive one-year periods for a total of three years on the same terms unless either party gives the other written notice of nonrenewal at least 60 days prior to June 30 of each

year; and if approved, authorize the Chair to execute the Agreement. (All Commission Districts.)

- 16-0551** **5L1** Approve Law Enforcement Funding Agreement between Black Rock City LLC and Washoe County, on behalf of the Washoe County Sheriff's Office to provide reimbursement for extra staffing [\$105,000] estimated total reimbursement] needed in the Gerlach/Empire area during the annual Burning Man Festival for 2016. (Commission District 5.)
- 16-0552** **5L2** Approve supplemental funding [\$5,000.00 no match required] from the US Dept. of Justice, United States Attorney, Organized Crime Drug Enforcement Task Force (OCDETF) for reimbursement of overtime costs incurred while involved in the investigation of OCDETF Initiative number PA-NV-0285 for the retro-active period of 02/01/2016 – 9/30/2016, and if approved, authorize Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)
- 16-0553** **5L3** Approve the Interlocal Agreement – RAVEN Fire Training, Monitoring and Suppression Personnel and Equipment between the County of Washoe on behalf of the Washoe County Sheriff's Office and Truckee Meadows Fire Protection District for the provision, when requested of a helicopter or other aircraft and personnel from the date of execution by all parties to June 30, 2017, with an automatic one (1) year extension. (All Commission Districts.)
- 16-0554** **5L4** Approve the NLTFPD Interlocal Agreement – RAVEN Fire Training, Monitoring and Suppression Personnel and Equipment between the County of Washoe on behalf of the Washoe County Sheriff's Office and North Lake Tahoe Fire Protection District in the amount of [\$10,000], for the period of July 1, 2016 through June 30, 2017, for the provision, when requested of a helicopter or other aircraft and personnel and approve reimbursement for services rendered throughout the year by the Washoe County Sheriff's Office to be paid in accordance with the Interlocal Agreement to the Washoe County Sheriff's Office Regional Aviation Unit (RAVEN). (All Commission Districts.)
- 16-0555** **5L5** Approve Interlocal Agreement between the City of Reno, on behalf of the Reno Police Department, the City of Sparks, on behalf of the Sparks Police Department, Washoe County on behalf of the Washoe County Sheriff's Department, and the State of Nevada Department of Public Safety, Parole and Probation Division to establish a Regional Repeat Offender Program to impact the criminal activity of repeat criminal offenders in the unincorporated areas of Washoe County, the City of Reno, and the City of Sparks, beginning on the date of execution by all parties. (All Commission Districts.)

- 16-0556** **5L6** Approve receipt of Justice Assistance Grant (JAG) funds, sub granted through Reno Police Department in the amount of [\$52,340.00, no County match required] for purchase of Law Enforcement equipment, Law Enforcement related training and travel, and overtime, and approve the Interlocal Agreement between the City of Reno, on behalf of the Reno Police Department, Washoe County, on behalf of the Washoe County Sheriff's Office and City of Sparks, on behalf of the Sparks Police Department for the Management and Disposition of 2016 Justice Assistance Grant (JAG) Program Award (CFDA #16.738) from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the grant period of 10/1/16 through 9/30/19. If approved, authorize Comptroller's Office to make the necessary budget amendments. (All Commission Districts.)
- 16-0557** **5M1** The 911 Emergency Response Advisory Committee recommends that the Board of County Commissioners approve the Travel/Training Budget request for up to two (2) individuals from each of the three (3) primary Public Safety Answering Points (PSAPs) to attend up to a total of four (4) Public Safety Training Courses in an amount not to exceed [\$40,000.00] for travel, and not to exceed [\$20,000] for seminars and training, for Fiscal Year 2016-2017. Total expenditures not to exceed [\$60,000], to be funded within the adopted operating budgets of the E911 Fund. (All Commission Districts.)
- 16-0558** **5M2** Approve joining, under NRS 332.195, the Official Payments Services Agreement between the City of Reno and Official Payments Corporation. (All Commission Districts.)

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Consent Agenda Items 5A through 5M2 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5M2 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – AGENDA ITEMS 8, 9, 12, 13, 16, 17, 18, 19, 21, 22, 23, 24, AND 25

- 16-0559** **AGENDA ITEM 8** Recommendation to approve acceptance of Community Corrections Partnership Block Grant from the Department of Health and Human Services – Juvenile Justice Programs Office in the amount of \$328,790.28 to provide treatment and programming to youth referred to the Washoe County Department of Juvenile Services. The grant award period is 7/1/16-6/30/17. No match required. If approved, direct the

Comptroller's Office to make the necessary budget adjustments. Juvenile Services. (All Commission Districts.)

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 8 be approved and directed.

16-0560 **AGENDA ITEM 9** Recommendation to approve a 2016 Emergency Management Performance Grant (EMPG) Letter of Intent stating that the Nevada Division of Emergency Management is awarding[\$170,877] for FY 2016; retroactive from October 1, 2015 through March 31, 2017; [requires a \$170,877 match]; and allow the Comptroller's Office to make the appropriate budget amendments. Manager. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 9 be approved.

16-0561 **AGENDA ITEM 12** Acknowledge receipt of annual report of projected expenditures for the Account for the Acquisition and Improvement of Technology in the Office of the County Assessor for FY 2016/2017. Assessor. (Commission Districts 1, 2, 3, 4, 5.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 12 be acknowledged.

16-0562 **AGENDA ITEM 13** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Parr Kitchen Remodel Project, [staff recommends Sullivan Structures, LLC, in the amount of \$151,853.00]. Community Services. (Commission District 3.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 13 be awarded.

16-0563 **AGENDA ITEM 16** Recommendation to authorize the Comptroller to renew the Excess Liability Insurance Policy with Insurance Company of the State of Pennsylvania for [\$163,456], and pay a broker fee of [\$15,000] to Wells Fargo Insurance Services effective July 1, 2016, with funding from the Risk Management Fund. Comptroller. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 16 be authorized.

16-0564 **AGENDA ITEM 17** Recommendation to authorize the Comptroller to renew the Excess Workers' Compensation Insurance Policy with New York Marine and General Insurance Company for one year [at a premium of \$242,587] and the Property Insurance Policy with the Public Entity Property Insurance Program for one year[at a premium of \$483,019], effective July 1, 2016, funding from the Risk Management Fund source. Comptroller. (All Commission Districts.)

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

16-0565 **AGENDA ITEM 18** Recommendation to approve Interlocal Contract For Services between Washoe County Sheriff's Office and Pyramid Lake Tribal Police Department for Dispatch Services in the amount of [\$140,831.76 for FY 16/17] increasing to [\$161,663.52] for subsequent years. Sheriff. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 18 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

16-0566 **AGENDA ITEM 19** Recommendation to approve a two-year Interlocal Agreement between Washoe County for and on behalf of the Washoe County Sheriff's Office and the Truckee Meadows Fire Protection District for dispatch services in an amount not to exceed [\$675,000 for FY16/17 and \$825,000 for FY17/18] for the period of July 1, 2016 through June 30, 2018, with a one (1) year extension. Sheriff. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 19 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

16-0567 **AGENDA ITEM 21** Recommendation to authorize the Department of Social Services to expend up to \$472,650.00 in FY17 from Children's Services Account 710712 Family Preservation to expeditiously benefit children and families who are clients of the Department to promote keeping families intact. These expenditures shall include the use of special purchase orders, purchase orders, procards and gift cards to purchase specific items, support services, food to include Thanksgiving and Christmas food, and gifts as well as Adoption Day activities and expenses. Social Services. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 21 be authorized.

16-0568 **AGENDA ITEM 22** Recommendation and possible action to adopt a Regional Technology Fee pursuant to NRS 354.790 for the Regional License and Permit Platform and, if approved, authorize the Chair to sign a Resolution adopting a Regional Technology Fee for the Regional License and Permit Platform with an effective date of when the Regional License and Permit Platform is available for citizens to use through Accela Customer Access (no earlier than August 22, 2016). The fee would apply to customers using the new online Regional License and Permit Platform being created for the purpose of expediting and enhancing access to the county's licensing and permitting processes, including business licenses and building permits. The proposed fee in any case would be a minimum of \$1 and otherwise would apply (1) to all business licenses at the time of license application and for each license renewal as follows: \$2.75 for annual licenses, \$2 for quarterly licenses; and (2) to all other permits including permit renewals (includes building, engineering, planning, and utility permits) as follows: 4% of the total permit cost to include permit renewal. Community Services. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 22 be adopted and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

16-0569 **AGENDA ITEM 23** Recommendation to approve sole source purchases of radio communication system equipment and microwave radio communication equipment through joinder with the National Association of State Procurement Officers (NASPO) Master Price Agreements with Harris Corporation, Dailey and Wells Communication, Alcatel-Lucent, Amphenol Antennas, and dBspectra; and approve expenditures that will aggregate to exceed [\$100,000] but will remain within available adopted budget funding during Fiscal Year 2016-2017 for Washoe County Regional Communication system, not to exceed [\$1,000,000] all expenditures will require Joint Operating Committee approval. Technology Services. Technology Services. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 23 be approved.

