

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

TUESDAY

10:00 A.M.

APRIL 11, 2017

PRESENT:

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

Nancy Parent, 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:

17-0255 **AGENDA ITEM 3** Public Comment.

Mr. William Puchert provided a handout, which was placed on file with the Clerk. He spoke regarding a Stop Activity Order that was issued by the Code Enforcement Department regarding an illegal sign. He displayed a post from Mountain View Cemetery's Facebook page which denied responsibility for the sign, yet indicated any proceeds would go to charity. He stated on Thursday, April 13th at 9:00 a.m. a hearing would be held on the matter of Strict Scrutiny Media, the company who installed the sign, versus the City of Reno. He explained the hearing would address two other illegal signs within the City of Reno's jurisdiction and not the sign behind his home because it was located in unincorporated Washoe County. He respectfully requested the Board to file an amicus brief on his behalf to expedite the process to have the sign removed. He stated the responsible parties were the same and the County would have the same legal goal as the City of Reno. He referenced a statement from KOLO-TV News that perpetrators of the illegal signs had a record of suing municipalities to discourage billboard and sign ordinances, and collecting damages at taxpayers' expense. He said currently, neither Strict Scrutiny Media, also known as Alan and Jeff Herson; Mountain View Cemetery, whose property the illegal signs were on; or the Odd Fellows Reno Lodge #14, who owned the cemetery and were named in the case. The signs were illegal and he asked the Board to help enforce the law.

Ms. Carol Mansfield stated the four sign poles were installed during the night illegally and without permits. She indicated she lived in the City of Reno but the subject sign poles were on County land. She asked the Board to help the residents in the

area with the illegal sign issue. She indicated she spoke with someone at Mountain View Cemetery and she was told no one knew why the poles were there and they would not act upon the issue. She stated the sign poles were located within the drainage area of the Highland Ditch and she was concerned that someone would attempt to pull or push the sign over. She noted there was a significant amount of mud in that area and it could be dangerous. She said she did not know the type of sign that would be on the poles but was concerned it would be a distraction to drivers. She wanted the County to assist with the issue and put an end to the illegal signs.

Ms. Tammy Holt-Still provided a handout, which was placed on file with the Clerk. She spoke regarding Agenda Item 5I and noted the costs were unclear regarding the Lemmon Valley flood damage. She said this was her fourth request for full disclosure of the expenditures by the County for the Lemmon Valley flooding. She stated she had not received the requested information related to Governor Brian Sandoval's request to President Trump regarding inflow into Swan Lake. She noted the Stead Sewer Plant fed into Swan Lake and she wanted to know why a City of Reno facility would flow into a County lake. She said there was concern regarding effluent water in the Sky Vista area. She spoke regarding Assembly Bill (AB) 39 and wanted the support from the Board to stop. She stated she would attend the Commission meetings until the County took fiduciary responsibility.

Mr. Danny Cleous from Lemmon Valley read an article from the Washoe County's Flood Awareness brochure that stated the causes of flooding. The article explained: the most common times for flooding were December through March; larger floods resulted from heavier rains over the course of several days; and when the soil was saturated from previous storms. He said the water runoff from storms caused increased water in the low-lying areas of Lemmon Valley. He thought there was a need for change and it was time for a new County Commissioner, County Manager and Sheriff.

Mr. Sam Dehne spoke about the lighting in the Chambers. He hoped Storey County Sheriff Gerald Antinoro would receive an honest vote recount and would remain in his position. He wondered why the *Reno Gazette Journal* did not have to obey the Open Meetings Laws.

Chair Lucey requested a moment of silence for Ted Short (former County Commissioner of District 2 from 1999 to 2003) who passed away on April 3rd.

17-0256 **AGENDA ITEM 4** Announcements/Reports.

County Manager John Slaughter requested the removal of Agenda Items 5C and 10. He noted Agenda Item 5C was an appointment to the Truckee River Fund Advisory Committee and it would be brought back to a future meeting with a list of all the applicants.

Commissioner Herman said it was agreed to allow homeowners with less than 5,000 square feet to be exempt from installing home fire sprinkler systems. She

stated a constituent called her because he had a 1,300 square foot house and he was being required to install sprinklers. She said District 5 wanted to express thanks to the Board and staff that helped with relief with the flood problems. She handed out some farm fresh eggs from a constituent.

Commissioner Berkbigler thanked Commissioner Herman for the eggs.

Commissioner Hartung asked whether the County could assist with the illegal sign issue at Mountain View Cemetery.

Paul Lipparelli said he would research the situation and provide a response to Commissioner Hartung.

Commissioner Hartung asked to have an Agenda Item on an upcoming meeting to articulate a more active role for him on the Truckee Meadows Regional Planning Governing Board. He asked for a \$2,500 expenditure for a young person named Adylenn Trimble to start a grant process called the Youth Engaged in Service (YES) Grant. He explained Ms. Trimble was eight years old and in the second grade. He said in September of 2016 she applied for a \$500 grant from Disney. Prior to receiving the grant from Disney, she collected over 3,200 books and a number of coats. In January 2017, she coordinated a warm clothes drive with other students at Spanish Springs Elementary School. He said, in total, Ms. Trimble collected 3,274 books and donated them to the Kids Kottage; Sun Valley Elementary School; Step 2 Family Counselling Center; Libby Booth Elementary School; the Children's Cabinet, the Women and Children's Center for the Sierra; Renown Hospital Pediatrics; St. Mary's Hospital Pediatrics; a daughter of a dignitary visiting from China; the Boys and Girls Club; Fallon Youth Club; Books of Africa; Sierra Association of Foster Families; Volunteers of America Family Shelter; Washoe County Social Services; and various schools in western Nevada. He stated he asked her to attend the next meeting. He wanted to award her \$2,500 for the YES Grant and said he asked her to make a list of what she wanted to do with the money. He said she wanted to give donations to the Children's Cabinet, the Kid's Cottage, the Food Bank of Northern Nevada, Renown Hospital, St. Mary's Hospital, Spanish Springs Library, Washoe County School District, and Spanish Springs Elementary School for a classroom in need of adaptive Physical Education equipment for a student with Cerebral Palsy. He asked to have more than two-hours of staff time to establish the YES Grant program. He said he had talked with many outside donors who would put money into the program and he hoped it could create something that was self-sustaining.

Commissioner Jung stated she went with Community Services Director Dave Solaro to meet with a constituent in Sun Valley to inspect the ditches the County was responsible for maintaining. She said because of the Federal Emergency Management Agency (FEMA) grant money that came through, she wanted the Board and the County to be aware it would be about 18 months for the ditches within the County to be repaired. She noted the inspectors were prioritizing them based on condition. She said if someone was concerned about a ditch and who maintained it to call the County. If it was a County maintained ditch, it would be maintained within the next 18 months. She

congratulated the Veterans of Foreign Wars (VFW) Post 9211 who were celebrating their 75th anniversary. She thanked Nat Carasali and Stephen Ascuaga from the Peppermill Hotel and Casino who donated a sheet cake to feed 100 people. She said she was a lifetime auxiliary member, her Mother was the secretary, and her father was the chaplain of the VFW 9211 post.

Commissioner Berkbigler said she received a request from a constituent, Jane Lion, regarding the Yucca Mountain Application Review Process, which had been approved by Nye and several other Counties. The letter requested Washoe County to draft a resolution. She provided the letter, which was placed on file with the Clerk. She asked the County Manager if this was something that should be brought to the Board. Next, she said she understood there was an opening on the Open Space and Regional Parks Committee and noted a request for resignation was received along with a request to fill the position. She thought the opening was Commissioner Jung's seat and asked for clarification. Then she said she met with Management Analyst Sarah Tone and Management Services Director Al Rogers regarding the illegal sign posts in the northwest. She indicated they were ugly, rusted and needed to be removed. She understood the County was working with the City of Reno and Commissioner Hartung had questioned whether there was a way to legally to have them removed. She indicated they could be seen from both sides of the highway and they were eyesores.

Chair Lucey talked about former Commissioner Ted Short. He stated during Mr. Short's tenure on the Commission, he was influential in District 2 and with planning issues. He said he played a pivotal part in the placement of Damonte Ranch High School. He indicated when there was contention regarding the placement Mr. Short stood up for his position. He said sometimes people needed to look at the bigger picture and take a bigger stance on certain issues. He was a wonderful Commissioner, a strong-willed individual and stood for the rights of the County and the community. He stated currently Damonte Ranch was a wonderful community and had been very beneficial for the City of Reno based upon some of Mr. Short's foresight. He said his thoughts and prayers were with the family in this difficult time. He then stated April was Child Abuse Prevention Month and he was pleased to see Manager Slaughter wearing a blue pinwheel lapel pin. He stated the District Attorney's Office went to Carson City and placed pinwheels in the lawn at the State Legislature building, which represented child advocacy and child abuse prevention. He said this was a difficult issue and he wanted to continue to support the District Attorney's Office and judicial system as the County continued to combat child abuse in our area. He stated he was in support of Commissioner Hartung's request for the YES grant. He noted at times, solutions to issues such as child abuse came from children when they were given the opportunity to become community leaders at a young age. He asked the Board to support Commissioner Hartung and the YES grant. Next, he wanted Pretrial Services Program Director Heather Condon to provide the Board with a presentation related to the progress of the pretrial risk assessment project. He then asked for a proclamation for the National Council of Juvenile and Family Court Judges (NCJFCJ). He said their Chief Executive Officer reached out to him with a request for a proclamation.

Commissioner Hartung said he wanted to acknowledge Adylenn Trimble at the next meeting with a proclamation and said she was going to be an Honorary Commissioner for the day.

CONSENT AGENDA ITEMS – 5A, 5B and 5D THROUGH 5I

County Manager John Slaughter noted Agenda Item 5C had been removed from the agenda.

- 17-0257** 5A Acknowledge receipt of the communications and reports received by the Clerk on behalf of the Board of County Commissioners. Clerk. (All Commission Districts.)
- 17-0258** 5B Approve a Resolution calling a public hearing (to be set for May 9, 2017) on the amendment of the boundaries of District No. 24 (Groundwater Remediation/Central Truckee Meadows Remediation District) in Washoe County, Nevada; providing for a notice of hearing, and providing other matters properly related thereto. Community Services. (All Commission Districts.)
- 17-0259** 5D Approve acceptance of supplemental funding for second and third year funding of a grant award [\$2,857.33, no match required] from the Las Vegas Metropolitan Police Department on Behalf Of The Washoe County Sheriff's Office for reimbursement of expenses associated with Internet Crimes Against Children investigations for the retroactive grant period of 10/1/14 through 6/30/17, and if approved, direct Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 17-0260** 5E Approve the Independent Contractor Agreement for Services between Martin Ross Security Services and Washoe County Sheriff's Office to provide inmate transport to hospital and guard services for an estimated 6-month cost of [\$20,000.00] for the retroactive period of January 25, 2017 to June 30, 2017, and if approved, authorize Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 17-0261** 5F Approve Sheriff's Security Agreement between the Lake Tahoe Visitors Authority/Local Organizing Committee and the County of Washoe on behalf of Washoe County Sheriff's Office to provide traffic control assistance for the AMGEN Pro Women's Bicycle Race [costs to be reimbursed by LTVA] on May 11, 2017 within Incline Village, Washoe County, Nevada. Sheriff. (Commission District 1.)
- 17-0262** 5G Accept funding for reimbursement [\$17,415.00, no County match required] from the Office of Criminal Justice Assistance through the Sparks Police Department for reimbursement of overtime costs associated

with the Regional Sex Offender Task Force activities involving the Adam Walsh Compliance project for the retroactive grant period of 10/1/16 - 9/30/17; and authorize Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

17-0263 5H Approve a two year Interlocal Contract between Washoe County and the State of Nevada acting by and through the Nevada Division of Forestry Department of Conservation and Natural Resources [in the amount of \$50,000 per fiscal year, not to exceed \$100,000] for the purpose of resources, equipment and financial assistance in the mitigation of emergency fire incidents; and authorize the Chair to sign the interlocal contract. Manager. (Commission District 5.)

17-0264 5I Approval of Notices of Intent to request funding from the State of Nevada Disaster Relief Account, for damages incurred to public infrastructure and costs associated with the January 6, 2017 and February 23, 2017 declared flooding disasters. Manager. (All Commission Districts.)

There was no public comment on the Consent Agenda Items listed above.

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

BLOCK VOTE - 8, 9, 11, 12 and 13

17-0265 AGENDA ITEM 8 Recommendation to accept a Notice of Sub-Grant Award in the amount of [\$518,349; no County match] from the State of Nevada Division of Public and Behavioral Health (DPBH) retroactive from March 1, 2017 through February 28, 2019, to provide crisis and jail diversion services through a Mobile Outreach Safety Team (MOST Team) to individuals with a mental health condition who have come into contact with law enforcement; and authorize the creation of 2.0 FTE Mental Health Counselor II positions funded 100% by the DPBH grant MOST grant award; direct the Human Resources Department to make the necessary staffing adjustments subject to the approval of the Job Evaluation Committee; authorize the Department to execute the award; and, direct the Comptroller's Office to make the necessary budget amendments. Social Services. (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 Jung, which motion duly carried, it was ordered that Agenda Item 8 be accepted, authorized and directed.

17-0266 **AGENDA ITEM 9** Recommendation to approve a one year extension of the Investment Management Services agreement between Washoe County and PFM Asset Management LLC and Hobbs, Ong and Associates, Inc., and to authorize future renewal options to be executed by the Treasurer upon approval of the Washoe County Investment Committee. The estimated annual cost is [\$315,000] which is allocated among the funds and agencies who participate in the Washoe County Investment Pool. Treasurer. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 9 be approved and authorized.

17-0267 **AGENDA ITEM 11** Recommendation to award Washoe County Bid No. 3012-17 for Harley Davidson Police Motorcycles to Chester's Reno Harley-Davidson for the purchase of nine replacement motorcycles on behalf of the Equipment Services Division of the Community Services Department and the Washoe County Sheriff's Office, [net amount \$253,350] including options and accessories. Comptroller. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 11 be awarded.