16-0570 **AGENDA ITEM 24** Recommendation to approve sole source purchase from Diversified Systems International (DSI) to upgrade the Board of County Commissioner Chambers Audio/Visual systems in the amount of [\$351,900]. Technology Services. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 24 be approved.

16-0571 **AGENDA ITEM 25** Recommendation to approve the Interlocal Cooperative Agreement for Operation of the Community Assistance Center and Other Homeless Services among the City of Reno, Washoe County, and the City of Sparks [\$2,020,856 in cash and approximately \$252,964 in-kind support] for the County's portion for the period of July 1, 2016 through June 30, 2017. Manager. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 25 be approved. The Interlocal Cooperative Agreement for same is attached hereto and made a part of the minutes thereof.

16-0572 **AGENDA ITEM 6** District Court Presentation: Pretrial Services, highlighting services and operations. [10 minutes.]

Heather Condon, Pretrial Services Program Manager, conducted a PowerPoint presentation. The headings for the slides were as follows: 1) Pretrial Services. 2) History of Pretrial – Washoe County. 3) 3 Locations. 4) Assessment Team. 5) Assessment Team Statistics – May. 6) Supervision Team. 7) Supervision Team Statistics – May. 8) Pretrial Services Budget. 9) Pretrial Goals. 10) Reform Initiated. 11) Process Improvements. 12) NPRA – Risk Assessment Implementation. 13) Washoe County Strategic Plan.

Ms. Condon highlighted the following: In 2007, Pretrial Services was downsized due to the economy and it currently operated with 20 employees at three different locations. The two main goals of Pretrial Services were to minimize the risk of failure to appear and minimize the risk to reoffend. Pretrial Services strived to release low-risk individuals and to keep high-risk individuals in custody or under community supervision. Pretrial Services also made sure it utilized evidence-based practices to make good decisions on release and supervision conditions.

Commissioner Lucey mentioned Pretrial Services was an item he worked on since being elected to the Board. From a financial standpoint, he felt Pretrial Services was one of the most effective things that could be done to cut costs within the County's jails and court system. He spoke about the unified computer system used in New York which allowed Pretrial Services, the Sheriff's Office, the District Attorney's Office and public defenders to have a clear understanding of the process in which inmates or detainees went through. He commended Ms. Condon and her team for their work. He said the risk assessment tools utilized by Pretrial Services had been phenomenal. He thanked Ms. Condon for the presentation and offered his assistance.

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

16-0573 **AGENDA ITEM 7** Presentation: Western Nevada Development District, Ronald J. Radil, Executive Director. [10 minutes.]

John Slaughter, County Manager, noted the representative of the Western Nevada Development District was unable to attend. The item would be rescheduled and removed from the agenda.

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

16-0574 **AGENDA ITEM 11** Acknowledge update and possible direction to staff on changes on Constituent Services programs including Citizen Advisory Board (CAB) and District Forums for fiscal year 2017. Manager. (All Commission Districts.)

Al Rogers, Management Services Director, conducted a PowerPoint presentation. The headings for the slides were as follows: 1) FY16 Citizen Advisory Board (CAB) Meetings. 2) FY16 Citizen Advisory Board (CAB) Meetings – 2nd Quarter. 3) FY16 District/Community Forums.

Commissioner Herman felt Citizen Advisory Boards (CABs) were training grounds for future Commissioners and Planning Commissioners. She made three requests: 1) Remove the necessity for a development project item in order to have a CAB meeting. 2) Each CAB should have an equal amount of meetings. 3) Ensure the Verdi and Rancho Haven CABs were up and running.

Commissioner Lucey stated he did not share the same sentiments as Commissioner Herman. He said he had one consolidated CAB for his entire area. He noted there used to be twelve meetings a year; however, last year there were only nine meetings. Since there were three less meetings, the County did not have to pay staff for their time. He added he held three district forums, which were attended by over 300 people and included staff participation. He also added the district forum format was needed to get information out to the public, and to have dialog and discussions. He mentioned Commissioner Herman only held one district forum and due to the fact that CABs required much more to operate than district forums, it complicated the issue. He stated if citizens wanted to have a voice and participate, district forums were essential. He urged the Board to continue to push district forums. In addition, he said staff found district forums to be functional and beneficial. He concluded by stating he could not get behind adding more meetings and building more CABs.

Commissioner Hartung remarked that he disagreed with some of the points made by both Commissioners. He said district forums were issue driven and CABs were development driven. He mentioned the idea of having County staff contact the City of Reno staff to discuss the possibility combining CABs with Neighborhood Advisory Boards (NABs) since there were a lot of overlapping issues. He added the suggestion to combine the two Boards was not meant to create a joint board but some type of hybrid.

He stated the problem with forums was that the County had the tendency to drive the conversation; whereas, with CABs, the advisory board drove the conversation.

Commissioner Berkbigler suggested merging Verdi into the West Truckee Meadows CAB since they had similar issues. She also suggested increasing the number of people who sat on the West Truckee Meadows CAB to give Verdi residents a voice. She stated she liked the forums because they gave her the opportunity to have discussions with large groups of people. She added under no circumstance could a district forum replace her CAB. She noted forums gave Commissioners more of an open opportunity to talk about things than CABs offered. She agreed CABs should be driven by development issues. She said she was very supportive of the report, and commended Mr. Rogers and his staff.

Commissioner Lucey said Commissioner Hartung had a wonderful idea in regards to having a joint meeting for the CABs and NABs. He noted there were a lot of development projects which bordered the City and County; however, County residents sometimes did not have a voice. He stated the limitation of not being able to respond to public comment during a CAB meeting hindered the process of being able to have a dialog or discussion about certain items. In a forum, members of the public could have a dialog or discussion with a Commissioner or with staff which made the dialog much more advantageous. He commended Mr. Rogers and his staff for their work. He noted Mr. Rogers' staff vetted items and reached out to constituents to see what they wanted to discuss at the forums.

Chair Jung stated it would be more fiscally responsible for staff to look at issues where there could be hybrid meetings with both CABs and NABs. She said CABs should be development driven only. She noted when the County held district forums, it was important to be more facilitative rather than dictatorial.

Paul Lipparelli, Legal Counsel, cautioned that if all members of a CAB showed up at a district forum and CAB business was being discussed, there was a possibility that it could become a CAB meeting without an agenda. He stated a solution was to either encourage less CAB members to participate in the forum to avoid a quorum, or if all CAB members were present, not to participate in the discussion to avoid deliberating in the process.

Chair Jung instructed staff to keep Mr. Lipparelli's comments in mind.

On the call for public comment, Ray Lake, North Valleys CAB Vice Chair, said he also sat on the Ward 4 NAB and his local property owners' association. He remarked that his membership on those bodies allowed him to hear about developments and to share information between those bodies. He mentioned the Ward 4 NAB expressed a keen desire to work with the North Valleys CAB by cooperating in joint meetings or on development projects. He noted one of the problems with limiting CABs to discussing only development items was that it could result in not having any meetings. He added the importance of consistency in regards to having CAB meetings. He spoke about the

attendance numbers of the North Valleys CAB meetings which ranged from the high 20s and peaked in the 40s; however, the attendance level dropped to around half a dozen people at their last meeting. He thanked Commissioner Herman for her support, and also thanked Sarah Tone and Andrea Tavener in the Manager's Office for their work.

Carol Burns briefly spoke about the Sun Valley CAB's history. She said the district forums were very informative; however, she had to rely on CAB meetings for answers to her questions. She mentioned she still did not receive an answer to a question. She also spoke about how Sun Valley had been neglected by the County in regards to the cleanup of weeds. She felt Sun Valley needed representation within the County.

Vicky Maltman expressed her concerns about having to wait for planning items to come up before having a CAB meeting since Sun Valley lacked planning items. She also expressed her frustration with how residents were spoken at rather than spoke to at the forums. She stated Sun Valley residents needed a voice and should be listened to. She mentioned Sun Valley residents dealt with various entities so it was difficult to determine which entity to contact if there was a problem. The only way Sun Valley residents were able to communicate their issues to County staff and the Commissioners were through CAB meetings.

Carmen Ortiz wanted to know how Commissioner Lucey was able to attract over 300 people to his forums. She estimated the majority of people in Sun Valley were either below the poverty line or were seniors, and she said the CAB was trying to get more people involved. She welcomed any suggestions to increase CAB meeting attendance.

Pete Todoroff, Chairman of the Incline Village CAB, stated the main problem in Incline Village was the lack of representation. He spoke about how the Incline Village CAB was waiting for an updated community plan. He also spoke about the old elementary school in Incline Village which he suggested should be rezoned so that whoever purchased the property could make better use of it; such as, convert it into condominiums.

Pam McNeil said she was on the Ward 5 NAB for the City of Reno. She noted that Neoma Jardon, City of Reno Councilwoman, recently organized a meeting for Verdi residents to get together to discuss the ongoing annexation issues in the area. She mentioned Councilwoman Jardon suggested a Verdi plan to give Verdi residents some input on development in the area. Should the West Valleys CAB incorporate Verdi, she asked whether two members from Verdi could be placed on the CAB. She remarked that CABs and NABs needed to work together.

In response to Chair Jung's question as to whether a definitive motion was required, Mr. Rogers replied that he received the Board's directions and he could come back to the Board with a solution. He said there were certainly opportunities to conduct concurrent meetings with the City of Reno NABs. Regarding Verdi, he thought the expansion of the West Truckee Meadows CAB was certainly an alternative that could be

looked at. He thanked his staff for their work, and also thanked the various departments and agencies that came out to the CABs. He noted there were 38 CAB meetings and 71 percent of those did not have a development project tied to them. He said his department was not only focusing on projects but it also looked at emerging issues. He thought the County could move forward in a very efficient way to ensure CABs functioned as they should and by using other tools to engage citizens.

Commissioner Hartung noted there was not a financial impact listed on the item. He recognized it was difficult to add the fiscal impact since other agencies were involved; however, he thought it would be helpful to understand the fiscal impact in order to make a decision. He commented that joint meetings would be very helpful and CABs were a sounding board for residents who had issues.

There was no motion made on this item.

16-0575 **AGENDA ITEM 14** Introduction and first reading of an ordinance amending Chapter 50 of the Washoe County Code (Public Peace, Safety and Morals), amending Section 50.092 – Unlawful Discharge of Firearms; Exemption; amending Section 50.096 - Greater Truckee Meadows and environs Congested area and incorporating the Old Washoe City Congested area into the Greater Truckee Meadows and environs [https://www.washoecounty.us/Congested area](https://www.washoecounty.us/Congested%20area); 50.104 - Spanish Springs area Congested area, 50.108 - New Washoe City Congested area; Eliminating 50.110 - Old Washoe City Congested area; to update the congested areas and associated maps; and providing for other matters properly relating thereto; and if supported, set the public hearing for second reading and adoption for July 12, 2016. Community Services. (All Commission Districts.)

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

Jan Galassini, Chief Deputy County Clerk, read the title for Bill No. 1767.

Dave Solaro, Community Services Department Director, conducted a PowerPoint presentation. The headings of the slides were as follows: 1) Congested Shooting Area. 2) Congested Shooting Area North. 3) Congested Shooting Area South.

Commissioner Berkbigler stated the business responsible for the towers located at the peak of Peavine Mountain asked if the congested area could be expanded to include the peak. She asked how much more that would add to the area and if it would be a problem to add the peak.

Mr. Solaro replied that the area was private land comprised of approximately 640 acres which was owned by two land owners. He said the area could be added to the congested area; however, adding the area would skew the actual boundary.

He noted the area could be added but it would take some time and he believed the changes would require the item to come back as another first reading.

Commissioner Berkbigler noted the importance of setting direct boundaries so that people knew where they could and could not shoot.

Chair Jung agreed there was a need for clear cut boundaries because conflicts arise when people did not understand where they were and what was allowed in the area. Having clear cut boundaries would also make it easier for law enforcement to issue citations to irresponsible individuals. In regards to the private land at the peak of Peavine Mountain, she asked whether enforcement of shooting restrictions should be up to the private land owner.

Mr. Solaro agreed the private land owner had some responsibility to post notices if they truly did not want anyone shooting on their land.

Chair Jung noted it was not the government's job to post notices or provide enforcement on private land.

Commission Hartung suggested Section 2 1(i) of the ordinance muddled the message since it allowed those in possession of a hunting tag to shoot inside certain congested boundaries. He questioned whether someone with a hunting tag could still target practice before hunting within the subject area. He had concerns over the lack of man power at the Sheriff's Office to provide enforcement and the Sheriff's Office having to bear the cost of additional signage.

In response to Commissioner Herman incorrectly thanking her for paying for the signage, Chair Jung stated she paid for the official survey in the amount of \$300 from her discretionary funds. She indicated she represented the Reno-Sparks Indian Colony and mentioned the presence of some demarcations in Hungry Valley for areas of cultural significance to the area tribes. She asked whether Peavine Mountain had ever been surveyed and placed into the County's Cultural Resources Plan.

Mr. Solaro said the County had an Open Space and Natural Resource Plan; however, it had been a few years since it had been developed. He noted he could check to see what kind of cultural resources were identified in the plan, and, if needed, work with the local tribes to identify locations of significance and possibly amend the plan.

Chair Jung added it would be a good balance for the County to work with the tribes and their cultural resources manager. She wanted both the Sheriff's Office and the District Attorney's Office to be tough on violators. She indicated she did not mind providing funding to the Sheriff's Office to provide enforcement because she felt the County would make the money back through fines, fees and tickets. She also wanted to encourage people to dial 911 when they saw violations. She mentioned the County had

not looked at the congested boundaries since 2002 and said it was time for the issue to be addressed due to the growth and the need to keep everybody safe.

Commissioner Lucey thanked the people from the tribes who were present. He spoke about how he was part of the Paiute Tribe and noted the importance of preserving ones culture. He also spoke about being an avid outdoorsman and hunting. He said there was a difference between hunting and shooting, and that enforcement was the key since the issue fell back onto the violators. He stated without defined boundaries and outlines, people had a carte blanche idea about where they could shoot. He mentioned the use of shooting ranges in the area; however, he realized their locations were not convenient. He said the County had to find a way that was equitable and fair so everybody could participate in the use of the area.

Commissioner Hartung questioned why there was not a fiscal impact since the County would be increasing the boundaries and enforcement, and how the County would deal with the hunting issues in the congested area.

Mr. Solaro responded the ordinance could make it less expensive as there would be a defined boundary, which would allow the Sheriff's Office to patrol the area quicker and easier. In regards to the expansion of the area, the Sheriff's Office would take care of the area regardless of any boundary changes. There would be a cost for the signage. Current signage was already in disrepair and needed to be replaced so the County held off on the replacement until new boundaries were established. This was a cost the County already had to bear. Regarding the hunting issues, he said he had been working with the Nevada Department of Wildlife (NDOW). He mentioned hunters were generally responsible shooters since they had gone through classes. He noted the times of day hunters were out hunting were different from the times of day most other people utilized the area. He felt confident the NDOW would put language into their hunting book to ensure people who hunted in congested areas understood the potential for conflicts with hikers and bikers. He also noted the number of tags which were given out and stated the number of hunters was limited.

Commissioner Hartung wanted the record to reflect his concern with muddling the lines in terms of hunting in the congested area.

On the call for public comment, Don Anhold stated he frequently utilized Peavine Mountain for recreational and aesthetic purposes. He said he had seen both responsible and irresponsible target shooters and had close encounters with some of them. He spoke about the dangers in regards to shooting without being aware of one's surroundings, shooting over unauthorized areas, and the inability to hear people approach while wearing ear protection. He added he was for the safety of all users of Peavine Mountain and believed something had to be done before an accident occurred. He noted he would like to see the congested area expanded and he supported closing the area west of Hoge Road in Raleigh Heights, south of Horizon Hills, known as "the hole".

Kent Ervin introduced himself as a co-organizer of the Promoting Safety on Peavine Trails group. He believed using Peavine Road as the north and west boundary was good because it was clear where it was. He said his group had no issues with safe and legal hunting. Their concern was not with the education for the hunters, but rather with the education for the rest of the users. Regarding the top of Peavine Road, he thought it was a flaw not to include the last mile, where lots of trails and paths converged, in the congested area. He indicated the land owner would like the area to be included in the congested area. He closed by stating part of the ideal solution would be to have designated areas to attract target shooters away from the trail areas.

Norman DeLorme said he was a Paiute Washoe Indian whose family had been here for generations. He said he supported the plan as he did not want to see anyone killed, shot or hurt. He stated this past year people in his tribe went up to Peavine Mountain to go to their sacred area, but the area had been fenced off by the Forestry Service because a certain plant grew there. He expressed his concerns about where his tribe would go to. He spoke about the history of the Paiute people and the sacred locations in the area.

David Von Seggern, on behalf of a local group of the Sierra Club, stated he was glad to have the congested area boundaries reviewed and updated. He noted since 2002 group activities had increased significantly. He said during group hikes, they had encountered shooters and felt they were being shot at, which was a public safety problem. Based on the congested area map, he thought it was great that the "hole" was being closed up. He agreed with other speakers that Peavine Peak should be included in the congested area. To make things simple, he suggested drawing a straight line north and south so people knew whether they were in or out of the congested area.