17-0268 **AGENDA ITEM 12** Recommendation to approve the Interlocal Contract between Public Agencies: the Washoe County Sheriff's Office Forensic Science Division and the State of Nevada, Department of Public Safety, Office of the Director for Forensic Services including Forensic analysis, DNA testing for Parole and Probation and Toxicology Laboratory analysis for the term of July 1, 2017 through June 30, 2021 with an income not to exceed [\$1,873,144.00] for FY 2018 through 2021. Sheriff (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 12 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

- 17-0269** **AGENDA ITEM 13** Recommendation to approve the Interlocal Contract between Public Agencies: the Washoe County Sheriff's Office Forensic Science Division and the State of Nevada, Department of Public Safety, Office of the Director for Forensic Services - Breath Alcohol Program for the term of July 1, 2017 through June 30, 2021 with an income of [\$355,486; \$373,260; \$391,923; and \$411,519] for FY 2018; 2019; 2020; and FY 2021, respectively. Sheriff. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 13 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

PUBLIC HEARING

- 17-0270** **AGENDA ITEM 16** For possible action, public hearing and discussion to affirm, modify or reverse the Planning Commission's approval of Tentative Subdivision Map Case Number WTM16-003 (Bailey Creek Estates), a 56-lot single-family residential subdivision on two parcels totaling ±28.76 acres. The site is located immediately south of the intersection of Geiger Grade Road and Shadow Hills Drive within Sections 27 and 34, T18N, R20E, MDM, Washoe County, NV. The parcels (APNs: 017-520-03 and 017-480-02) are ±23.63-acres and ±5.125-acres in size and within the boundaries of the Southeast Truckee Meadows Area Plan. The Master Plan Categories are Suburban Residential and Rural, and the Regulatory Zones are Medium Density Suburban (2 dwelling units per acre in SETM) and General Rural (1 dwelling unit per 40 acres). The property owner is Charles Maddox, the tentative subdivision map applicant is Silver Crest Homes, and the appellant is Kathleen Pfaff. Community Services. (Commission District 2.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against this agenda item.

Discussion took place between Commissioner Hartung and Community Services Department Planner Kelly Mullin regarding the appeal information. It was determined there were previous approvals in 1997 and 2004. The 2004 approval was for a 57-lot subdivision and the tentative map expired in 2010. The previously approved maps were somewhat different from the Bailey Creek Estates maps, but the impacts were based on overall density. Ms. Mullin provided documents, which were placed on file with the Clerk.

Stacie Huggins stated she was from Wood Rogers, Inc. and was representing the Applicant, Silver Crest Homes. She conducted a PowerPoint

presentation, which included tentative maps for the Bailey Creek Estates project. She explained the area had been approved in 1994 and showed the map which was approved in December of 2003. It included 57 lots, one more than on the current map. The lot sizes were different than what they were currently proposing, which were half-acre lots along the exterior and third-acre lots along the interior of the parcel. She said the layout was similar to what was approved in 2003. She noted the map expired because the downturn in the economy halted construction. She provided the PowerPoint presentation, which was placed on file with the Clerk.

There was discussion between Commissioner Hartung and Ms. Mullin regarding wild horses. It was noted wild horses commonly drank from Bailey Creek and it was determined the creek was not a significant hydrologic resource in the County according to Washoe County Master Plan, Article 418, which pertained to Significant Hydrologic Resources. It was explained in a normal weather year the creek was dry part of the time.

Legal Counsel Paul Lipparelli asked if the Applicant would be given the opportunity to speak and present other evidence once the Commissioners were finished with their questions. Chair Lucey stated they would.

Appellant Kathleen Pfaff presented a report entitled Flood Facts, which was about the current Federal Emergency Management Agency (FEMA) flood maps. She noted the maps for the area had not been updated since 2009. She indicated there was concern from residents because Bailey Creek appeared to be shifting and eroding, which could have consequences with floodwaters and soil displacement. The University of Nevada Reno (UNR) Cooperative Extension compiled information about local flooding and it was determined when soil was compacted and constructed impervious surfaces such as roads, parking lots, and rooftops, the rainwater that would have soaked into soil would run to the nearest creek. She said when land was urbanized, storm water collection systems were constructed to speed up the flow of run-off into rivers and streams. When storm or peak flows increased, the likelihood of flooding downstream increased. She stated there was some good information that explained how floodwaters proceeded down a canyon such as the topography of the subject area. As mentioned, the Developer planned to install detention basins to address the issue in addition to diverting some of the run-off to Bailey Canyon Creek. She reviewed the Bailey Canyon Creek flood history, which was included in her presentation. She noted a current resident on Moon Lane near Bailey Canyon Drive experienced rapid erosion of the back yard because of this year's storm. A study conducted by Wood Rogers, Inc. in 2006 commissioned by the County made recommendations for improvements to this area specifically to mitigate flood damage and soil erosion. In the study it was recommended that it be revisited in 10 years if the improvements were not implemented. While it was determined that said improvements were not cost effective, this did not negate that added culverts and detention basins were desperately needed in the area and existing culverts needed to be improved and monitored in the event of floodwaters. It was discovered that many culverts and drainage systems in the area were not being maintained because they were originally part of a Homeowners Association (HOA), but the HOA had since dissolved and no one

knew who was responsible for maintenance. The recommended strategies to prevent future flooding included watershed and flood plain management using both structural and non-structural flood control methods. She said adding new development to an area that was currently lacking in optimal flood control methods made little sense. She stated significant improvement was needed in that area to minimize flood risks, which should take priority over development. She said allowing expansion and construction in an obvious flood zone posed a threat to the safety and property of current residents. She stated in a similar case, Fritz versus Washoe County, a resident was negatively impacted after the approval a map changed the flows of the drainage system after a development was built and in District Court, Fritz won. She noted Brown Elementary School was a coveted school in Reno and many parents wanted their children to attend the school because of its reviews and because it outperformed many other schools in the area. The impacts not only on flooding but also on schools, local fire stations, law enforcement, and water and sewer systems needed consideration. She stated people moved to this area of town to enjoy the rural feel and the scenic views from their windows, not so they could see their neighbors. She said some other concerns included loss of privacy, lack of open space, safety of wild horses, traffic, emergency access, fire danger, drug activity and construction noise. She provided the discussed report, which was placed on file with the Clerk.

Commissioner Herman asked Mr. Smith if he felt the storm retention was adequately placed on the property considering the recent flooding.

Mr. Smith stated the developers and engineers were responsible for the design. He said they met the Washoe County Code requirements through the engineering work and hydrology study, but had not gone beyond that to mitigate other impacts, which was not required. The County reviewed the design against the Washoe County Development Code and he said it conformed.

On the call for public comment, Ms. Cris Damico stated she bought her home in 2013 and counted on the title company to do the research about the surrounding property. She said she was under the impression that the subject property was commercial property and she thought it would be utilized as retail space, not two-story houses looking into her backyard. She indicated she heard at the Community Advisory Board (CAB) meeting that the builder's requests had met Code so it should move forward. She noted the Code did not consider the quality of life for the residents who already lived there. She stated there was more building going on in Damonte Ranch consisting of 111 homes, another development on Highway 341 and Virginia Street, and an apartment complex on Wedge Parkway in an area that was already overcrowded. She thought the area could not sustain the amount of people for dining and shopping, and the infrastructure was not in place to sustain the anticipated growth. She spoke regarding possible tax increases that could be imposed because the Washoe County School District recently stated they did not have enough money to pay additional teachers. She hoped there would be a requirement that houses built behind the existing houses would be only one story so the homeowners would not lose their privacy.

Mr. Ron Ellis state he opposed the development for some of the reasons that were already stated. He pointed out some of the buildings in Lemmon Valley were up to Code, but they were now dealing with storm water. He said the grief the residents of Lemmon Valley had experienced was terrible. He stated the City of Reno approved a multi-family development in the area and he did not think there had been a study done for the impact of the project. He noted Brown Elementary and Depoali Middle Schools had dangerous traffic situations because they were overcrowded. He said the estimates of new students were not being considered with the approved developments. He said he was sure the Board had read the plethora of issues that development brought. He wanted to see this development put to a stop because the land was in a flood plain and the flood maps had not been updated in 10 years. He stated there were issues with infrastructure, lack of law enforcement, water usage, crime, drugs and wild horses.

Discussion took place between Commissioner Hartung and Mr. Smith regarding flood zones. It was determined the southeastern portion of the property was in the FEMA shaded Zone X. The parcel that ran between the existing development and the proposed development was primarily in Zone A. It was clarified that shaded Zone X was a 500-year flood plain and did not require any flood mitigation. A map on page 23 of Ms. Mullin's PowerPoint presentation was referred to for the FEMA zone mapping.

Commissioner Hartung asked Ms. Huggins if the average lot size was 17,869 square feet and wondered if there would be a homeowners association (HOA).

Ms. Huggins replied the square footage was correct. She stated an HOA would be required to maintain all the common areas associated with the project. She noted there was discussion with the property owner, Charles Maddox, regarding the maintenance of the Bailey Creek common area that was currently not maintained by the Cottonwood Creek Estates HOA.

There was discussion between Commissioner Hartung, Ms. Huggins and Mr. Smith regarding infrastructure. It was determined the development would receive water from the Truckee Meadows Water Authority (TMWA) and would require less than 100 acre feet of water. It was also noted that the South Truckee Meadows Water Reclamation Facility (STMWRF) had the capacity and would provide sewer service to the additional development.

Commissioner Hartung wondered whether a deceleration lane would be added or any other type of traffic safety methods.

Ms. Huggins stated she was unaware of that but Paul Solaegui who prepared the traffic study was present and could speak to the issue.

Mr. Solaegui stated when the project was started it was a small enough project with 56-units that it did not warrant a traffic impact study, but the developer wanted a study performed for safety reasons. He said the analysis concluded the right

turn traffic justified a deceleration lane based on Nevada Department of Transportation (NDOT) guidelines.

Discussion between Commissioner Hartung and Mr. Solaegui took place regarding the need for a high "T" intersection for people turning onto Geiger Grade but it was determined the level of service did not require that type of intersection.

Discussion between Commissioner Hartung and Ms. Huggins took place regarding Moon Lane. It was concluded that Moon Lane would be improved and extended to Kivett Lane. There would be an emergency access gate, which would be operated by emergency agencies and would only be used to exit the community in an emergency. It was noted the parcels that backed up to the existing homes were proposed to be single story as there were concerns about them being two-story.

Commissioner Hartung stated he was sensitive to the public's opposition and had seen the same thing in Spanish Springs. He said he viewed this as an extension to the previously approved maps.

On motion by Commissioner Hartung, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that the Board deny the appeal and affirm the decision of the Planning Commission to approve with conditions Tentative Subdivision Map Case Number WTM16-003 (Bailey Creek Estates).

11:27 a.m. The Board recessed.

11:40 a.m. The Board reconvened with all members present.

17-0271 **AGENDA ITEM 17.** For possible action, public hearing, and discussion on appeal of the Board of Adjustment's modified approval of Variance Case No. WBYAR16-0003 (Snyder), which approved a 7 foot front yard setback from the edge of the roadway to facilitate the construction of a garage with living space below it. The possible actions to be taken are to affirm, reverse, or modify the decision of the Board of Adjustment. The appellant is requesting that the Board of County Commissioners modify the variance by allowing a 1.74 foot setback rather than the 7 foot setback that was approved by the Board of Adjustment. The .563 acre property is owned by Patrick and Filomena Snyder and is held by the Snyder 1998 Family Trust. The property address is 540 Gonowabie Road in Crystal Bay, and the APN is 123-101-04; it is in the territory covered by the Tahoe Area Plan of the Washoe County Master Plan. The property has a regulatory zone of Medium Density Suburban (MDS). Community Services. (Commission District 1.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against this Agenda Item.

Commissioner Berkbigler said she was curious about the reason for the request for a 1.74-foot setback rather than the approved 7-foot setback. She stated she was familiar with Gonowabie Road and it was an extremely narrow road. There were some houses relatively close to the road, but she was concerned about a 1.74-foot setback. She asked if anything was specific about the house's location that would be of concern.

Community Services Department Planner Eva Krause stated she was concerned because in this particular situation there was no legal roadway easement, the road went through the middle of the property on the last four lots. She stated the only way to measure was from the edge of the pavement. She was concerned about the distance so she asked the County Engineer and it was suggested based on the American Association of State Highway and Transportation Officials (AASHTO) safety guidelines, there should be a 7-foot setback. She stated on Gonowabie Road there were homes that were right at the property line, only a foot or less from the road. She stated it varied on Gonowabie Road and it was a unique situation.

Commissioner Berkbigler stated historically there were some concerns with properties on Gonowabie Road because of snow removal issues. She said it was in Crystal Bay and she wondered if the corner of the house would be in danger as the snow plows went through.

Ms. Krause stated that was always a concern but the County made the residents sign a hold harmless agreement stating if snow piled up on the houses or garages or if there was damage due to snow removal, the County would not be responsible for fixing the damages. The Roads department was careful working out there but it was challenging.

Commissioner Berkbigler asked the Applicant to come forward and speak to the Board.

Elise Fett of Elise Fett & Associates spoke on behalf of the Applicant. She provided documents including photos and maps entitled FPSN Snyder Appeal, which was placed on file with the Clerk. She stated Gonowabie Road had a history of 0-feet to 2-foot setbacks. She referred to the submitted aerial and street level photographs to illustrate the close proximity of the homes to the road. She noted on the aerial photographs there were only two homes on Gonowabie Road that had a setback of 7-feet or greater and one of them was two-stories at the road, but was four-stories high overall. She stated the information was summarized from the base maps and the properties highlighted in bright green had setbacks of two-feet or less from the edge of the pavement. She stated the Applicants were not requesting special privileges because there was not a right of way or a road easement through the subject property. She explained the Applicant's property was the first parcel heading up Gonowabie Road that had no right of way going through it, although there was a utility easement. She indicated discussions had taken place regarding whether a utility easement was a legal line but each time the road was paved the line changed. She said 27 of the 34 properties on Gonowabie Road with garages had

setbacks of less than two-feet and some of the parcels did not have garages. She referred to the maps and photographs and explained the intended location of the garage in proximity to the road, noting across the road was temporary parking for snow removal, which made the road area wider than on most parcels. She reviewed the balance of the photographs and stated there was a stairway that would be removed for safety reasons.