Commissioner Lucey pointed out Chukar hunting season was almost 6 months long. He noted residents and non-residents obtained hunting licenses to participate in the hunting season, so the County had to provide a lot of education. Additionally, he remarked the congested area issue seemed to be confused with restricted shooting areas. He referenced the Sheriff's Office website which provided information regarding restricted shooting and the restricted shooting areas on Peavine Mountain.

Chair Jung asked whether the decision not to take the congested boundaries all the way up to the peak was due to the land being private property and not under the County's jurisdiction.

Mr. Solaro replied it came down to mapping. He noted his department attempted to provide a clear boundary; however, the boundary became muddled.

Commissioner Lucey asked Mr. Solaro to explain the difference between the restricted shooting area set up through the Sheriff's Office and a congested area. He asked why the County was focused on pushing the congested area up into the non-congested area rather than making it a restrictive shooting area.

Mr. Solaro explained there were two different things in play within the Ordinance. The Ordinance identified a congested shooting boundary, which restricted the discharge of firearms within an area. There were further restrictions related to the discharge of firearms within 5,000 feet from an occupied structure, regardless of whether or not it was in an area that was congested or densely populated. The Sheriff's Office worked with the County's Geographical Information System's staff to try to identify all of the structures that met the occupied nature which was defined in the Code. He said the question was whether the towers at the top of Peavine Mountain were considered occupied, which was something that may need further review. He noted discharge of firearms in congested areas was not permitted; whereas, the restricted shooting area was meant to divert shooters far enough away from a house or structure to an area where it was safe to discharge firearms. He concluded that mapping to combine both areas would be conducted to provide some clarity.

In response to a public comment regarding hunting, Chair Jung directed the Communications Department to work with the Parks and Recreation Department during hunting season to provide information to the public. She commented that hunters were usually hunting at the crack of dawn so she thought the Board was looking for a solution to a problem that did not exist.

Bill No. 1767 was introduced by Chair Jung, and legal notice for final action of adoption was directed.

16-0576 **AGENDA ITEM 26** Request by the Director of Regional Animal Services through the Washoe County Clerk, and pursuant to Washoe County Code ("WCC") 2.030, to initiate amendments to WCC Chapter 55 (Animals and Fowl) related to the creation of an Animal Services Advisory Board, outline the duties and responsibilities of the board, specify the composition of the board, the appointment of members, the members' terms of service, officers, meetings, compensation and removal; and to incorporate policy direction related to the proposed Animal Services Advisory Board provided at the Board of County Commissioners' April 12, 2016 meeting; and to direct the County Clerk to submit the request to the District Attorney's Office for preparation of a proposed ordinance in accordance with WCC 2.040. Regional Animal Services. (All Commission Districts.)

Shyanne Schull, Animal Services Director, stated Animal Services was requesting to amend Chapter 55 to create an Animal Services Advisory Board.

Commissioner Herman felt there needed to be more of a voice from the public on the matter. She said she did not see the need for an additional board.

Commissioner Berkbigler believed the issue arose from a lack of communication from the perspective of the City of Sparks. She thought the purpose for

the creation of the new advisory board was to include a representative from each of the local political entities.

Ms. Schull concurred with Commissioner Berkbigler's comments. She added the Animal Services Advisory Board also served as a public forum for the community to hear Animal Services related information and updates.

Commissioner Berkbigler noted the importance of having a forum where Animal Services was the top issue and having a public board that met on a regular basis.

In response to Commissioner Hartung's question as to whether the new board would include elected officials from different entities, Ms. Schull replied in the affirmative. She described the board as a seven member board with three of the members being elected officials from the County, the City of Reno and the City of Sparks.

Commissioner Hartung remarked that he also heard the City of Sparks felt disconnected.

Commissioner Herman thought involving the other two municipalities was a good feature of the new board but she said she would hate to see the new board attempt to take the place of the current board which provided a different service.

On the call for public comment, Tim Stoffel spoke about the different functions of the Animal Services Advisory Board and the Animal Control Board. He said the advisory board needed to have some animal experts as well. He stated the Animal Control Board needed to be retained.

12:54 p.m. Commissioner Lucey left the meeting.

John Potash concurred with Mr. Stoffel's statement regarding having both the Animal Services Advisory Board and the Animal Control Board. He stated there was no sense in eliminating the existing board; however, it needed to be redefined a bit.

Paul Hurtado stated he wanted to make sure the advisory board had members on it who understood the benefits of owning exotic animals and the reasons they owned them.

Daniel Gray said the Animal Services Advisory Board should include people who were involved in the industry or personally owned animals.

Chair Jung thought it was great that people gave feedback as to what they wanted the Animal Services Advisory Board to look like and to be comprised of.

Ms. Schull reiterated the purpose of the item was to open Chapter 55 in order to submit a draft for a first reading in July.

After the motion Commissioner Hartung asked if the intent was to eliminate the Animal Control Board or intent to combine the two boards.

Ms. Schull responded the boards relating to Animal Services were separate with separate functions. The Animal Control Board was tied to Animal Services through Code, and it reviewed the exotic animal permits and the request for animal permits regarding legal limits. The creation of the Animal Services Advisory Board, which would be specific to Animal Services, was requested by the Board of County Commissioners.

On motion by Commissioner Berkbigler, seconded by Chair Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 26 be initiated and directed.

16-0577 **AGENDA ITEM 27** Discussion on exotic animal codes and request for the Board of County Commissioners to provide policy direction regarding exotic animal requirements and restrictions within Washoe County; and make recommendations to staff to maintain or modify the current Washoe County code provisions pertaining to exotic animals. Regional Animal Services. (All Commission Districts.)

Kevin Schiller, Assistant County Manager, said he initiated the Code revisions and the forums when Animal Services was set up. He explained how the presentation would proceed.

Shyanne Schull, Animal Services Director, stated Animal Services would be addressing the Code language as related to the private ownership of exotic animals. She mentioned some of the processes that took place occurred well before her arrival at the County in 2014. She said in addition to public workshops, staff worked with the District Attorney's office; as well as, stakeholders to provide some well-rounded input, comments and feedback on the exotic animal section of the Code. In the development of the process, there were several driving forces and a need to revise the Code to address public safety, animal welfare, public health, and language clarifications. She noted the exotic animals section of the Code was antiquated and was long overdue for a revision. From Animal Services' perspective, the Code should be a comprehensive and clear regulatory tool that provided oversight using current best practices ensuring both public and animal safety; as well as, animal well-being. She said at the request of Commissioner Herman, staff held two additional stakeholder meetings in late 2015 and early 2016, where Animal Services learned of a few concerns related to the update and the revision of the exotic animal section of Chapter 55.

She conducted a PowerPoint presentation. The headings of the slides were as follows: 1) Revision. 2) Opposition Concerns. 3) Public Safety. 4) Animal Welfare. 5) Public Health.

She highlighted the following: 1) The current Code required every single exotic animal to be permitted which was very cumbersome and unrealistic. Animal Services wanted to rewrite the Code to make sure it was regulating the animals it felt were inherently dangerous and also to loosen up some regulations regarding other animals. 2) One of the seats on the Animal Services Permit Board was specifically created for someone who had an expertise in exotic animals. 3) With just fewer than 400 years of combined exotic animal experience, Animal Services staff was well-qualified to put together a reasonable Code. 4) Animal Services was trying to be proactive when developing various sections of the Code relative to animals.

1:13 p.m. Commissioner Lucey returned to the meeting.

Bobby Smith, Animal Services Manager, continued the PowerPoint presentation. The headings of the slides were as follows: 1) Current Code. 2) Washoe Valley 2008. 3) Allowed without a permit. 4) Allowed with a permit in the congested areas. 5) Prohibited in the congested areas. 6) Hybrids. 7) Liability Insurance.

A video regarding wild animal insurance was played during the Liability Insurance topic.

He highlighted the following: 1) Every animal that was not a cat, dog or livestock was considered to be an exotic animal with the exception of reptiles under five and a half feet in length or under 10 pounds. 2) Nevada Revised Statute (NRS) 414 was the state statute for Emergency Management and it stated that governmental entities; such as, the County and Regional Animal Services must, without limitations, assist people who had pets. 3) Regional Animal Services and law enforcement needed to know what pets were in the community. 4) Animal Services was recommending classifying exotic animals into three categories. The first category was animals similar to what would be allowed without a permit, which were considered to be pocket trade or pet store trade animals. The second category was animals, smaller than the larger exotics, which could be allowed within the congested areas with a proper permit; however, Homeowners Associations' rules and regulations would have to be taken into account. The third category was animals that would be prohibited within the congested areas of the County, the City of Reno and the City of Sparks. These animals were believed to be inherently dangerous based on the nature of the animal, or the poison or venom they may possess; the containment requirements for these animals were extensive; and within a densely populated area, Animal Services felt they would pose a great threat. Animal Services was not saying these animals would be completely prohibited and they would work with the Community Services Department to possibly allow these animals in the uncongested areas with both an Animal Welfare Permit and a Special Use Permit (SUP). 5) Hybrid animals were becoming more popular and prevalent. The two types of hybrids were wild to wild hybrid, and wild to domestic hybrid, and it was very difficult to distinguish different generations of hybrids from the first generation. 6) Staff contacted the Lester Kalmanson Agency to find out the cost for liability insurance.

On the call for public comment, Lisa Wathne, Captive Wildlife Protection Manager for the Humane Society of the United States (HSUS), said on behalf of their supporters in the County, they supported restricting private possession of wild animals. She indicated her group had two suggestions to further ensure public safety and animal welfare. The first suggestion was to classify giant constrictor snakes, specifically the eight species of pythons and anacondas that had been classified as injurious by the United States Fish and Wildlife Service, as prohibited exotic animals and to ban their possession altogether. The second suggestion was to prohibit the possession of big cats, bears, all primates, crocodiles, and venomous reptiles in all areas, not just those designated as congested. She noted these animals were inherently dangerous animals and their presence was problematic and unsafe regardless of where they were located. She mentioned it could take a lot of time and resources to recapture wild animals who escaped in rural areas. She provided a handout which was placed on file with the Clerk.

Tim Stoffel said the Animal Control Board was meaningless if someone could not have an animal in the first place. In regards to the 400 years of experience within Animal Services, he questioned what kind of experience it was and with what kind of animals. He also questioned how someone could start a business selling animals if they could not obtain certain animals in the first place. He suggested the Board require people to have some experience before they could obtain exotic animals rather than outright banning them. He urged the Board to have a moderator meet with Animal Services and the people who cared about animals to ensure any changes to the Code accommodated both parties. He provided a handout which was placed on file with the Clerk.

Jeff Pierce, Animal Legal Defense Fund Legislative Counsel, stated he was representing his organization and their supporters. He noted Mr. Smith was right to insist that improvements to the Code would advance the County's strategic objective regarding safe, secure and healthy communities. He said strengthening the oversight of the possession of inherently dangerous wild and exotic animals was a common sense approach to increasing public safety. He noted private owners were not subject to oversight by the United States Department of Agriculture (USDA) and that the state of Nevada had done relatively little to regulate the possession of wild and exotic animals. Due to the lack of regulation by the state, it made sense for local jurisdictions to fill in the gaps, particularly to prohibit the private possession of animals like tigers, lions, ligers, bears, wolves, and primates which were exceptionally dangerous. He spoke about the various safety incidents that occurred within zoos accredited by the Association of Zoos and Aquariums (AZA). Even though the zoos had significant resources, expertise and training, they still struggled to ensure the safety of their staff, those who visited, and the animals themselves. He added the changes to the Code that Animal Services suggested would provide protections for animal welfare and for many animals within the County, and that many exotic species had really unique social needs, special needs, behavioral needs, and those needs were rarely met outside of larger institutions; such as, AZA accredited zoos. Among other policy directives, he stated his organization, like the HSUS, would encourage the Board not to distinguish between congested and uncongested areas. He mentioned the Board's counterparts in Clark County had passed a similar ordinance.

Alexandra Reid, Great Basin Herpetological Society Treasurer, referenced Exhibit E in the Board's packet and stated local community members were not aware they were allowed to submit an attachment to the staff report. She requested an opportunity to provide a report to the Board before future meetings. She recommended Animal Services further reevaluate Chapter 55 regulations with a third party moderator so that Animal Services would be required to use and incorporate local stakeholder and exotic animal owners' opinions and suggestions. She also urged the Board to realize that most of the amendments were unreasonable burdens that were not supported by statistics. She said existing regulations to obtain an exotic animal permit such as requiring neighbor notice within 200 feet, were the types of requirements that were generally applied to people convicted of felonies. She added the majority of exotic animal owners wanted to be law abiding members of the community and they would be happy to obtain permits.

Anna Sheila Paul, with her children Aryck Paul and Aiken Paul, echoed the sentiments of Ms. Reid. Ms. Paul spoke about her children's interest in science and reptiles. She thought the Code was overreaching, especially to newcomers. She mentioned how her family had to travel out of state to look at different species of reptiles because conventions like ReptiCon in the City of Reno were no longer allowed. She urged the Board to listen to the knowledgeable animal owners residing within the County rather than just listening to Animal Services.

Jimmie Martin, Sierra Safari Zoo co-founder, said there were many different aspects to the ownership of exotic animals. He stated Governor Brian Sandoval called Nevada the "Wild State". He thought rewriting the County regulations should recognize the opportunity to promote animal oriented businesses and individuals who lived by the Governor's theme. He noted as other jurisdictions followed the current fad to eliminate exotic animals from people's lives, the state of Nevada and the County could promote animal ownership to attract responsible stewards which would diversify the County's economy. He stated for the County to require people and businesses to comply with new regulations; as well as, outside zoological associations' regulations was serious overregulation. He said there was simply no justification for creating new, onerous laws since there had been no incidents of harm to the public. He concluded by stating better communication was the key to cooperation instead of prohibition.

Bill Maggiora thought exotic animals should be judged the same way as dogs and horses. He mentioned more deaths were caused by dogs and horses than were caused by exotic animals in the state of Nevada. He said if the Board decided a permit system was necessary, he suggested Animal Services be directed to divide all exotic animals into two groups; those considered more dangerous than a large breed dog or a horse where the animal could be kept without a special permit, and those considered less dangerous than a large breed dog or a horse that did not require a permit. He added if an application for a permit was denied or a permit was revoked, Animal Services should provide a reason or an explanation. For the process to work, he said there had to be a review from an independent board that could hear appeals of permit denials or

revocations, and consider the totality of the circumstances. He mentioned Nye County had developed a reasonable and rationally sound Code regarding exotic animals.

Phil Goss, United States Association of Reptile Keepers (USARK) President, explained USARK was a science education and conservation based non-profit membership organization representing responsible pet owners, hobbyists, conservationists, business owners, and scientists who worked with reptiles and amphibians. USARK worked with government agencies at the local, state and federal levels to address the concerns of its members and the issues raised by lawmakers. He said the knowledgeable exotic animal keepers residing in the County desired a working relationship with Animal Services in order to produce common sense regulations. He hoped the Board would make a rational decision based on legitimate science and valid statistics rather than based upon sensationalized propaganda. He remarked that over five million households in the United States contained reptiles in captivity, with many more holding other exotic animals, yet people never heard about the millions of exotic animals kept responsibly each day by caring owners. People only heard about the one exotic animal which may have escaped or the one that was handled improperly leading to an incident. He added writing regulations based upon these usually dramatized stories and rare occurrences was collective punishment. Collective punishment was a supreme example of bad government and rather than punishing the bad actors, overreaching bans punished the responsible keepers who followed the law, while the criminals continued and would likely continue to do as they pleased. He concluded by saying collaboration with local experts was how good government should work and regulation of the exotic animal community was possible without overreach. Common sense regulation existed through cooperation between stakeholders and officials. He asked the Board not to create problems by attempting to solve problems that did not exist.

Marie Dennis supported the citizens who had reptiles. She said there was no precedence in the County of large snakes hurting the general public and that the natural environment in the County would kill them quickly. She invited the Commissioners to attend the Great Basin Herpetological Society meetings. She asked the Board to ensure the regulations were realistic, reasonable, and obtainable. She also asked for a third party moderator, who could help build a set of regulations, to be involved. She stated she would attempt to coordinate a letter writing campaign from local authorities that were in support of reasonable and obtainable regulations rather than a complete bans on large snakes.

Daniel Gray stated there were state laws for regulating exotic animals in the state of Nevada and he was not sure where the map Animal Services presented came from. He noted the only successful form of conservation was called captive conservation, and that government had never saved a species. He added bans and over-burdensome regulations drove the exotic animal industry underground, the number of animal species was dwindling in the wild and in captivity, and the animals people saw in captivity were born in captivity. He said the Nevada Department of Wildlife (NDOW) and other organizations had laws in effect to prevent certain species from coming into the County without proper licensing, and those laws also prevented invasive species from coming

into the County altogether. He spoke about his business, which was licensed by the USDA, the NDOW, and by the County, and how his facility had strict caging and care requirements. He explained through his business' educational programs, children were inspired to love animals. He believed compassion to love a species came from seeing and being around them. In closing, he stated the end result from new bans and regulations resulted in taking animals away from people and pushing residents out of the County. He provided a handout which was placed on file with the Clerk.