Commissioner Berkbigler thanked Ms. Fett and said she thought the 1.74-foot setback should be allowed. She stated she was concerned but the photographs showed this was one of the safest places to have this setback because the road was wider than anywhere else.

Commissioner Berkbigler made a motion to approve the setback as requested.

Commissioner Hartung asked whether Gonowabie Road was a public road and Ms. Fett replied it was a public road but not where the subject home was located.

Ms. Krause stated Gonowabie Road was public up to a certain point, but after that point, it extended across the last four properties to reach the highway. She indicated the County maintained the road but nothing in record indicated it was a public road.

Legal Counsel Paul Lipparelli stated he was familiar with legal issues on Gonowabie Road noting they had litigated the issues for eight years. He said these parcels were in an original subdivision and the map was never recorded, which was the usual way a title to the road was passed. There was a doctrine in the law called the Doctrine of Implied Dedication, which the County believed applied to all these parcels. He said it held that when a map showed a road and everyone treated it like a road, then it was a road. He stated that was what the County believed existed in this case even though there was not usual title history. He said the road had been paved since the 1970's so whatever claim people once had that a road burdened their properties or an easement went away a long time ago because they had acquiesced to the existence of the road in its current configuration. He said the map of the road did not match where the road was because it was put where it made sense, so the map could not be relied upon. He said the pavement was as reliable as the road. He noted the Applicant illustrated the distances between the edge of the pavement and the proposed improvements and it was fine to rely on those representations as a fair statement of distances.

Commissioner Hartung asked Ms. Krauss if notices for the appeal were sent to nearby residents and Ms. Krause stated they were.

There was no public comment on this item.

Mr. Lipparelli clarified the Board of Adjustment approved a 7-foot front yard setback and the Applicant appealed the decision. He noted the motion would need to

state the decision was to overturn to Board of Adjustment's decision and approve a 1.74-foot setback.

Chair Lucey stated the motion would be to affirm the Board of Adjustment's approval of Variance Case No. WPVAR16-0003 (Snyder) with the modification of the setback to 1.74-feet.

Mr. Lipparelli reiterated, to be clear, the motion would be to affirm in the sense that the setback variance was being approved but it was overturning the setback from 7-feet to 1.74-feet.

On motion by Commissioner Berkbigler, seconded by Chair Lucey, which motion duly carried, it was ordered to affirm the Board of Adjustment's approval of Variance Case No. WPVAR16-0003 (Snyder) with the modification that the setback from the road be reduced from 15-feet to 1.74-feet to facilitate the construction of a garage, with the findings as listed in the staff report.

17-0272 **AGENDA ITEM 18** For possible action and public hearing to approve an Outdoor Festival business license application (pursuant to Washoe County Code chapter 25 and related provisions) and associated License Conditions for the Red, White and Tahoe Blue 2017 Outdoor Festival, scheduled to be held from July 1 through July 4, 2017, in Incline Village at the following locations: Village Green (APN:127-010-07), Aspen Grove (APN:127-010-04), Incline's Main Firehouse (APN:132-223-07), Susie Scoops, 869 Tahoe Blvd. (APN:132-240-02), Potlach, 930 Tahoe Blvd. (APN:132-012-02), Incline Middle School (APN 127-030-16), and Incline Beach (APN:127-280-01). Off-site parking will be available at Diamond Peak Ski area (APN: 126-010-60), Incline High School (APN: 124-071-52) and Sierra Nevada College (APN: 127-040-10). Event set-up is proposed to begin on June 29, 2017, and event takedown and dismantle is proposed to end on July 5, 2017. Event organizers estimate that each event will have between 100 and 1,500 participants and spectators in attendance, except for the fireworks display, which is expected to draw between 8,000 and 10,000 spectators. The event also proposes to hold a parade on July 1, 2017, that will require closing a section of Tahoe Boulevard, Southwood Boulevard and Incline Way to traffic at 10:00 a.m. for approximately 2 hours. If approved, authorize the Director of the Planning and Development Division, Community Services Department to issue the license when all pre-event conditions have been met. Community Services. (Commission District 1.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against this item.

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

Commissioner Berkbigler thanked staff and the Red White and Tahoe Blue team who put this event together and for bringing it to the Board for approval sooner than in past years. She noted Ms. Krause worked hard on the planning of this item.

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

17-0273 **AGENDA ITEM 6** Appearance: Frank Flavin, Washoe County Executive Educator, Washoe County Cooperative Extension, Presentation and update on FY17/18 budget.

Washoe County Cooperative Extension Executive Educator Frank Flavin thanked the Board for the opportunity to conduct a presentation on behalf of the 38 members, faculty, and staff of the Washoe County Cooperative Extension, part of the University of Nevada Cooperative Extension System (Cooperative Extension). He provided a PowerPoint presentation, which was placed on file with the Clerk. He stated it had been a while since Cooperative Extension had made a comprehensive presentation to the Board. He said prior to 2008, Cooperative Extension was closer to being a County Department and had eight County employees assigned to them. Unfortunately, due to budget constraints, County management asked Cooperative Extension to become supported by a special revenue account and a pass thru fund. When that occurred, Cooperative Extension was no longer considered a County agency for personnel and access to County services. Every year a budget was provided with detailed spending accountability, but the report had not presented to the Board since 2008. He explained this year the Board requested an appearance due to a number of changes that took place statewide and discussions as to whether or not Cooperative Extension should merge with the Department of Agriculture. He said Nevada Association of Counties (NACO) had been trying to secure more extensive state funding since the budget was reduced by 72 percent by the University of Nevada Reno (UNR) in 2012. He stated there had been many issues with Cooperative Extension. He noted the Clark County Office indicated legislation could take part of Cooperative Extension and give it to the University of Nevada, Las Vegas (UNLV). He conducted a PowerPoint presentation with slides entitled: Mission; A Piece of History; Program Action – Logic Model; NRS Statutory Program Authorization; 4-H Youth Development; Literacy First; Master Gardeners; Green Industry Training; Urban IPM; Grow Your Own, Nevada; Bioplastic Container Cropping Systems; Living With Fire; Radon; Nutritional Education; Water Resources; Washoe County Extension Employees Percentage Funded by Washoe County; and UNCE Washoe County All Revenue Sources FY 15-16. He reviewed each of the slides and noted the funding from grants was close to the funding received from the County.

Commissioner Berkbigler was concerned if the UNR moved Cooperative Extension to the Department of Agriculture that the money, which was specifically designated to Cooperative Extension, would be used accordingly and not rolled into the

Department of Agriculture's general fund. She asked Mr. Flavin to reach out to the County if issues arose to ensure the funds were used for the designated purposes.

Mr. Flavin stated he agreed with Commissioner Berkgigler and he thought the key issue was to ensure the funds were not merged with the University funds. He stated a policy board was needed to inform the President of the University about the special budget, which was intended specifically for Cooperative Extension. He stated it was critical considering there could be another bill passed in the legislative session regarding Cooperative Extensions. He said they were looking at what the organizational structure would be under either the Washington state model where Cooperative Extension would remain as its own integral part and the Oregon state model in which all the extension faculty and staff reported to a department head on campus. He thought the Oregon state model could create a difficult situation for the Counties. In Washoe County Cooperative Extension staff looked to the Board and the County for direction; if it were left to department heads it could diminish the work. He stated the decision was not made yet.

Commissioner Berkgigler thanked Mr. Flavin for his explanation and she said she knew it was a concern for some of the other Commissioners as well as herself. She wanted to ensure that Cooperative Extension and the monies from all the Counties stayed strong. She noted Washoe County was behind him 100 percent so if there was any way the Board could help, let the Board know.

Commissioner Herman stated it was discussed at NACO that a Memorandum of Understanding (MOU) could be useful to help the situation. She asked if Mr. Flavin recommended the County work with NACO to try to produce an MOU.

Mr. Flavin stated they could, although he thought there had not been an MOU since the early 1990's. He said they had been operating on the present system, but had no objection to an MOU. He said it could define how the budget was spent, but he thought that decision should be left up to the County.

Commissioner Hartung said it was a great presentation. He stated it summarized Cooperative Extension and its purpose. He mentioned he wanted to see more agrihoods within the general open space in subdivisions. He said it would provide a place where people could grow fruits and vegetables in their own neighborhoods.

Mr. Flavin thought agrihoods were a feasible suggestion. He stated they had expanded the master gardener program by adding an additional coordinator. He stated there was great movement toward urban agriculture across the County and Milwaukee had a great program that could be emulated.

Chair Lucey thanked Mr. Flavin for the presentation and said Cooperative Extension was a great asset for the County.

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

17-0274 **AGENDA ITEM 7** Appearance: Amy Cummings, Director of Planning, Regional Transportation Commission, Presentation and update on 2040 Regional Transportation Plan. [10 minutes]

Regional Transportation Commission (RTC) Director of Planning Amy Cummings said she appreciated the opportunity to speak with the Board about the 2040 Regional Transportation Plan (RTP). She conducted a PowerPoint presentation with slides entitled: 2040 RTP Community Outreach; Projects, Programs and Services Included in Draft RTP; Draft RTP Projects (2017 – 2021); Draft RTP Projects (2022 – 2026); Draft RTP Projects (2027 – 2040); Ongoing Programs; Short Range Transit Plan Elements; Unfunded Vision for Transit; and Next Steps. She reviewed the presentation slides. She said the RTC was starting its official public comment period later in the month and she would be present to seek input as they completed the plan. She said the majority of the past year was spent facilitating a series of community workshops about the RTP to gather ideas about specialized transportation needs in the region, including veterans, economic development, freight, senior and the Americans with Disabilities Act (ADA) transportation issues. In addition, she stated they provided some communitywide public workshops and planned to offer an additional public open house on April 25th at the Discovery Museum from 4:00 to 6:00 p.m. She said they were hoping for people to come to look at the plan and provide input. She indicated the RTC appreciated the participation of County staff on both the RTC Technical Committee and the Regional Transportation Planning Agency (RTPA) Workgroup. The proposed projects were identified as projects currently in the 2035 RTP through planning studies that had been ongoing over the past few years, including quarter studies, the north valley planning study that just completed, the short range transit plan and others. She provided her presentation, which was placed on file with the Clerk.

Commissioner Hartung was concerned that Pyramid Highway and Eagle Canyon Drive were not scheduled sooner in the RTP. He said there was a desperate need for improvements from Egyptian Drive to the end of the valley. He noted he had been asking for a traffic light at Calle De La Plata, which would help to put the cars into groups and meter traffic and would create a safer intersection as the area continued to grow. He noted Eagle Canyon Drive from Neighborhood Way to past the high school was over its capacity due to a high school and a middle school on a two-lane road situated in the center of a residential area. He stated the school hours coincided with commuter traffic but he thought if adjustments were made to the start and release times at the schools, it could relieve some of the congestion. He stated commuters were utilizing side streets to avoid the congested areas but were creating undue amounts of traffic on roads not designed for through traffic. He indicated it was necessary for Eagle Canyon Drive improvements to be scheduled sooner than they were planned.

Ms. Cummings stated the RTC was working on a unified planning work program for fiscal year 2018-19 and one of the projects that had been identified as a priority was Eagle Canyon Drive.

Commissioner Hartung said County staff had worked on some solutions to attempt to slow people down on the side streets but the best way to deal with it was to increase the capacity on Eagle Canyon Drive. He was concerned about the possibility of Eagle Canyon Drive being improved through to Lemmon Drive because people could utilize the road as a route to Highway 395.

Commissioner Jung was concerned the RTC was not being transparent, soliciting community needs, and not providing televised meetings that citizens could watch. She noted if the RTC could not televise from their facility, the County would allow them to use the County Chambers. She said they could pay the production crew to start televising their meetings publically. She indicated they had the largest budget in Northern Nevada with the least amount of transparency. She said she saw nothing other than the RTC Connector, which was the RTC informing the community about what projects were in progress. She stated she would rather sit at home and watch the meeting so she knew all that was happening. She indicated the RTC was the only Board whose meeting were not televised and asked for Ms. Cummings to insist the meetings be televised.

Chair Lucey thanked Ms. Cummings for her presentation and said he looked forward to continuing to work with RTC on future issues.

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

17-0275 **AGENDA ITEM 14** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. (Including but not limited to AB39) Manager. (All Commission Districts.)

County Manager John Slaughter asked that Agenda Items 14 and 15 be heard together.

Management Services Director Al Rogers provided a weekly update of activity for the past and current week's bills. He stated Senate Bill (SB) 57 regarding the V & T Railroad was passed out of the Senate Committee, with Washoe County being omitted from moving forward with the bill. He said the County was not heavily tracking that bill but there could be an impact to the County moving forward. He noted the deadline for committee passage was Friday, April 14th and currently the County was tracking 589 bills. He hoped after midnight on the 14th, that number would drop significantly and staff could be more focused on the bills relating to the County. He referred to a document that listed 25 bills of interest with a status and summary provided for each bill. Mr. Rogers provided the document to the Board and it was placed on file with the Clerk. He thought Assembly Bill (AB) 39 needed to be discussed by the Board to provide direction to staff.

Commissioner Hartung said AB 39 was creating many discussions and currently the focus was on completing a regional plan update, regional priorities, and projects and programs beyond the purview of the Truckee Meadows Regional Planning Agency. He noted the projects and programs included: homeless shelters, consolidated dispatch, forensic lab services, the downtown corridor, the Truckee River corridor, the lands bill and more. He thought it was time to rethink AB 39 and consider pulling the bill to possibly go in other directions.