Paul Hurtado spoke about how the Animal Services' presentation lacked statistics related to how many people had been killed by exotic animals and how many exotic animals were killed by humans. He felt there should be a certain burden of proof to demonstrate that certain exotic animals were as dangerous as some of the regulations suggested. He believed Animal Services had a very smart and skilled staff; however, he questioned their 400 years of collective expertise. He noted biology was complicated and when a person thought about the level of diversity of animals, there was a lot of complexity which was not fully understood. He gave an example of a reticulated python, the longest snake in the world, which had killed people in the United States, and how there was a subspecies called the dwarf reticulated python which was half the size. He said regulations tended to gloss over all of the details and say all reticulated pythons were inherently dangerous. He thought the regulations needed to be refined because they were very coarse and threw a lot of species into the inherently dangerous designation. He noted the legality issue that pushed people underground was a real issue.

Heather Potash spoke of her many amazing experiences being around exotic animals, helping with educational talks, and participating in rattlesnake avoidance training for dogs. She said she heard the Board was considering a ban on certain animals and she urged the Board to reconsider their position.

Kyla Searcy remarked that reptiles helped her through depression and social anxiety. She added she had asthma and was allergic to animals with fur, so having reptiles was a chance to own a pet. She noted the Code could destroy the Great Basin Herpetological Society and everything it was built upon. She spoke about her positive experiences at an educational event which taught kids about snakes. She said people were willing to have fair regulations.

Karin Benker, Great Basin Herpetological Society Secretary, explained her organization worked to educate the public on proper care and husbandry of exotic animals with a focus on reptiles and amphibians. Part of their public outreach included participation in the Ssnakes Alive! Exhibit at the Wilbur D. May Museum, the Reno Pet Show, and at the Earth Day Celebration. She noted they had also been to various County schools and was currently touring the Washoe County Library System with a presentation on reptile pets. The reptiles displayed to the public were their personal pets. She said reaching people and making an impression was important, and it had been shown that children who were interested in or owned reptiles were more connected to nature and had a stronger interest in conservation. She spoke about her daughter's experience with reptiles and how they had to travel out of state to attend reptile shows since ReptiCon was

no longer allowed in Nevada. She stated the proposed liability insurance would place an unreasonable burden on their organization and essentially put an end to their educational efforts. She added there had been no incidents with their animals on any of their outings, and that there was no statistical evidence pointing to incidents involving snakes and the public. Incidents were limited to the handlers and owners. She said collaborating with local experts should be how good government worked and that her organization was not opposed to regulations for larger species.

John Potash recommended the Board direct Animal Services to start over. He said rather than working with experts and local stakeholders to draft a fair and reasonable ordinance, Animal Services presented a draft that was poorly written and tremendously biased against exotic animals. He stated exotic animal owners met several times with Animal Services in hopes of making positive changes but was instead met with resistance and retaliatory changes which made the Code even worse. He said he stood to lose his livelihood, his business and his animals. He noted Animal Services told him on several occasions that the changes to the exotic animals Code would not affect him because he was a business; therefore, falling under the exhibitors permit. He remarked the exhibitors permit did not exist yet and that he was concerned Animal Services would defer to a section of the Code that was nonexistent. Additionally, he noted there was no way to know whether the exhibitors permit would be adopted. He explained his business trained dogs to avoid dangerous wildlife encounters. He added people who were going to engage in illegal activities would do it regardless of the laws, and the direction the exotic animals Code was taking would end many animal related careers before they ever began and destroy businesses. He said all exotic animal owners asked for was fair and rational Codes which met the County's obligations while preserving citizens' rights. He again urged the Board to start the process over and hold moderated meetings to obtain input from local experts and stakeholders.

Mr. Smith noted there were five items for direction. He continued the PowerPoint presentation. The heading of the slides were as follows: 1) Policy Direction. 2) Snake Size. 3) Direction.

Mr. Smith indicated the first question dealt with snake size. Current Code stated that a five and a half foot snake or ten pounds, whichever came first, would require a permit.

Chair Jung asked whether people who had snakes over five feet or were more than ten pounds were out of compliance with the current Code, whether staff's recommendation regarding size was for the snakes in the congested area, and if those individuals who reported their larger snakes before the Code revision would be grandfathered in.

In response to Chair Jung's questions, Mr. Smith replied in the affirmative to the first question. He stated the size recommendation would apply to both congested and uncongested areas, and that people who came in to get a permit before the new Code went through would be grandfathered in. He added no one had come forward to obtain a

permit for their snakes. Regarding snake size, he noted staff initially recommended amending the Code to have snakes eight feet or 25 pounds be permitted; however, after discussions with the stakeholders, staff moved its position regarding the snake size to 10 feet or 30 pounds before a permit requirement would be triggered.

Commissioner Lucey asked what the permitting process requirements and permit cost were, and whether an application for a permit was anonymous to avoid bias.

Mr. Smith stated the current process was for an individual to apply for an exotic animal permit and for the application to be reviewed by staff. Per Code, Animal Services would be required to provide a 200 feet radius neighbor notification, which was no different than the notifications the Community Services Department (CSD) conducted in their work. The application would then go in front of the Animal Control Board for review. If the application was approved, the individual would receive their permit. He believed the application fee was \$50 and the annual renewal fee was \$35. He noted the applicant's name and address was required per Code, and that anything that came into Animal Services was available through an open records request.

Commissioner Berkbigler asked Mr. Smith whether she understood his comment which was that Animal Services had offered people who owned reptiles to come in to be grandfathered in, but so far no one had come forward.

Mr. Smith replied yes and remarked that Animal Services knew under the current Code that these individuals were in violation; however, Animal Services wanted to work with them to get them into compliance. He reiterated that Animal Services did not want to take away their animals and wanted to get them grandfathered in while the Code was being rewritten.

Commissioner Berkbigler stated she could not imagine it was the intention of the Board to take away pets; however, it was the Board's responsibility to ensure it was taking care of its citizens in the event there was someone who was not a responsible pet owner. She expressed her concern that people who owned reptiles did not come forward to have their pets permitted since it was already the law. She questioned whether anyone would comply with the changed law since they were not complying with the current law.

Commissioner Hartung referenced the PowerPoint slide displaying a list of exotic animals while mentioning talk about requiring exotic animal owners to have certain kinds of experience. He asked whether the issues were covered under NRS. He also asked if he would have to obtain a license from the NDOW to own a falcon if raptors were taken out of the exotic animals' category.

Mr. Smith clarified the list of exotic animals was the County's Code and NRS 414 was related to Emergency Management. He noted the County's requirements as a jurisdiction was to assist persons with pets during times of emergency. In regards the

question about raptors, he replied yes. In terms of raptors, Animal Services only looked at the animal's welfare since birds of prey were regulated by at the state and federal levels.

Commissioner Herman asked whether Animal Services checked an animal each time it grew a foot.

Mr. Smith replied measurements were done during the annual inspection.

Chair Jung stated much of the public testimony on Chapter 55 had been a way to disrespectfully correct staff. She continued by stating if those giving public testimony did not even come into compliance with the County's original permitting process, their complaints lacked all credulity and validity as far as she was concerned.

After the motion, Commissioner Hartung stated many times people did not know they had to comply, especially if they had an exotic animal as a pet for 20 years. He said ignorance of the law was no excuse and thought it was important that everybody understood what the rules and regulations were.

Chair Jung agreed with Commissioner Hartung's statement and she added people were now on notice.

In response to Commissioner Hartung's comments, Mr. Smith said any time Animal Services came across a situation where someone had in their possession an exotic animal, that person would be given a notice to apply for a permit. The individual would have the choice to either apply for a permit, reduce the number of animals they had, or find a home for the animal outside the County if they did not want to go through the permitting process. He reiterated the need of Animal Services to know what animals were in the public so it could notify law enforcement during an emergency, and also so it could have the ability to care for the animal if the owner could not.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried, it was ordered that staff's recommendation regarding snake size would be adopted.

Mr. Smith continued the PowerPoint presentation. The heading of the slides were as follows: 1) Spay/Neuter Requirements. 2) Direction.

Commissioner Herman asked which animals would not be required to be spayed or neutered.

Mr. Smith noted Animal Services would exempt reptiles since they were not typically spayed or neutered.

Commissioner Herman requested a more specific list before the process went further.

Mr. Smith stated Animal Services would defer to a veterinarian's recommendation if it came across a situation where the veterinarian would not spay or neuter an animal, which would lead to an exemption. He added Animal Services would go through an investigative process to find out exactly which animals could be spayed or neutered if the requirement were to be approved.

In reference to the exemptions for accredited breeding programs, Commissioner Hartung asked how a program became accredited and whether it applied only to congested areas.