Chair Lucey stated he concurred with Commissioner Hartung. He thought over the past few months there had been significant conversations with all involved parties, the City of Reno, the City of Sparks and the Regional Governing Board. He felt that conversations had been evolving and the involved parties were moving in the right direction for future resolutions. He agreed there were other priorities in the County that needed the Board's attention and focus. He stated removal of the bill would be the best possible course of action.

Mr. Slaughter stated discussions that were happening at his level were meetings with the City Managers, Regional Planning Director and himself; a request was provided by Senator Ratti to discover if there was a desire to establish a role for the City Managers and the County Manager to provide insight, advice, and consultation to the Regional Planning Director. He said that discussion had continued so he asked if the request went forward, that resolutions to the issues should come from this Board.

12:41 p.m. Commissioner Jung left the meeting

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Chair Lucey, which duly carried with Commissioner Jung absent, it was ordered that a request be submitted to the Chair of the Assembly Government Affairs Committee to withdraw AB 39 from further consideration during this legislative session and to further instruct the County Manager to continue working with partner agencies and the Legislature.

Legal Counsel Paul Lipparelli said it was not practical or humanly possible to put everything the Board needed to vote on, on an agenda. He believed it was safe as the motion suggested to direct staff to act on behalf of the County in these situations. He thought the County Manager could divine from the majority approval of the motions if it passed that the Board of County Commissioners felt a certain way about legislation and he pointed out there was room for criticism in these open meetings when action was taken on specific pieces of legislation. He said in the situation of the looming deadline, if the Board did not act and provide direction, the legislative team would be on hold but this motion would allow them to understand the Board's intent. He indicated he and the County Manager could watch the bills and put them on the agenda as specific items so the Board's action could be binding.

Chair Lucey said he was optimistic about AB 39 and he looked forward to future resolutions with both Cities and the Regional Governing Board and hoped they could find resolutions through the County Manager and staff.

Commissioner Hartung thanked the Board for its support and stated he would continue to work with the Regional Governing Board to finalize the regional plan update and resolve issues that were brought forward with AB 39. He thought there was a plethora of issues that could be addressed.

Commissioner Berkbigler noticed Senator Ben Kieckhefer's bill was not listed on the handout. Mr. Slaughter noted he would find the information for her.

Commissioner Berkbigler stated the General Improvement Districts (GIDs) as they related to AB 349 was directed specifically to Incline Village. She thought it was appropriate to have oversight, review and audit the GIDs, although she thought it was inappropriate to target just the Incline Village GID. She noted GIDs used taxpayer dollars; there was one in Verdi, a television district, who did not have television service. She wondered where that money was going. She thought a full audit of all the GIDs was an appropriate request for the County to make. She noted it was something that could be targeted in Senator Kieckhefer's bill SB 462. She requested staff look at the bill to see if it would have forward movement and bring back that information to the next meeting.

Commissioner Berkbigler was concerned about the concept of using taxpayer dollars that were not transparent. She said Commissioner Jung talked about the need for transparency with RTC, but she said the County needed all entities who received taxpayer dollars to be transparent. She said no transparency meant constituents were paying taxes and the dollars could be spent inappropriately.

Commissioner Herman agreed about auditing the GIDs. She stated many conversations occurred about the GIDs not being transparent. She noted that SB 272 passed through the hearing process and was going to the Senate. She said the state engineer had control over domestic wells since 1939 and she had never seen the water engineer be involved in anything that was not referred to as a water right, which concerned her.

12:50 p.m. Commissioner Jung returned to the meeting.

Chair Lucey stated AB 43 was NACO's bill regarding a property tax initiative and that was not going to move out of committee. He said it would die this week if it had not already. He said a positive action that came out of AB 43 was Assembly Concurrent Resolution (ACR) 7, which was an interim study proposed by Assemblywoman Dina Neil to discuss property taxes. He stated that would help the County with the budgeting process. He noted Senate Joint Resolution (SJR) 14 was a revision to the senior and disabled taxpayers protection act. He stated these would present challenges to the economy and he wanted them tracked.

Commissioner Berkgigler said the other bill she had concerns about was SB 315, the Waste Management bill, and she thought the Board voted not to support it unless there were significant changes. She asked for that bill to be tracked.

Al Rogers said he could not provide any more information except that the committee heard it, but he would follow up when there was action.

Mr. Slaughter said AB 97 related to testing of safe kits or forensic analysis kits for sexual assault. He noted it was Assemblywoman Teresa Benitez-Thompson's bill. He indicated the bill required the kits to be tested within 180 days of receipt. He said staff was not concerned with the policy of the bill but was concerned with the fiscal impact. He stated the intention of staff was not to oppose the bill but to put on record concerns about the fiscal impact of \$820,000 per year without a funding mechanism identified in the bill.

Commissioner Berkgigler stated there was one other bill that required body cameras for the Sheriff's Office and she wanted an update and on the fiscal impact.

Mr. Slaughter stated SB 176 was the bill Commissioner Berkgigler was referring to and it was passed out of committee and was moving forward. Regarding the fiscal impact, the bill provided for the use of E911 fees and provided for an increase of those fees of up to an additional \$.75 on top of the \$.25, which was currently allowed. He stated that was how the bill came out of the committee. He noted the fee increase would come before the Board for consideration.

Chair Lucey asked Mr. Rogers to share his thanks and gratitude to the Carson City staff for their diligence.

There was no public comment on this item.

17-0276 AGENDA ITEM 15 Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Truckee Meadows Fire Protection District or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board of Fire Commissioners to be of critical significance to Truckee Meadows Fire Protection District. Truckee Meadows Fire Protection District. (All Commission Districts.)

There was no public comment on this item.

17-0277 AGENDA ITEM 19 Discussion and update pursuant to Commissioners' previous requests and/or topics for future agendas.

County Manager John Slaughter stated this was based on requests from the Board members to regularly review the specific items that had been requested by each

Commissioner. He said staff had created a beta report and was prepared to review the report model and specifics included.

Management Services Director Al Rogers provided documents to the Board, which were placed on file with the Clerk. He reviewed the cover sheet stating it was an update of primary requests, which would be evolving as requests changed. He said some of the requests were longstanding and could continue on the list. He indicated the next pages were new and there was a working calendar of all items. He indicated this should provide a snapshot of what would potentially be coming up in future meetings for the next 90 days. He said this would be evolving and changing but he wanted to identify the items that were coming up. He noted these documents were a beta report and he would appreciate any feedback from the Commissioners. He said on the bottom of the BCC Requests page was information regarding Washoe 311 and noted there would be more data in the upcoming reports. He mentioned the remainder of the documents were the active items. He stated updates on the issues would be noted so the list would be as current as possible but it was a working document.

Commissioner Herman stated there were items missing from the list.

Chair Lucey asked Mr. Rogers to meet with Commissioner Herman separately to resolve the items missing from the list.

Commissioner Jung wanted a monthly report for Washoe 311 by district regarding requests or concerns. She said she received information from Reno Direct monthly and noted they had dashboard items that indicated the concerns within District 3. She thanked the 311 staff for their success with transitioning into a professional call center.

Mr. Rogers explained they had the resources to generate the information Commissioner Jung was requesting. He thought the citizen making the inquiry or service request would have the ability to identify their district based on the address. He said as requests came in staff could relay the information to the Commissioners by district.

Commissioner Hartung wanted to meet with staff offline because items were missing from the list that he had requested. He said he neglected to bring up some items of concern. He was disappointed that the alarm ordinance was going to take until June to be addressed, because there were a number of complaints related to the late fees charged and he did not want to let it go. He wanted an accounting of the late fees and where they were going. He stated this was an ongoing issue and he still had citizens calling him. He wanted Alarm Tracking and Billing (ATB), the alarm company, to come before the Board. He knew ATB was located in Colorado but he wanted to meet with them. He also discussed changing vendors if reasonable answers and data were not received from ATB.

Chair Lucey said the alarm issue should be brought back as its own Agenda Item. He agreed it should be prioritized.

On the call for public comment, Ms. Lorrie Olson provided documents, which were distributed to the Board and placed on file with the Clerk. She spoke regarding the Steamboat Canal's storm water operation and wanted it placed on an upcoming agenda for discussion. She said she attended the Board of County Commissioners meeting on March 21st and spoke regarding the flooding of Steamboat Canal and animal resistant containers in Caughlin Ranch. She stated she lived in District 1 and was the president of the Caughlin Ranch Homeowners Association (HOA). She said her HOA had more than 2,000 homeowners, which represented more than 4,000 constituents. She indicated she was shocked to hear that Commissioners were unaware of the responsibility, conditions and profound damages being caused by the Steamboat Canal. She noted that Division Director of Engineering Dwayne Smith was aware of problems. She stated the information regarding the ditches and canals would be dealt with over the next 18 months and that was not what she wanted to hear. She referred to the documents that were distributed to the Board from the annual Steamboat meeting on March 16th and stated she was allowed to attend the meeting because she represented the HOA and the water rights. She indicated the homeowners were not allowed to attend the meeting. She said after the March 21st meeting she sent an email to Commissioner Berkgigler and provided her with documents regarding the Steamboat Canal Use and Maintenance Agreement, which had been in effect since 2011, which showed that Washoe County had responsibility of the ditch while it was on the Caughlin Ranch property. She stated she had not received a response to her email. She did, however, receive a response from Management Analyst Sarah Tone saying she was excited to inform her they were setting aside 300 animal resistant containers for Caughlin Ranch. She was happy to hear that news. She thought the ditch operations and what was going on in Caughlin Ranch deserved more attention, time and deserved the respect of a response.

Chair Lucey stated Mr. Rogers should have ample direction for this item.

17-0278 **AGENDA ITEM 20** Public Comment.

On the call for public comment, Ms. Cathy Brandhorst was called but was not present to speak.

17-0279 **AGENDA ITEM 21** Announcements/Reports.

Chair Lucey asked for two-hours of staff time to discuss the downtown Reno navigator program and wanted to know how the County could participate in the program.

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

* * * * *

01:11 p.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Doni Gassaway, Deputy County Clerk*

Pending Board Approval

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

TUESDAY

10:00 A.M.

APRIL 18, 2017

PRESENT:

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

Jan Galassini, Chief Deputy County Clerk
Christine Vuletich, Assistant County Manager
David Watts-Vial, Deputy District Attorney

The Washoe County Board of Commissioners convened at 10:16 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:

17-0282 AGENDA ITEM 3 Public Comment.

Mr. Sam Dehne stated he thought it was inappropriate to turn the lights down in Chambers during meetings. He spoke regarding the media in Reno. He said Storey County Sheriff Gerald Antinoro won the recall election. He noted Sheriff Chuck Allen was doing a great job and should not be in the media spotlight because of deaths that occurred in the jail.

Ms. Tammy Holt-Still provided a handout, which was placed on file with the Clerk. She spoke regarding residents whose homes were red tagged and whom were required to pay for permits when the Board had the ability to waive the fees. She stated the County could not accurately measure water flows without the proper tools and wondered why they were waiting to obtain the needed equipment. She thanked the Board for supporting Assembly Bill 39. She mentioned she had requested a full disclosure of the expenditures for the recent flood emergencies many times but was still waiting for the information.

Ms. Dori Denson stated she was a licensed cosmetologist and recently received two citations; one for not having an establishment license and the other for not working in an established salon. She indicated one of the citations was for \$1,000 and the other was \$500. She stated there was an establishment license under the owners of European Fitness Center and she was unable to obtain an establishment license because she did not own European Fitness Center or the salon located inside the center. She explained that she could not work without a resolution to this problem.

17-0283 **AGENDA ITEM 4** Announcements/Reports.

Commissioner Herman wanted to have a discussion regarding the red-tagged homes and permit fees in Lemmon Valley. She said many residents wanted to start working on their homes but could not afford the permits.

Commissioner Jung said it had not happened yet, but the District Board of Health could vote to waive the fees for the permits. She stated that Board would meet within the next week and the agenda would include an item to approve waiving the permit fees. She thought it would pass without any objections. She asked staff to help Ms. Dori Denson to resolve her citation issues. She welcomed Honorary Commissioner Ms. Adylenn Trimble.

Commissioner Berkbigler welcomed Ms. Trimble.

Commissioner Hartung said he hoped the Board would support the Youth Engaged in Service (YES) Grant item on the agenda. He noted Ms. Trimble was instrumental in starting the grant process. He welcomed Ms. Trimble and thanked her for attending the meeting.

Chair Lucey presented Ms. Trimble with a certificate proclaiming her as an Honorary Commissioner for the day.

Ms. Trimble said she was eight years old and in the second grade at Spanish Springs Elementary School. In October she applied for a \$500 Disney grant to help her community by collecting books and warm clothing for kids in need. She said with the help of her school, she collected more than 3,000 books, 900 pieces of clothing and 100 blankets. She noted the books, clothing and blankets were delivered to 16 different places including Renown and St. Mary's hospitals, the Kid's Kottage, the Children's Cabinet, schools, shelters, the Boys and Girls Club of Truckee Meadows, and many other organizations. She was awarded the Disney grant and used the money to purchase more books and clothing.

17-0284 **AGENDA ITEM 5** Introduction of new Washoe County Employees.

Assistant County Manager Christine Vuletich asked the following employees to introduce themselves to the Board:

- Derek Sonderfan, Clerk's Office
- Jean Franklin, Assessor's Office
- Elizabeth Spencer, Social Services
- Kristine Hansen, Comptroller
- Mike White, Health Department
- Theron Clark, Treasurer's Office
- Jeremy Wilson, Social Services
- Elaina Bills, Social Services

17-0285 **AGENDA ITEM 6** Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses.

Assistant County Manager Christine Vuletich recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

Essentials of Support Staff

Kim Imperial, Juvenile Services
Sarah Singleton, Clerk

Essentials of SAP for HR Rep

Cynda Horning, Reno Justice Court

Essentials of High Performing

Heidi Howden, Reno Justice Court

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

PROCLAMATIONS

17-0286 **7A** Proclamation – Proclaim April 16-22, 2017 as Volunteer Week.