Mr. Smith said typically accredited breeding programs in the United States worked with the Association of Zoos and Aquariums; however, there were also international programs. He noted the San Diego Zoo had breeding programs within their entity to breed endangered species. He spoke about his personal experience working with a wolf release in the Gila National Forest where genetically matched wolves were released into the world to propel the gene pool forward. He stated accreditation was something people could apply for if they were interested in doing so. He also stated accreditation would be applied throughout the County, not just the congested area.

Commissioner Hartung asked if an example would be Animal Ark.

In response to Commissioner Hartung's question whether Animal Ark would be an example, Mr. Smith replied Animal Ark was a business and operated as a rescue. He did not believe Animal Ark bred any animals; however, if they wanted to be able to breed animals, they would have to go through the process to become an accredited program.

Commissioner Berkbigler asked why Animal Services wanted to place a spay or neuter requirement on exotic animals. She spoke about animal related businesses and remarked that she did not want to put anyone out of business with a blanket requirement for spaying and neutering.

Mr. Smith explained animals in captivity were growing and many people did not know how to handle their animals once they gained maturity. These animals would end up being euthanized or sent to a sanctuary. The United States had sanctuaries all over that were over capacity with exotic animals that people thought were cute in the beginning but could not handle once they grew. He stated Animal Services' recommendation on the topic was not to proliferate the breeding of captive animals within the County. He clarified for Commissioner Berkbigler that the requirements were for private ownership of animals and not for businesses.

Commissioner Lucey believed the problem lied with the "bad actors". The County could try to enforce a spay or neuter requirement but it would be difficult. He thought having a spay or neuter requirement with exemptions for an accredited breeding program was probably the best answer.

On motion by Commissioner Lucey, Seconded by Commissioner Berkgigler, which motion duly carried with Commissioners Hartung and Herman voting “no”, it was ordered that staff be directed to implement a spay or neuter requirement with the exemption of an accredited breeding program and those animals which were not normally spayed or neutered.

Mr. Smith continued the PowerPoint presentation. The heading of the slides were as follows: 1) Prohibited Species for Congested Areas. 2) Direction.

Mr. Smith noted prohibiting species in the congested areas did not mean they would be prohibited altogether. It meant prohibited species would only be allowed in the uncongested areas with a permit from Animal Services and a SUP through CSD.

Commissioner Berkgigler asked whether there were species on the prohibited list living within the urban area.

Mr. Smith stated there were animals on the prohibited list at the Sierra Safari Zoo and Animal Ark. He also noted there was a bobcat living in a congested area.

Commissioner Berkgigler expressed her concern that someone would have to get rid of their animal under the Code and asked if the grandfathering clause applied.

Mr. Smith said if the animals, including the bobcat in question, were permitted under the current Code, they would be grandfathered in.

Paul Lipparelli, Legal Counsel, intervened by stating the item on hand was to give direction, which would be followed with a process to draft, and then a first and second reading. He said the effective date would probably be six to eight weeks away and it could be pushed further out if the Board so directed.

Chair Jung commented that she was pleased with allowing people at least six to eight weeks before they had to come into compliance. She sought clarification from Mr. Lipparelli regarding his comments.

Mr. Lipparelli stated whatever this ordinance said would not go into effect for some time and could be even be extended further if the Board directed it to be.

Commissioner Lucey asked whether rattlesnakes would be prohibited within the congested area after the enactment of the Ordinance.

Mr. Smith replied under the current Code having a venomous reptile as a pet was prohibited, and a person owning one would have to have a permit anywhere within the County.

Commissioner Hartung asked whether Animal Ark was in an uncongested area.

Mr. Smith replied in the affirmative.

Commissioner Hartung thought programs which trained dogs to fear rattlesnakes were really important and he wanted to ensure there was a path forward for individuals like Mr. Potash to be able to operate a business like his.

Mr. Smith stated there would be a path forward. Part of the exotic Code was to create an exhibitor permit which would cover individuals that had businesses related to exotic animals. He reiterated Animal Services did not want to take people's animals away and that their goal was to know what types of animals were in the community for the sake of first responders, public safety and for emergency management purposes.

Chair Jung expressed her concern that if animals were dangerous in the congested area, they would also be dangerous in the uncongested area. She thought it was government's job to be proactive. She indicated she would rather prohibit dangerous species altogether, but wondered what an appropriate balance would be. She asked whether the Code was Animal Services' way of telling someone they could not have their animal within the congested area, but that they also needed to be accountable therefore they needed to have a SUP.

Mr. Smith remarked it was a difficult situation. He spoke of his experience in the exotic animal industry in order to relay that he understood people's connection with their animals. He noted it would be ideal if Animal Services could find a compromise between allowing someone to safely keep their animal in a specific area, and allowing Animal Services to know their location so they could quickly react to avoid a public safety issue should something happen.

Commissioner Lucey felt inherently dangerous species needed to be prohibited. He mentioned he had worked with primates before and even though some may have been docile, they were still dangerous.

After the motion, Commissioner Lucey requested a more specific list of animals that would be and would not be prohibited.

Chair Jung instructed Animal Services to look at grandfathering people in and getting them to comply with the Code.

Commissioner Hartung sought clarification as to whether the discussion was for the congested area only and if the SUP process was for the entire County. He also sought clarification as to whether there would be a path forward for people to own certain animals.

Commissioner Lucey responded in the affirmative.

On motion by Commissioner Lucey, Seconded by Chair Jung, which motion duly carried, it was ordered that staff be directed to produce a list of prohibited exotic species in the congested areas of the County and that the Special Use Permit process should be followed in conjunction with Animal Services permitting.

Mr. Smith continued the PowerPoint presentation. The heading of the slides were as follows: 1) Hybrids. 2) Direction.

Chair Jung asked for clarification to a comment Mr. Smith made earlier about the difficulty of identifying different generations of hybrid animals from one another.

Mr. Smith replied Chair Jung's comment was correct.

Commissioner Hartung asked whether the discussion was about a liger or hybrids such as breeding a serval with a house cat.

Mr. Smith indicated it was about the latter.

Commissioner Lucey recommended the Board not to require permits for hybrid animals. He believed he had seen some hybrids come through his establishments which were well taken care of and very docile.

After the motion, Commissioner Herman stated as long as no permits were required she was fine with the motion.

Chair Jung noted she would go along with the other Commissioners; however, she believed the issue would come back before the Board due to some hybrids being dangerous.

Mr. Smith received an affirmation from the Board when he asked if the Board was stating there would not be a permit required for the breeding of domestic animals with wild animals.

On motion by Commissioner Lucey, Seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that permits would not be required for domestic to wild hybrids.

Mr. Smith continued the PowerPoint presentation. The headings of the slides were as follows: 1) Liability Insurance. 2) Direction.

Commissioner Berkbigler asked about liability related to an exotic animal, and whether an umbrella home policy would cover the animal.

Mr. Smith noted it would be equivalent to the liability insurance the County required for someone who wished to keep a dangerous dog. Owners of dangerous

dogs had to meet the County's kenneling, handling, and liability insurance requirements. Since a dangerous dog was an inherently dangerous animal that posed a liability to the public, insurance should be required. He said people would have to check with their insurance carrier as to whether an umbrella policy would cover their animal. He noted the amount of coverage the County would require for an exotic animal would be the same as what the County required for a dangerous dog.

Commissioner Lucey asked whether businesses related to exotic animals were required to maintain liability insurance on their animals. He stated if businesses were required to have liability insurance to maintain exotic animals, so should the public.

Mr. Smith replied businesses had to have liability insurance. He noted when Animal Services came forward with the Code, it decided that the exhibitor portion would have an insurance requirement as well.

Mr. Lipparelli stated the possibility of requiring insurance was not aimed at providing coverage to the County. It was to provide coverage to someone who would be harmed by an exotic animal. He said when a person obtained automobile insurance, that person insured their vehicle and themselves from other people who may be harmed. If the County had liability, it would be for negligence or some other action by the County. The licensing of the keeping of an animal would not give rise to liability.

Commissioner Hartung expressed his resistance to require people to have insurance because he thought a homeowners' policy would address any issue.

Commissioner Herman concurred with Commissioner Hartung.

Chair Jung noted she believed in liability insurance. She did not think everybody who had exotic animals owned their own home; therefore, that person would not have liability insurance coverage. She also believed the insurance requirement was the price someone had to pay to live in a civil society.

Commissioner Berkgigler asked whether the liability insurance requirement was for any type of exotic animal.

Mr. Smith replied that was correct. Animal Services had broken it into two categories. The first was the prohibited exotic animals which would be in the uncongested areas and require a SUP. Animal Services was requesting a \$250,000 insurance policy on those animals. The second category would be exotic animals allowed within the congested area which Animal Services was requesting a \$50,000 insurance policy.

Commissioner Berkgigler questioned whether someone would need to have a separate policy to cover their animal.