Commissioner Jung said the proclamation for Volunteer Week came from the Washoe County Leadership Program, which was a group of employees who volunteered to determine ways the group could give back to the community. She noted the most recent event was a clothing, food and pet food drive for Lemmon Valley residents who were affected by the flooding. She said it was an employee led engagement program, which supported leadership, collaboration, service, communication and appreciation. She indicated the program plan was to develop and revamp the recognition of volunteers countywide, which would happen later in the year. She said it was an imperative program and needed involvement from departments countywide. She stated without volunteers, the County could not sustain their mission.

Commissioner Jung read the Proclamation.

Commissioner Jung stated the Former County Commissioner Bonnie Weber was instrumental during the downturn of the economy experienced in 2007-2008 and was persistent against the opposition when staff brought up liability insurance and background check costs. She did not let the issue go so staff, the lawyers and Risk Management figured out a way to cover the costs. She admitted the County would not have survived the recession without the many volunteers who did some essential work in the Parks and Recreation and Library departments, which were affected the most. She indicated the County could not operate solely on tax dollars; it took hard work, passion

and commitment, so the Board appreciated the volunteers and looked forward to seeing the Leadership Team's new and innovative program to honor them.

17-0287 **7D** Proclamation of Recognition for Adylenn Trimble.

Commissioner Hartung stated giving back to one's community started at a young age and Adylenn Trimble was proof of that. He noted Ms. Trimble collected 3,274 books and donated them to: the Kids Kottage; Sun Valley Elementary School; Step 2 Family Counselling Center; Libby Booth Elementary School; the Children's Cabinet, the Women and Children's Center for the Sierra; Renown Hospital Pediatrics; St. Mary's Hospital Pediatrics; a daughter of a dignitary visiting from China; the Boys and Girls Club; Fallon Youth Club; Books of Africa; Sierra Association of Foster Families; Volunteers of America Family Shelter; Washoe County Social Services; and schools in western Nevada. She collected and donated 915 warm clothing items to the Kid's Kottage; the Children's Cabinet; the Boys and Girls Club; and the Good Shephard's Clothes Closet. He said he met Ms. Trimble when he was the Principal for a Day at Spanish Springs Elementary School. Her mother invited him to the Children's Cabinet to present toys and clothing. He said he was impressed with what Ms. Trimble had accomplished; he decided to help her by providing her with a small grant so she could continue her work.

Commissioner Hartung read and presented the Proclamation to Ms. Adylenn Trimble.

Ms. Trimble said she was happy that the Board was helping her. She thanked the Commissioners for all they had done.

Dana Trimble, Ms. Trimble's mother, thanked the Board for welcoming her and she appreciated Commissioner Hartung for listening and helping with her daughter's ideas to help children in the community. She stated her daughter was persistent about applying for the Disney grant.

Robin Trimble, Ms. Trimble's father, thanked the Board. He said his daughter was such a great example and he was so proud of her.

Children's Cabinet Fund Development Director Kristen Loebbecke stated it was an honor to recognize Ms. Trimble for what she had accomplished by helping the Children's Cabinet and other organizations for children and families in the County. She said the Children's Cabinet's mission was to keep children safe and families together. She noted they had a thriving relationship within the County and the community. She thanked County Manager John Slaughter and others who sat on their Board. She thanked Ms. Trimble and her family.

17-0288 7C Proclamation – Proclaim April 16-22, 2017 as Public Safety Telecommunications Week.

Commissioner Hartung stated the community could not thrive without the emergency response from all the agencies throughout the entire County.

Commissioner Hartung read and presented the Proclamation to Chief Deputy Tom Green and Captain Jim O'Connor from the Sheriff's Office.

Chief Deputy Tom Green said he appreciated the recognition for the dispatchers and call takers and noted it was a difficult job. He thanked the dispatchers for what they did because each call was difficult.

Captain Jim O'Connor echoed Chief Deputy Green's appreciation for the dispatchers. The dispatchers worked extremely hard to ensure the first responders had all the information they needed before they arrived at a scene. He agreed it was a very difficult job.

17-0289 7E Proclaim May 4, 2017 as National Day of Prayer.

Commissioner Berkbigler welcomed former County Commissioner Bonnie Weber. She stated the National Day of Prayer had been highly advanced at the County by Ms. Weber. She said Ms. Weber was the advocate who worked hard on the event. She said Ms. Weber asked her occasionally to help work on the National Day of Prayer and she appreciated the opportunity to be involved.

Commissioner Berkbigler read and presented the Proclamation to Ms. Weber.

Ms. Weber thanked the Commissioners for their support of the National Day of Prayer. She noted this was the 13th year this proclamation had been presented in the County. She stated the National Day of Prayer was a national event and the United States President and the Nevada Governor each signed proclamations for the event every year. The event took place the first Thursday in May and this year the event would take place on May 4th in courtyard of the County Administration Offices. She noted Commissioner Hartung had been at the event every year since he was elected to the Board. She also thanked Commissioner Berkbigler and Commissioner Jung for attending over the years.

17-0290 7B Proclamation – Proclaim April 2017 as National County Government Month.

Chair Lucey said as the Chair of the Washoe County Board of County Commissioners and as a member of the Executive Board for the Nevada Association of Counties, it was a unique pleasure for him to read the proclamation for National County Government Month. He stated it demonstrated how important government was at the

local level and how much effort was made by City and the County Governments. He said people discussed how important state and federal governments were but what happened on a daily basis, happened through the local city and county governments.

Assistant County Manager Christine Vuletich stated in honor of National County Government Month, the Communications Division of the Office of the County Manager had implemented a social media campaign designed to bring greater awareness of all the programs and services the County offered to the community. She said they had incorporated the national hashtag for National County Government Month #NCGM for nationwide visibility as well as the local hashtag for the County #WashoeImpacts. The impact of the campaign was to receive one tweet per day for the month of April, 30 tweets in total. She noted there were currently six departments featured including Social Services, Parks and Recreation, Public Defender, Community Services, Animal Services and the Crossroads Program. She encouraged everyone to participate.

Chair Lucey read and presented the Proclamation to Ms. Vuletich.

17-0291 **7F** Proclamation – Proclaim April 2017 as National Child Abuse and Neglect Prevention Month.

Chair Lucey stated this proclamation was one he requested. He said every day it was discussed about the time and effort spent by Social Services to protect the most vulnerable citizens in the County, the children. He indicated the children had little or no voice and it took a tremendous amount of support and dedication by the individuals in the Health and Human Services Department to ensure these children were protected. He stated the District Attorney's Office, the Justice System, the Sheriff's Office, the firefighters and every part of the County government had a responsibility to protect the children in the community.

Chair Lucey read and presented the Proclamation to Social Services Director Amber Howell.

Ms. Howell stated the County was facing a difficult situation. She said there were 953 children in foster care in Washoe County. She indicated it took a community and a village to keep children safe. She said Social Services reported 200 less children were removed from their homes this year than the previous year. She noted they were finding amazing and creative resources, and funding to provide the necessary services so children and families could stay together strong and healthy. She thanked the Board for recognizing the importance of prevention and for continuing the journey with them.

On the call for public comment, Mr. Sam Dehne spoke on Agenda Item 7A. He noted he would be filing an Open Meeting Law Complaint against the Attorney General's Office for wasting citizen's time. He spoke regarding the proclamation for Volunteer Week.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Items 7A to 7F be adopted.

DONATIONS

- 17-0292** 8A Accept a cash donation [\$68,111.20] from the Vera Silberstein Gift Trust for improvements to Bowers Mansion; and direct the Comptroller's Office to make the appropriate budget adjustments. Community Services. (Commission District 2.)
- 17-0293** 8B Accept cash donations [\$387,720.64] from the Wilbur May Foundation: \$220,000 restricted for Fiscal Year 2016-17 general operating support of the Wilbur D. May Center, excluding all County overhead expense items; \$100,000 restricted to support Fiscal Year 2016-17 temporary exhibits at the Wilbur D. May Museum; and, \$67,720.64 restricted for marketing, software and sound system improvements. Community Services. (Commission District 3.)
- 17-0294** 8C Accept cash donations [\$48,293.08] from various businesses, organizations and individuals for Regional Parks and Open Space programs and facilities; and direct the Comptroller's Office to make the appropriate budget adjustments. Community Services. (All Commission Districts.)
- 17-0295** 8D Accept a cash donation [\$19,530] from Lifestyle Homes Foundation for the purchase of one 2014 E-350 Van for use by Washoe County Senior Services in the North Valleys area; and direct the Comptroller's Office to make the appropriate budget adjustments. Community Services. (Commission District 5.)
- 17-0296** 8E Accept cash donations to Senior Services in the amount of [\$15,804.47] for the period July 1, 2016 to February 28, 2017 and direct the Comptroller to make the appropriate budget amendments. Senior Services. (All Commission Districts)

On the call for public comment, Cathy Brandhorst spoke about matters of concern to herself regarding Agenda Item 8D.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Items 8A to 8E be accepted.

17-0297 **AGENDA ITEM 9** Appearance: Brad Segal, President, Progressive Urban Management Associates (P.U.M.A.). Presentation and update regarding City of Reno Downtown Action Plan.

Reno Mayor Hillary Schieve thanked her colleagues and the Commissioners. She said she was excited to represent the City of Reno. She thought everyone would enjoy the presentation and thanked the Board for its support of the downtown area. She stated there were challenges with mental illness and the homeless population but she was grateful the County was so supportive.

Progressive Urban Management Associates (PUMA) President Brad Segal stated he was working on the City of Reno Downtown Action Plan. He said to Honorary Commissioner Trimble that the presentation was meant for her because in five to ten years downtown Reno would be a fun place to live, work and play. He conducted a PowerPoint presentation, which was placed on file with the Clerk. Presentation slides were entitled: City of Reno Downtown Action Plan; Study Area; Core Values; Bicycle, Pedestrian, Infill Recommendations; District Recommendations; Action Plan; Implementation Recommendations; Management Organization; Management Organization – Best Practices; Management Organization – How?; Management Organization – Services; Management Organization – Funding; Management Organization – Next Steps; and Discussion and Questions. He stated the staff at PUMA were real estate economists and planners. They had been looking at downtown Reno from a market standpoint to determine how best to evolve over the next five to ten years. He described the downtown study area and stated over the past year they received input from more than 1,400 Reno residents through a variety of forums. He briefly reviewed each of the slides.

Commissioner Jung thanked Mr. Segal for the presentation and said she applauded the City of Reno for creating this plan. She thought it was the right time to collaborate to ensure downtown was thriving, healthy and attractive. She said there was a significant amount of property tax revenue generated from downtown. She mentioned she was on the Oversight Committee for the Community Assistance Center, the downtown homeless shelter, and said she directed staff at the last Committee meeting to look at avenues to expand the ways in which the Oversight Committee could help. She said the casework downtown was up to the County; the Cities of Reno and Sparks were not involved in Social Services. She stated the County could support or offset some of the funding for the project. She said she would love to be involved in this project and encouraged the City of Sparks to steal ideas from the City of Reno.

Commissioner Berkbigler concurred with Commissioner Jung. She stated it was a great idea. She explained all the residents who lived in the Cities of Reno and Sparks were residents of the County also. She said this project was needed to improve the downtown area. She liked the presentation but said she had not read the entire plan yet. She thanked Mr. Segal and Mayor Schieve.

Commissioner Jung pleaded with the Board to pass the government services tax to raise approximately \$16 million per year through the Department of Motor Vehicles. She said when registering a brand new vehicle there would be an additional \$28 fee, but the money could be used to help with projects such as the downtown action plan. She stated she had proposed to allow the County to take over homelessness and the homeless shelter. She said it was being reviewed to change the downtown homeless shelter to be an administration office and family shelter. She noted there could be satellite homeless shelters all around the valley so they would not be consolidated in the downtown area.

Commissioner Hartung thanked Mr. Segal and Mayor Schieve for the presentation. He stated he agreed with all of the Commissioners about revitalizing the downtown core. He said it was an economic driver and a draw to have a clean and well thought out downtown. Reno could be a place that could draw visitors 365 days a year. He said downtown Sparks was adding a large number of apartments and he thought there were some millennials who wanted to live the urban lifestyle. He said he would be happy to help with anything he could do.

Commissioner Herman thanked Mr. Segal for explaining the project to the Board.

Chair Lucey thanked Mr. Segal for his presentation. He said he and Mayor Schieve had been working toward a project such as this since they were both elected. He thought downtown Reno was the doorstep to the region in the west and downtown Sparks was the doorstep to the region in the east. He stated the community had his commitment as a Commissioner and as an individual. He explained he loved the community and his hometown and was committed to elevating the conversations to improve them.

Commissioner Hartung said Honorary Commissioner Trimble had accomplished many things and was moving the community forward. The Reno City Council wanted to see Ms. Trimble once the grant was dispersed to discuss what she had accomplished because she represented the next generation.

Chair Lucey stated this was a ceremonial meeting which included proclamations and having an Honorary Commissioner for a day. He said it was about the children and the discussions needed to continue to ensure the children had a safe, healthy and viable place to work, live, eat, recreate and entertain in the downtown area.

11:43 a.m. Commissioner Jung left the meeting.

On motion by Commissioner Berkbigler, seconded by Commissioner Herman, with Commissioner Jung absent, it was ordered to accept the presentation.

17-0298 **AGENDA ITEM 10** Discussion and possible direction to the County Manager to utilize two or more hours of staff time to develop a program and criteria related to a proposed Youth Engaged in Service (YES) grant program. (Requested by Commissioner Vaughn Hartung.)

Commissioner Hartung said he appreciated the Board's support on this grant. Adylenn Trimble was the driving force for the Youth Engaged in Service (YES) grant program. He stated work was needed to create logos and the framework for the grant and he requested staff time to work on the project. He hoped additional funds could be secured through outside sources and from the Commissioners. He indicated Ms. Trimble agreed to come back to tell the Board what she did with the money and how she felt she had affected her community. He thought this was a great way to get kids involved.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 10 be approved.

17-0299 **AGENDA ITEM 11** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. Manager. (All Commission Districts.)

Management Services Director Al Rogers stated the Board was provided a legislative report update. He said they were originally tracking almost 600 bills and currently were tracking 433 bills. He stated there were some bills that did not make it through the legislature. He indicated the team in Carson City and Reno had been working diligently to keep up with the bills. He thanked the departments who provided information to the Managers Office. He stated the bills of interest were down to 20 from 33 and the report included the status for each of the bills.

Chair Lucey asked Mr. Rogers to create the matrix to include only the viable Bills.

Mr. Rogers stated the report would be revised for the next meeting.

Chair Lucey said Assembly Bill (AB) 39 was removed and AB 140, AB 153 and the fluoridation bill did not make through the legislature. He said there were quite a few bills that did not make it, so he asked Mr. Rogers if the matrix could be prioritized by support, opposition, neutral and monitoring for the balance of the bills. He noted that would be easier for the Commissioners.

Mr. Rogers stated the report would be revised for the next meeting but he thought there would be very little movement. He said not much would be happening this week.

There was no public comment on this item.

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

17-0300 AGENDA ITEM 12 Public comment.

Cathy Brandhorst spoke about matters of concern to herself.

17-0301 AGENDA ITEM 13 Announcements/Reports.

Commissioner Herman indicated the library in Verdi was only open one day a week and at times it opened for another half day for residents to check out books. She wanted to have more service there.

Commissioner Hartung thanked Honorary Commissioner Trimble for enduring the meeting. He stated he was looking forward to seeing her again and hearing about all of the progress she had made. He said he was excited to accompany her to the City of Reno and hoped he could get her in front of the City of Sparks. He thanked Ms. Trimble's family for attending and for teaching Ms. Trimble to make a difference.

Honorary Commissioner Trimble said she had fun and liked the meeting. She thought she could see a future in government.

Chair Lucey stated it was an honor to have Ms. Trimble on the dais. He said she was the future and thanked her for the hard work she was doing to make a difference in the community. He hoped she would tell her friends and teachers about her experience.

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

Pending Board Approval

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12:07 p.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Doni Gassaway, Deputy County Clerk*

Pending Board Approval

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

TUESDAY

10:00 A.M.

APRIL 25, 2017

PRESENT:

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

Nancy Parent, 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:

17-0304 AGENDA ITEM 3 Public Comment.

Ms. Tammy Holt-Still provided a document which was distributed to the Commissioners and placed on file with the Clerk. Ms. Holt-Still thanked Chair Lucey for surveying the Lemmon Valley area, and Commissioner Herman for getting the Truckee Meadows Water Authority (TMWA) and the Truckee Meadows Regional Planning Agency (TMRPA) to map the inflows into the North Valleys lakes. She agreed with Commissioner Herman that the Waste Management (WM) program did not work for rural areas and competition was needed. She looked forward to owners of tagged homes being approved for permits so the area could be built back up. She requested the expenditures for the declared emergencies.

Ms. Donna Peterson urged the Board to take preventative actions to reduce fire risk by no longer issuing burn permits in forested areas. She acknowledged the need to reduce yard waste but said there was no way to guarantee a safe burn even under ideal circumstances. She said there were some locations where burning might be warranted but densely forested areas should not be included.

Ms. Nicol Herris, a new resident, expressed concerns about WM. She said when she called WM with questions, the answers given were unsatisfactory and inconsistent. She was not made aware of certain deadlines or when to use her recycling bins, and she remarked word of mouth made for poor communication. She asked what the metrics were to hold individuals and companies accountable. She pointed out there were

two bear incidents in her neighborhood and suggested bear safety tips should be communicated to individuals new to affected neighborhoods.

Mr. Rick Snow indicated he had been before the Board for sixteen months through three Commission Chairs and expressed disappointment that a problem had not been fixed. He stated he went through code compliance as requested and the issue was now on the County Manager's desk. He expressed frustration that the structure on 275 Magnolia Way burned on February 14, 2015 but nothing had been done about it since.

Mr. William Puchert, resident of northwest Reno, spoke about the illegally constructed billboard at the Mountain View Cemetery. He cited a news story saying the billboard was the effort of Jeffery and Alan Herson of Strict Scrutiny Media, and its intent was to stop laws protecting scenic views and property values. He said the city of Reno was on the verge of having their lawsuit against Strict Scrutiny thrown out but he had heard nothing from the County. He requested the District Attorney enforce the law to have the signs taken down. He provided photos which were placed on file with the Clerk.

Ms. Ilen Lutz was called but was not present to speak.

Mr. Steve Hilton spoke about the amendment to develop 208 acres above Patrician Drive in Lemmon Valley. He showed photographs of the area which were placed on file with the Clerk. He expressed concern about water usage, egress from the area, and car and pedestrian safety due to the nearby school zone.

Mr. Levi Hooper called himself a voice for the downtrodden and mentioned he received 21,000 votes for the County Commissioner seat he ran for. He stated summer was one of the hardest times for the homeless due to dehydration and suggested setting up recycling dumpsters downtown. He spoke about the Washoe County jail and expressed concern about its condition.

Mr. Sam Dehne spoke about the *Reno Gazette Journal*, the amenities of the Commission Chambers, the Washoe County jail, and Sheriff Chuck Allen.

Ms. Naomi Morgan, resident of Galena Forest, spoke about the WM contract and expressed frustration with poor communication, increased pricing, and reduced services. She stated the automated trucks produced litter when emptying cans. She said customers could lose the extra waste stickers and that stickers often flew off the bags, creating more litter. The number of allotted bags was insufficient for areas like Galena Forest and additional stickers were expensive. She expressed frustration at WM's poor communication.

Ms. Tracy Hall, Lemmon Valley resident displaced from her house, stated she did not know if she would be able to return to her home. She expressed frustration that the response given was that she made a bad investment on her home. She questioned if something would be done to prevent the lake from rising again in the future. She thanked Social Services for temporarily relocating her family to a new home but expressed

concern that the problem could happen again. She wondered if there would be a deadline for any waived permit fees.

Mr. Danny Cleous spoke about water being pumped from Silver Lake into Swan Lake. He asked about time limits for building permits because he guessed he might not be able to rebuild his house for a year or two. He stated his insurance company denied his claim twice despite there being water under his house. He expressed frustration a community meeting had not been held in some time and pondered what would happen if the lake did not drain by September.

Mr. Jeff Church provided a document which was distributed to the Commissioners and placed on file with the Clerk. He spoke about a shortage of electric vehicle charging stations and requested an ordinance to cite or tow vehicles illegally parked at those stations. He reviewed statistics from the Washoe County citizen survey. He requested the proposed housing development in Callahan Ranch be brought to the Citizen's Advisory Board (CAB) before going to the planning commission.

Ms. Patricia Puchert spoke about the billboard erected at the Mountain View Cemetery and asked the Board to direct staff to take the sign down. She asked them not to allow a precedent that would destroy views and property values so a company could profit.

Ms. Carol Mansfield asked the Board to take the sign down. According to Ms. Mansfield the cemetery said they did not know who put up the sign but she alleged the cemetery held the key to the gate that let the construction truck in. She stated the billboard was on County land.

Mr. Ken Lutz stated he worked with WM on numerous city plans around the country. He claimed WM wanted the County's account and said they would work with the County. He asked the Board to think about residents living above the tree line, fire danger, overcrowding, and lack of adequate evacuation routes in the Mt. Rose area.

Ms. Judy Hilton, Lemmon Valley resident and realtor, expressed concern about plans for Lennar to build a 5,000 home development and a 400 home development. She expressed worry about overcrowding, a lack of egress, and issues with water and sewage. She requested no more development take place in Lemmon Valley until the problems there were addressed.

Ms. Cathy Brandhorst spoke about matters of concern to herself.

17-0305 **AGENDA ITEM 4** Announcements/Reports.

County Manager John Slaughter stated he was informed an administrative penalty was assessed with regard to the sign on the Mountain View Cemetery property. He confirmed staff and the District Attorney's office were following the issue.

Commissioner Hartung requested a timeline of the upgrades on Calle De La Plata and Pyramid Way as well as a timeline for Nicole Drive. He asked the manager to clarify the duties and responsibilities of the commissioners and asked that get posted to the County website. He inquired what statutes pertained to the commissioners.

Commissioner Berkbigler expressed concern about the sign in the cemetery and said she was glad to hear a penalty was assessed. She asked what it would take to get the sign taken down since it was illegal and it was a blight in the area. She cited a Channel 8 program about mosquitoes, saying the Health District was considering what could be sprayed. She felt they needed to let citizens know where the Health District stood.

Commissioner Herman requested a table in the back of Chambers for citizens to compose their requests to speak. She asked for an update about signs that were supposed to be erected at the shooting range since she donated the \$4,250 needed to do so. She inquired about a timeframe for permits for the residents of the Monte Cristo neighborhood in Warm Springs. She asked about the status of getting a Citizen's Advisory Board (CAB) in Rancho Haven, a dedicated one for Lemmon Valley, and one for Verdi. She requested staff present a report about the collection of taxes on marijuana especially with the passing of recreational marijuana. She felt there was not enough time to review candidates for positions appointed by the Board and asked that the Board be given a chance to get to know candidates better. She requested an update on the burned structure on Magnolia Way as it had been two years with no action. She mentioned citizen's complaints should be made in writing, signed and notarized, and not taken over the phone. She asked that the Warm Springs polling place be moved back to the fire station since it had been brought back up to code and was approved by the CAB. She indicated she had questions about Revised Statute 2477 (RS2477) and requested an update.

Commissioner Jung stated it was too early in the season for mosquito abatement to be effective throughout the County and she declared they were not receiving any additional funding from the general fund for mosquito abatement. She said they were able to fog mosquitoes in certain spots based on experts' opinions. She remarked they may need to go through the Federal Emergency Management Agency (FEMA) for reimbursement as the Health District had no extra money. She reminded the Board she had asked for a contract review committee, separate from the audit committee, to review contracts and spot potential issues. She pointed out if an outside committee had reviewed the NaphCare contract, there may not have been a spike in inmate deaths. She requested an agenda item to review how the Board might help the Sheriff's Office (SO) to ensure the Board was doing all they could. She asked if Truckee Meadows Fire Protection District (TMFPD) Fire Chief Charles Moore could make a presentation about the sustainability of burn permits.

Commissioner Hartung asked about the County's ability to remove an unlawful billboard since it was on private property. He echoed Commissioner Jung's concerns about the detention facility and mentioned he and Renown Health CEO Tony

Slonim discussed having Renown Hospital take over healthcare duties at the jail. He asked to see that topic on an agenda to discuss publicly.

Mr. Slaughter stated he was not certain if the cemetery was County-owned property and reiterated staff was taking action on the situation.

Chair Lucey asked staff about creating policies to prevent non-electric vehicles from parking in charging spots on County property and asked to see that on an agenda as soon as possible. He expressed interest in working with staff and with Commissioner Jung as head of the Health Department Board to resolve issues pertaining to permits and old ordinances. He noted the tech boom Washoe County was experiencing could impact the housing situation and he wanted to make sure the County could continue to facilitate the needs of residents. He requested two hours of staff time from the Board, saying Reno City Mayor Hillary Shieve called for a housing work force to address the topic. He mentioned he visited Lemmon Valley and observed Swan Lake and Silver Lake after his meeting with the Reno-Sparks Indian Colony. He noted Community Services Director Dave Solero was working on the challenges but Chair Lucey requested a more detailed long-term plan.

Chair Lucey announced the agenda would be heard in a different order.

CONSENT AGENDA ITEMS ~~5A~~ THROUGH 5H.

17-0306 **5A** Approval of minutes for the Board of County Commissioner's regular meetings of March 14, 2017; March 21, 2017 and March 28, 2017. Clerk. (All Commission Districts)

17-0307 **5B** Approve amendments totaling an increase of [\$9,119] in both revenue and expense to the FY17 Air Quality Management Environmental Protection Agency (EPA) Multipurpose Grant Program, IO 11397; and if approved direct the Comptroller's office to make the appropriate budget amendments. Health. (All Commission Districts.)

17-0308 **5C** Approve Commission District Special Fund disbursement [in the amount of \$1,000] for Fiscal Year 2016-2017; District 5 Commissioner Jeanne Herman recommends [\$1,000] grant to Vya Conservation District; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager. (Commission District 5.)

17-0309 **5D** Certify charges, levy and direct the Treasurer to collect [\$37,983.30] in special assessments for fiscal year 2017/18 as requested by the State Engineer of the State Department of Conservation and Natural Resources, for Honey Lake Valley Groundwater Basin [\$1,371.22], Hualapai Flat Water District [(\$3,123.05), San Emidio Desert District [\$3,440.09], Warm Springs Valley Groundwater Basin [\$2,442.81], Washoe Valley

Groundwater Basin [\$3,606.13], Warm Springs/Winnemucca Creek Basin [\$4,000.00]; Cold Springs Valley Groundwater Basin [\$0.00], Lake Tahoe Groundwater Basin [\$1,500.00], Lemmon Valley Water District [\$2,500.00 no assessment required due to sufficient cash resources in Lemmon Valley Water District Fun], Pleasant Valley Groundwater Basin [\$2,500], Spanish Springs Valley Groundwater Basin [\$6,000], Tracy Segment Groundwater Basin [\$2,000], Truckee Canyon Segment Groundwater Basin [\$3,000], and Truckee Meadows/Sun Valley Basin [\$2,500.00]. The Board of Commissioners authorizes the County Treasurer to remove uncollectible assessments and/or correct assessments on the tax roll as requested by the Division of Water Resources; and direct the Comptroller to pay to the Department of Conservation and Natural Resources the requested funds. Manager. (All Commission Districts)

- 17-0310** 5E Approve payments [totaling \$8,708.50] to vendors for assistance of 55 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment [costs of up to \$1,000] for victims, victim's spouses and other eligible persons. District Attorney. (All Commission Districts.)
- 17-0311** 5F Accept renewed funding for a Deputy District Attorney for the provision of continuing prosecutor services related to the High Intensity Drug Trafficking Areas (HIDTA) Task Force [in the amount of \$80,000] from the Office of National Drug Control Policy award to Nevada HIDTA for the period May 1, 2017 through April 30, 2018, with [remaining \$20,000] position cost covered by District Attorney General Fund budget. District Attorney. (All Commission Districts.)
- 17-0312** 5G Approve a Lease Agreement between ECOL Partnership and Washoe County for a thirty-six month term, commencing May 1, 2017 through April 30, 2020, for the renewal of occupancy at 250 S. Rock Blvd. #100, for the Registrar of Voters' voting machine and equipment management facility [\$91,457.16 annually]. Community Services. (All Commission Districts.)
- 17-0313** 5H Accept grant funding [\$4,524.31 with no county match] from the USDA Forest Service, received under the 1908 Act which mandates 25 percent payments to the states from receipts from national forests in each state, for the benefit of public roads within Washoe County, and direct the Comptroller's Office to make the necessary budget adjustments. Community Services. (All Commission Districts.)