Mr. Smith noted there were currently people whose homeowners' insurance would cover their dangerous dogs so they did not have to obtain a separate policy; however, there were other insurance carriers that would not allow that, so it depended on a person's insurance carrier.

Commissioner Herman brought up that having insurance coverage on a dog that had proven to be bad was different than having to insure an animal that had not done anything wrong.

Commissioner Lucey recommended to staff to return with a more detailed list of animals. He felt the insurance requirement should only be for the exotic animals that were prohibited. He noted his concern regarding the wide range between the \$50,000 and \$250,000 policy requirement.

Commissioner Berkbigler also expressed her concerns regarding the insurance requirement. She mentioned the desert tortoise which was an exotic creature in her mind but was not a danger to people. She wondered if there were different levels of exotics. She concurred with Commissioner Lucey's recommendation.

Mr. Smith remarked Animal Services would delineate the animals into three categories when it returned in order to provide the Board with a clearer understanding.

Chair Jung indicated she thought the Board was informing Animal Services that it needed a much more detailed analysis of the liability insurance issue and where the animals fit into each of the categories. She informed Animal Services to address each Commissioners' issues before they returned to the Board.

Commissioner Hartung and Chair Jung commended staff for their work.

Commissioner Herman thanked the public commenters for appearing and providing their expertise.

* * * * *

Commissioner Lucey recommended the tabling of Agenda Item 10 to the first meeting in July.

3:14 p.m. The Board recessed.

3:21 p.m. The Board reconvened with all members present.

16-0578 **AGENDA ITEM 15** Recommendation to acknowledge the Professional Services Agreement for Drug Testing Services, between the Second Judicial District Court, Washoe County, and Rocky Mountain Offender Management Systems, in an amount "not-to-exceed" \$299,097, for the

period July 1, 2016 through June 30, 2017. District Court. (All Commission Districts.)

John Slaughter, County Manager, stated the County had received a formal appeal from Avertest, but their appeal was withdrawn.

Paul Lipparelli, Legal Counsel, remarked there was also another vendor who communicated some interest in the contract and it would be important to call the item to give them an opportunity for public comment.

On the call for public comment, Sandra Lee Jersey said she was the contractor for the Adult Drug Court and Diversion Court drug testing since 2004. She stated she had made her appeals and she objected to the contract being awarded to an out-of-state company when there were several qualified local companies.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 15 be acknowledged.

16-0579 **AGENDA ITEM 20** Recommendation to approve the Forensic Support Services Agreements between Washoe County on behalf of Washoe County Sheriff's Office and various Local Law Enforcement Agencies: Board of Regents of the Nevada System of Higher Education \$16,058; Carlin PD \$8,118; Carson SO [\$104,378]; Churchill Co SO [\$32,087]; Douglas Co SO [\$84,662]; Elko PD [\$63,787]; Elko Co SO [\$61,854]; Eureka Co SO [\$3,000]; Fallon PD [\$31,700]; Humboldt Co SO [\$29,143]; Lander Co SO [\$8,921]; Lovelock Paiute Tribal PD [\$3,000]; Lyon Co SO [\$85,049]; Mineral Co SO [\$3,093]; Nevada Inspector General's Office[\$10,051]; Pershing Co SO [\$8,326]; Pyramid Lake Paiute Tribe PD [\$3,000]; Sparks PD [\$389,500]; Storey Co SO [\$28,994]; Walker River Tribal PD [\$1,500]; Washoe County School PD [\$17,248]; West Wendover PD [\$20,816]; Winnemucca PD [\$31,522]; Yerington PD [\$4,758] for Forensic Laboratory Analysis Service fees for the term of July 1, 2016 to June 30, 2017 with a total income of [\$1,050,565.00]. Sheriff. (All Commission Districts.)

Commissioner Hartung asked when the County would resolve the issue of the County providing a disproportionate amount of forensic services to the City of Reno in exchange for 911 call service.

John Slaughter, County Manager, stated the County was in the final stages of a Request for Proposal process to bring the review of the County's dispatch system and consolidation of dispatch to an end. He noted the exchange for services agreement would no longer exist once the consolidation of dispatch process ended.

Commissioner Berkbigler thought it was important to point out that every entity located within the County footprint paid for forensic services except for the City of Reno.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 20 be approved.

PUBLIC HEARING

16-0580 **AGENDA ITEM 28** Public hearing to consider a report of each property delinquent on its utility charges and the amount of each property's delinquency, along with any objections to the report. After considering the report and any objections to it, determine whether to adopt the report and correspondingly adopt a Resolution to collect delinquent utility charges on the tax roll. Community Services. (All Commission Districts.)

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 28 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

16-0581 **AGENDA ITEM 29** 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.

3:43 p.m. On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

* * * * *

Paul Lipparelli, Legal Counsel, stated he neglected to point out a mistake in the minutes regarding the golf course item during the approval of Consent Agenda Item 5A. He noted the minutes mistakenly said "with prejudice" when it should have reflected "without prejudice" in regards to the six month extension. He asked the Board to acknowledge the typographical error on page 22.

Chair Jung instructed the Clerk to make the correction.

16-0582 **AGENDA ITEM 30** Public Comment.

Jimmie Martin, of Sierra Safari Zoo, expressed his concerns with the imposition of insurance for exotic animals. He said he could not imagine a \$250,000 insurance policy for a sloth, which was not a dangerous animal. He also spoke about hybrid animals which he noted were sterile. He remarked that he would rather see the

Animal Services Permit Board make decisions about exotic animals since they had a lot more experience in the field.

John Potash stated he had been grandfathered in 14 years ago by the previous Animal Services staff. He mentioned he conducted educational presentations and set up displays in the presence of Animal Services, and had never been informed that he needed a permit. He added the current Animal Services administration was now telling him he was not grandfathered in. He said he had essentially been waiting to see what would happen with the Codes to see where he stood and what he needed to do. He closed by stating he maintained his Nevada Department of Wildlife permits and he held permits in other states.

Tim Stoffel said people were not in compliance with the law because the requirements were onerous. He also said he did not understand the concept of spaying and neutering since animals needed to breed to ensure their existence. He stated the County had a permit board to handle the issue of animals in congested areas so there should not be a blanket decision to ban animals in congested areas. He said it was difficult to obtain insurance policies for animals from most carriers. He said there were exotic animal experts in the County besides Animal Services and he urged the Board to communicate with them. He suggested having an unbiased moderator, along with Animal Services, work out a decent regulation rather than dictating to people what they would have to do with their animals.

Daniel Gray spoke about different types of hybrids that were very small and not dangerous. In regards to permits, he mentioned he was informed by Bobby Smith, Animal Services Manager, to wait until the new Code was finalized before submitting his permit application. He stated the closest Association of Zoos and Aquariums accredited zoo was the Monterey Bay Aquarium and that the standards to become an accredited breed facility was very hard to get.

Bill Maggiora wished there could be more flexibility for the board that made the final decision on permits related to Animal Services and he wanted them to consider the totality of the situation for each permit.

Alexandra Reid spoke about the fear people had of being denied a permit related to Animal Services. She mentioned the possibility of being retaliated against by someone who might be afraid of a specific type of animal since the permitting process required the notification of neighbors. She noted she would work on getting her permits.

16-0583 **AGENDA ITEM 31** Announcements/Reports.

There were no comments.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

COMMUNICATIONS:

- 16-0584** Letter from the Office of the County Treasurer addressed to the Board of County Commissioners, Washoe County, dated May 5, 2016 regarding the Washoe County Community Services Business License Division and the surrender of a change fund.

MONTHLY FINANCIAL STATEMENTS:

- 16-0585** Monthly statement of the Washoe County Treasurer for month ending April 30, 2016.

QUARTERLY FINANCIAL STATEMENTS:

- 16-0586** Washoe County School District's Quarterly Report – Third Quarter, July 1, 2015 through March 31, 2016.

TENTATIVE BUDGETS / FINAL BUDGETS

- 16-0587** Reno-Sparks Convention and Visitors Authority's final budget for the fiscal year ending June 30, 2017.
- 16-0588** Washoe County's tentative budget for the fiscal year ending June 30, 2017.
- 16-0589** Western Regional Water Commission's final budget for the fiscal year ending June 30, 2017.
- 16-0590** City of Sparks 2016-2017 Final Budget
- 16-0591** Redevelopment Agency of the City of Sparks, Area 1, 2016-2017 final budget.
- 16-0592** Redevelopment Agency of the City of Sparks, Area 2, 2016-2017 final budget.
- 16-0593** Gerlach General Improvement District's final fiscal year 2017 budget.
- 16-0594** Regional Transportation Commission's final budget for the fiscal year ending June 30, 2017.

* * * * *

4:00 p.m. There being no further business to discuss, the meeting was adjourned without objection.

KITTY K. JUNG, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Michael Siva, Deputy County Clerk*