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

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

BLOCK VOTE – 6, 7, 8, 9, 10, 11, 12, 13, 16, and 18

17-0314 **AGENDA ITEM 6** Award Invitation to Bid # 3004-17 for Solenoid Operated Dead Latch System (SODLS) to the lowest, responsive, responsible bidder, Western Detention, 3711 E. Deer Park-Milan Rd, Deer Park Washington 99006 in the [estimated amount of \$236,495.00]. Comptroller. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 6 be awarded.

17-0315 **AGENDA ITEM 7** Recommendation to accept agreement granting the Nevada Department of Transportation (NDOT) access to install new microwave communications and traffic management data equipment into select Washoe County owned and operated radio communications facilities in exchange for Washoe County Regional Communications receiving a share of the created bandwidth to be used in the ongoing operations and future expansion of the WCRCS. Technology Services. (All Commission Districts)

There was no public comment on this item.

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

17-0316 **AGENDA ITEM 8** Approve three separate Water Rights Deeds transferring a total of 44.5 acre-feet of water rights from Washoe County to: 1) Charles M. Spitzer (17.5 acre feet); 2) Gannett Family Trust (17.5 acre feet); and 3) Trust Company of American for the benefit of Eric and Constance Roberts (9.5 acre feet). Community Services. (Commission District 5.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8 be approved.

17-0317 **AGENDA ITEM 9** Recommendation to: (1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the 911 Parr - Lower Detention Roof Tear off and Replacement Project [staff recommends D&D Roofing and Sheet Metal, Inc., in the amount of \$454,700]; and if awarded, (2) approve the purchase of roofing materials from Garland, DBS [in the amount of \$326,592.80] utilizing Cobb County Georgia Bid No. 14-5903 pursuant to the joinder provision of NRS 332.195; and (3) approve a [separate \$15,000] project contingency fund. Community Services. (Commission District 3.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 9 be awarded and approved.

17-0318 **AGENDA ITEM 10** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Bartley Ranch Maintenance Building Project [staff recommends Sullivan Structures, LLC, in the amount of \$349,110]; and if approved, direct the Comptroller's Office to make the appropriate budget adjustments. Community Services. (Commission District 2.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 10 be awarded, approved, and directed.

17-0319 **AGENDA ITEM 11** Recommendation to approve an Agreement for Professional Consulting Services between Washoe County and Arrington Watkins Architects, LLC to develop a comprehensive master plan for the Washoe County Sheriff's Facility located at 911 Parr Boulevard, Reno, Nevada [\$230,370.00]; and direct the Comptroller's Office to make the necessary budget adjustments. Community Services. (Commission District 3.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 11 be approved and directed.

17-0320 **AGENDA ITEM 12** Recommend amendments to Washoe County's Water and Sanitary Sewer Financial Assistance Program Policies and Procedures to align the execution and recordation of appropriate loan documents prior to authorizing construction to connect to a public water or sanitary sewer system. Community Services. (All Commission Districts.)

There was no public comment on this item.

Commissioner Hartung asked if Agenda Items 12 and 13 were connected. Division Director of Finance and Administration for the Community Services Department Ben Hutchens replied the amendments had nothing to do with the loan.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 12 be approved.

17-0321 **AGENDA ITEM 13** Recommendation to acknowledge the receipt of a loan from the Nevada State Department of Conservation & Natural Resources through the Nevada Division of Environmental Protection with a term for no more than 20 years from the contract date of December 6, 2016 for the Panther Drive Emergency Sanitary Sewer Project [amount not to exceed \$500,000 with 100 percent of the principal forgiven]; and to direct the Comptroller's Office to make the appropriate budget adjustments. Community Services. (Commission District 5.)

There was no public comment on this item.

Commissioner Hartung said he understood Agenda Item 13 had to do with failures of the sanitary sewers in Panther Valley. He asked Director of Community Services Dave Solero if there was intent to move forward with concerns of septic failures in Spanish Springs as well. Mr. Solero responded they were working with the State on septic issues which could impact groundwater. In Panther Valley there was an island where multiple septic system failures were reported and he stated all costs for the project were funded through a State program with a zero interest loan. He indicated it was being brought back to the Board because the original action neglected to direct the Comptroller to accept the money from the State. He indicated they were continuing to work with the State to address Spanish Springs and Commissioner Hartung agreed it would be nice to see the same process implemented for Spanish Springs.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 13 be acknowledged and directed.

17-0322 **AGENDA ITEM 16** Recommendation to approve a Cooperative Agreement between Washoe County and the Pyramid Lake Paiute Tribe for the provision of Fire and Emergency Medical Services to the privately held areas of Sutcliffe to include provision of Fleet Maintenance to the Tribe's Public Safety Fleet and authorize the Chairman to sign the Agreement and direct the Finance Department to make the necessary changes the Equipment Services Division Budget. Manager. (Commission District 5)

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 16 be approved, authorized, and directed.

17-0323 **AGENDA ITEM 18** Status and possible direction on progress related to the exclusive negotiation with the Greater Reno Community Ice Skating Association regarding Reno Ice to utilize Washoe County property located within the South Valleys Regional Park as the location for the project. Manager. (Commission District 2)

There was no public comment on this item.

Deputy District Attorney Paul Lipparelli read the motion listed on the staff report for Agenda Item 18 and asked if it was the Board's direction. Commissioner Berkgigler said it was.

Commissioner Berkgigler moved to (1) acknowledge the status report on the Greater Reno Community Ice Skating Association (GRCISA) unsolicited proposal for an ice-skating facility; (2) direct that staff, with the District Attorney's Office's assistance, complete stage two of the unsolicited-proposal policy by completing all necessary documents including leases and term sheet for the proposed ice-skating facility's construction and operation for final review and approval by the Board. Commissioner Jung seconded the motion. The motion passed on a vote of 5 to 0.

17-0324 **AGENDA ITEM 20** Update and direction to staff on the Waste Management franchise agreement and possible related matters. Manager. (All Commission Districts.)

Assistant County Manager Kevin Schiller stated Agenda Item 20 was a follow-up to the Board's approval of the franchise agreement on November 29, 2016. He noted the staff report on the item was an outline designed to create a framework for the Board's recommendations. He indicated the prior agreement had not yet been executed and his intent at the meeting was to receive direction about changes the County wanted to see ratified into the agreement. He admitted he would have to return at another time with costs since the rate structure would need to be calculated based on the direction received.

He pointed out when the agreement was approved on November 29, 2016, the implementation began in December even though the contract was not executed. They would discuss what previously occurred versus what existed in the franchise agreement.

Mr. Schiller acknowledged difficulty with communication and customer service was a key issue. He noted Waste Management (WM) sent out packets about single-stream recycling but admitted there were issues with people receiving the packets and understanding the program. He addressed problems with the customer service being based in Phoenix, Arizona while customers lived in Washoe County. Constituent Services staff worked with WM's staff to be more responsive and shorten response times. He noted the unexecuted franchise agreement had ombudsman language in it. The County's current process was if they received a complaint, such as someone not receiving stickers, the County would contact WM to request them, but he conceded some of the complaints were more complex. The County and WM had discussed service credits for lack of service as well as figuring out timeframes for pick-up during snowstorms. He stated WM was centralized in Phoenix but the Board desired to have a local level of service. He recommended working with WM on the responsiveness issue but requested specific language that the Board would like to include.

Commissioner Berkbigler commented one major issue was if a County constituent called, they would often receive a response more applicable to one of the cities' franchises. She wondered how to communicate differently with people on larger lots with trees that required leaf collection than to those in different situations. Mr. Schiller emphasized one challenge the County faced was there were three different service types: urban, semi-rural, and rural. He said when it was determined how the service types would be handled, it could be determined how to communicate to each type. He remarked WM used an auto-dial system for providing information to residents but acknowledged many people did not use a land line anymore. He said they needed to reconsider how they did outreach and it needed to be a collaborative effort. He noted Incline Village might constitute a fourth service type, and certain areas like Caughlin Ranch had their own unique issues.

Chair Lucey stated he wanted to hear public comment before moving forward. Mr. Schiller said while listening to public comment, the Board should consider the issues within the scope of each of the different service types and how that would affect the plausibility and rate structure of the options. Chair Lucey stressed the point of the discussion was to address the issues that the community was encountering to find solutions moving forward.

On the call for public comment, Mr. Robert Parker said he lived in an area of Galena Forest similar in vegetation and altitude to Incline Village. His property had 70 pine trees which produced two bags of pine cones whenever it was windy. He alleged the WM agreement made the removal of yard waste more difficult and expensive by lessening pickup capacity. He speculated the issues in Galena Forest would disappear if they struck the same deal Incline Village had, and it would only cost two percent more.

Mr. Bill Maggiora discussed WM's stock value and claimed the franchise agreement gave WM a five percent increase in rates while allowing them to reduce service by 84 percent. He stated neighbors on half or three-quarter acre lots produced more waste than the allotted 25 bags a year, and even more than the additional 54 bags that could be put out in May and November. He estimated he put out between 80 and 150 bags every year. He wondered why stickers had expiration dates and why people in different franchise areas could not give unused stickers from other areas. He provided a document which was placed on file with the Clerk.

Ms. Teresa Landsaw stated she had health problems and was not able to drag large trash barrels to her curb. She bought smaller wheeled containers but was no longer allowed to use those. She suggested being allowed to put stickers on her smaller rolling tubs or being able to leave out six containers for pickup. She noted her costs went up in February and were set to go up again in May. She alleged this deal would lead to illegal dumping in the hills.

Ms. Nicol Herris suggested the County should communicate the information presented during the discussion with its citizens. She indicated many neighbors were upset and implied disseminating the correct information could help. She felt it was worth reviewing the service received before signing the new franchise agreement. She encouraged the County to attend a scheduled meeting with Truckee Meadows Fire Protection District Chief Charles Moore to show constituents how concerned they were.

Ms. Donna Peterson stated it was not practical of WM to dictate which months residents could put out additional bags since property owners in St. James cleared their yard waste as soon as the snow melted. She suggested residents should be able to put out six bags per week until the franchise agreement was executed and requested the County stop issuing burn permits.

Mr. Ken Dutz stated the fire department set guidelines for how far logs needed to be from residences, yet some houses in his neighborhood had 20 to 30 bags of needles which were more flammable than logs. He agreed only having certain months to dispose of extra bags was problematic since cleaning yards was a year-long process. He expressed concern about the fire danger caused by needles that had not been picked up.

Ms. Nikki Berry said rural residents had different needs than city residents. She noted there were times when waste was not picked up due to weather and instances where containers were thrown into ditches filled with dirty water. She claimed the sticker model would not be sufficient for rural residents and noted that, though deductions for lack of service were discussed, they were not reflected in her bills. She requested the County consider the needs of all residents to keep homes safe and beautiful.

Mr. Rick Lake with Olcese Waste said his company picked up residential trash for about 1,500 residents of Fallon, Nevada. He stated the City of Fallon chose not to pick up trash for residents in unincorporated areas and suggested the County could try

something similar. He admitted the company would need to assess costs, particularly in areas where customers could not wheel their cans to the road, but offered his company's services.

Ms. Tammy Holt-Still expressed concern that the rollout was done and prices were increased even though the agreement had not yet been signed. She suggested there should be competition to get better service and rates. She stated single-stream recycling alone should not be the reason to change the established contract.

Chair Lucey received an email from Ms. Claudia Watkins which was placed on file with the Clerk. He stated he had a number of issues with the agreement, some of which the Incline Village General Improvement District (IVGID) solved with their agreement with WM, such as receiving many more stickers. He stated Washoe County was not offered an area-specific service like the IVGID was. He expressed frustration with the sticker program and listed issues he had heard, including stickers blowing off bags, drivers not seeing them, and bags not getting picked up. He referenced an email from a constituent showing a stack of at least 20 to 25 bags piled up over six feet tall. He claimed WM had been willing to go the extra mile to help but that changed when the new agreement was implemented. He listed concerns he had, including poor or nonexistent communication, fire danger because of vegetation, the increase in cost for trash services, and the decrease in actual service and personnel.

Commissioner Berkbigler echoed the concern of increased costs for decreased service. She stated she worked with Incline Village two years prior in their meetings with WM and said they were very happy with their arrangement, which allowed them to use extra bags and receive extra stickers. She remarked if it was possible to resolve the issue in Incline Village, it should be workable in the valley as well since some areas had the same tree issues. She stressed the vast differences between the trash needs of urban residents versus those with ten acre lots. Regarding the proposal to shorten the response times of the customer service ombudsman, she asked how the County would police that and who at the County would take calls from constituents. She suggested those answers should be written into the franchise agreement along with penalties for WM if they did not fulfill their obligations. She stated there were complaints that WM did not pick up trash in Galena Forest and Incline Village because of snow, but she noted ambulances and fire trucks had no problems getting to those areas.

Commissioner Herman stated not only were rural residents different, there were different types of rural residents depending on whether their properties had trees or waste from horses. She stated many residents in the Golden Valley Property Owner's Association favored opting out of the contract and taking care of their trash on their own. Many in Palomino Valley and Lemmon Valley echoed that desire. She noted stickers were not practical in her areas because coyotes and bears tore open bags and spread garbage all over. She requested flexibility with the varied needs of the different districts.

Commissioner Hartung said it was difficult to balance the services and costs between owners of small parcels versus owners of large ones. He expressed

disappointment there was no cost analysis to discuss at the meeting. He felt there was a need to discuss the cost differential between recycling containers and trash containers. He stressed they needed to deal with the different issues between owners of a third of an acre and those who own 160 acres.

Mr. Schiller emphasized the difference in lot sizes and needs was key to the discussion and further was unique to Washoe County. A primary issue was the cost differential for those different needs. He noted the staff report brought up the concept of a residential plus rate. He also suggested the need to incorporate other communities' methods of trash removal, such as non-profit companies, and said they used to collect subsidies through franchise agreements as an attempt to do that. He agreed the challenge would be coming up with a rate structure between three different parcels sizes. Commissioner Hartung alleged no longer issuing burn permits could cause a problem for Spanish Springs residents who had been burning safely.

Responding to Commissioner Hartung's query, Waste Management Area Manager Greg Martinelli said a 96-gallon container should hold three 32-gallon bags. Commissioner Jung asked if there was a program to help seniors and disabled people who could not get cans to the curb, to which Mr. Martinelli said WM would get the cans for free provided there was no one else in the home who could take the containers to the street. Commissioner Jung directed staff to make Teresa Landsaw aware of that benefit. Commissioner Jung asked about the sticker program and Mr. Martinelli explained the stickers did not expire, but the stickers were color coded by franchise agreement location. He clarified they would not pick up bags with Incline Village stickers from other franchise areas.

Commissioner Herman praised children in Palomino Valley who created a business bringing out cans for disabled residents. She said the original intent of the agreement was to keep large appliances from being dumped in the desert but noted there were many items that could not be properly thrown away. Mr. Martinelli responded stoves and appliances could be brought to the transfer station or the landfill which would recycle them for free, but not televisions. When asked by Commissioner Berkgigler why she had two different color stickers, Mr. Martinelli answered they denoted what year the stickers were assigned, but he confirmed they did not expire.

Chair Lucey asked Mr. Martinelli if WM hired an ombudsman and Mr. Martinelli said he arranged for her to visit the County. Mr. Martinelli stressed the ombudsman did not fall within the chain of authority in Nevada which had been important to other jurisdictions. He clarified she was located in Phoenix, Arizona. Chair Lucey opined that people in Phoenix did not know about the challenges faced in Washoe County. He asked why they had a remote ombudsman when they could have local customer service representatives who knew the challenges of the area. He indicated that was requested when the agreement was originally discussed. Mr. Martinelli apologized and said he thought the County desired the same as other jurisdictions.

Chair Lucey requested a local customer service representative and ombudsman, and also that they no longer used the sticker program. He claimed constituents were okay paying more if they actually received an increase in service. He suggested a system utilizing iPads rather than stickers, or, if the sticker program remained, allocating different amounts of stickers based on area-specific needs. He directed WM staff to work with County staff to identify areas of greater need. He noted the May and November cleanup months were only useful to those residents who had a vehicle to haul material to the transfer station. He suggested making available the option to forego the transfer station route and instead use a bagster, up to four bagsters a year. He asked why there was an increase in cost when trucks were larger and more efficient and there were fewer employees.

Commissioner Berkbigler requested clarity about how WM planned to service the Caughlin Ranch area given that it alternated between City and County land. She asked why citizens could no longer put out six bags at each pickup if WM was using bigger trucks. Mr. Martinelli replied the program was not about using bigger trucks, but the process was initiated because the single-stream recycling option was added. He mentioned he tried to get a regional franchise started in 2008 where everyone would be offered the same service at the same rate, but the community was not interested at that time. He hoped someday to agree on a consolidated agreement.

Mr. Martinelli stated Washoe County was required by law to have a curbside recycling program but the basket program originally in place was inefficient. When discussions began, single-stream recycling was cutting-edge technology so it was adopted. Since that time, the Washoe County Health District passed a directive that by 2020 the recycling percentage had to be around 35 percent; it was currently around 31 percent. He reported suburban areas saw up to 90 percent participation while rural areas, while still decent, saw less participation. He stressed everything provided in the agreement was requested by the County although he admitted things were not working out as planned. He committed to finding solutions for problems without reverting to the way things were because, with the automated trucks, any driver needing to exit the truck caused inefficiency. He stated May being chosen as an extra bag month was a direct result of a request made by a CAB in Chair Lucey's district. Originally the plan had six weeks where extra bags could be put out in the fall but it was changed to four weeks in the spring and four in the fall. He noted there was language in the contract allowing the parties to choose different time periods instead of May and November.

Commissioner Berkbigler shared Mr. Schiller's suggestion of a basic service plus option for people dealing with pine needles year-round. She offered using the Incline Village deal as a model. She stressed the County did not want to be in the position they were in that led to the Little Valley fire. Mr. Martinelli indicated one reason they increased franchise fees was to create a pool of funds in each district to deal with unique situations. He cautioned trying to adopt a community-wide program that included four or five environments was complicated.

Chair Lucey asked if there were any customers within unincorporated areas that put out six additional bags with every pickup. Mr. Martinelli replied no. Chair Lucey concluded garbage trucks never approached their weight limits. Mr. Martinelli agreed though he said during spring the maximum extra bag limit could happen more frequently. Based on Chair Lucey's queries, Mr. Martinelli said they tracked the tonnage going into the landfill and found an increase during those months.

Commissioner Hartung misunderstood the contract and thought customers could leave out yard waste and there was no limit to the amount. He mentioned residents of southern California had a third bin for compostable material. He inquired whether a public speaker was correct in saying there was only a \$.60 difference in the County's deal and Incline Village's deal. He wondered if additional fees were built into the Incline Village deal to account for bear containers and Mr. Martinelli replied bear service was optional for customers but mandatory for animal events. Mr. Martinelli said 96-gallon service cost \$22.70 for Washoe County and \$25.43 for Incline Village. He noted Incline Village had a pine needle program for many years and the recent deal raised their sticker allotment from 72 to 96 stickers

Chair Lucey reminded the Board they agreed to approve the franchise agreement in December though he had not executed it yet. He said he would sign based on the direction of the Board and the District Attorney's (DA) office though he asked to incorporate some of the suggestions from the discussions, including using local customer service, modifying the current excess bag system to increase the maximum in certain areas, having a tiered program or equestrian service, adding options for some customers to put out bags throughout the year, utilizing tablets to facilitate the sticker program, and ensuring garbage trucks delivered during inclement weather. He stated WM needed ramifications for non-conformance of the agreement, such as sanctions. He asked to see what exemption options there were for specific residents and what the mandatory requirement would be from Washoe County. He felt citizens who exempted themselves from the franchise agreement could be serviced by other vendors.

When asked by Mr. Schiller how he would like to see the proposed changes, Chair Lucey replied he wanted a summarized draft of the agreement. He echoed Commissioner Jung's point about having a contract committee evaluate the agreement and work with the DA's office on the amendment. Mr. Schiller said any exemptions would need to go through the Health District. He pointed out the fee for a citizen to exempt from service was roughly half the cost of standard trash service.

Commissioner Hartung directed Mr. Schiller to present the Board with the differences in service provided to Incline Village given their higher rates. He requested to see if the options offered to Incline Village were available to other areas. Commissioner Herman asked if it was possible for an entire neighborhood to seek exemption. Mr. Martinelli responded the Health District was amenable to the idea but there was an application fee and the citizenry would have to prove how they would get rid of their waste on a weekly basis. Commissioner Herman pointed out that was what they could do now, but Mr. Martinelli said the Health District might entertain such a group option.

On motion by Chair Lucey, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 20 be acknowledged and staff be directed to present a summarized amendment to the franchise agreement for later ratification.

12:58 p.m. The Board recessed for lunch.

2:00 p.m. The Board reconvened with Commissioner Berkbigler absent.

17-0325 **AGENDA ITEM 14** Possible action, policy discussion, and direction to staff to gift Washoe County general funds to cover the cost of county building permit fees, including any applicable county plan review fees, for affected properties in Lemmon Valley where insurance does not cover the cost of permits for repairs necessitated by the recent flooding events in early 2017 of Swan Lake and the surrounding area, and direct the appropriate staff to make necessary general fund budget adjustments. The potential gifting of fees would be limited to those properties which were either red or yellow tagged (meaning, a red tag indicates a building is unsafe for occupancy or entry, and a yellow tag warrants restrictions on occupancy and reuse of the property, per adopted Building Code) by Washoe County Building and Safety or the Washoe County Health District and where insurance coverage does not include the permit fee. Community Services. (Commission District 5.)

Commissioner Hartung asked if the process by which the County was foregoing permit fees on red and yellow tagged buildings in Lemmon Valley would apply to other Commission districts if residents had damages that needed repair. Community Services Director Dave Solero said that was a question he was there to ask the Board. The purpose of the discussion was to establish a framework for the proposal as there was no precedent for it in the County. He noted the District Board of Health would hold a meeting to discuss a comparable topic of failed septic systems. He affirmed he was there to get direction from the Board on policy.

Mr. Solero confirmed Commissioner Hartung's assertion that a typical building permit was valid for 18 months. Commissioner Hartung claimed the only time an extension was allowed was for larger projects like hotels. He wondered if the County would allow permits to be valid for longer periods of time.

Commissioner Herman asked if there were any other homes included in the discussion other than the known red and yellow tagged homes. Mr. Solero clarified only livable structures were tagged, not outbuildings like garages. He pointed out the County did not determine the cause of the damage, only that there was structural damage and the dwellings were not in conformance with Washoe County building code. He admitted there could be other areas in the County where a garage might have been impacted, in which case the owner would need to pay for a permit to repair the damage.

Chair Lucey reiterated the intent of the meeting was to outline specifics of the proposal. He recalled homes in the Little Valley fire were red-tagged and their owners had to pay permit fees. He wondered if the Board was setting a precedent allowing residents to rebuild without paying for permits after any natural disaster. He noted the probability of another disaster on the scale of the Little Valley fire was different than that of Swan Lake flooding again. He questioned if they should change building permits by setting different parameters for different projects. As an example, he asked if, when repairing, flood victims should be required to raise the footing level of their homes to outside the flood plain. He indicated this would be to prevent the same issues from happening again and again. He addressed the topic of the timeline when permits would be valid, bringing up Danny Cleous' concern during public comment that his home would not be ready to be rebuilt for two years. Chair Lucey suggested those in that situation should be able to apply for the permit even if they were not ready to rebuild and be allowed to start at the appropriate time.

Commissioner Jung stressed that for the County to consider the proposal, fees should not be waived on permits for outbuildings, garages, or any buildings that were not primary residences. She sought rigorous investigation to prove the houses were tagged and the permits were for rebuilding not remodeling. She felt applicants needed to provide proof their insurance companies would not pay the permit fees. She stated there should be a finite time to apply to prevent someone with old damage trying to get their fees waived. She said the permit should not be valid in perpetuity or stay with the property. She agreed with Chair Lucey's suggestion that applicants would have to repair their homes in a way that would prevent similar damage in the future.

Commissioner Hartung asked how the County could ensure insurance companies were not covering the costs of the permits. He said it should also be determined that the damage in red-tagged houses was caused by flooding, especially homes outside the active flood zone. He agreed with the other Commissioners' points about a reasonable timeframe for permits, permits being non-transferrable, and residents demonstrating they tried to prevent future flood damage.

Deputy District Attorney Paul Lipparelli reminded the Board they were speaking about spending taxpayer dollars, which could be spent only on public purposes. He stressed the need to find a connection to a public purpose in order to implement a program that would pay private citizens' cost for rebuilding. He stated they could not take funds from the enterprise fund in the Building and Safety Division because those funds were fees used to cover costs. He cautioned if the Building and Safety fund were subsidized, it would in essence raise the fee for all other fee-payers to cover the costs. He said the only way to make it work legally would be for the general fund, which was raised by taxes and not fees, to cover those costs on behalf of the enterprise fund. That would still require the Board to make a finding, which he warned would take work to justify how the expenditure furthered a public purpose. He noted when the Board decided what direction to give staff, his staff would provide legal guidance to work through many statutory requirements.

Commissioner Herman surmised it could be two years before the area dried out enough to begin repair work. She asked if there was a way to fund the program through the State moneys the County received. County Manager John Slaughter stated the source and amount of funding was not an issue; the problem was finding a connection to a public purpose. Commissioner Herman suggested allowing residents to apply for permits within two years of the event and allowing it to be renewed once. She mentioned most Lemmon Valley residents' insurance would not cover permit fees.

Chair Lucey agreed 18 months might not be enough of a window to rebuild but conceded repairs had to be done within a certain timeframe. He concurred with the ideas of permits staying with the individual who applied, validation that insurance companies would not cover costs, and that damage was caused by a natural disaster.

Mr. Solero noted there were two avenues they could take: make a motion that day to determine what the public purpose of the program was, or work with legal counsel on a presentation to bring back to the Board at a later date. Further direction would come after public comment.

On the call for public comment, Ms. Tammy Holt-Still praised what she heard from the Board and noted that each of the 15 red-tagged homes had been tagged by the County because their condition was unlivable. She felt some of the language discussed was too stringent because red-tagged homes were already designated and could not be sold until the damages were fixed.

Mr. Danny Cleous clarified an earlier comment that it would not take him two years to rebuild, but rather he would not be able to start rebuilding for two years. He indicated his insurance company denied his claim twice and that was slowing his ability to apply for a permit. He inquired if people who acquired permits in the past to rebuild after disasters would be reimbursed if the proposal passed.

Chair Lucey stated one reason the Board wanted to make sure the permits were non-transferrable was to prevent someone from obtaining a permit for one property and trying to apply it to a different parcel. Commissioner Hartung pointed out damaged homes could be sold for cash and agreed permits needed to stay with property owners at the time of the incident. He asked about the number of tagged homes, to which Mr. Solero replied there were 12 red-tagged homes and 11 yellow-tagged homes. Commissioner Hartung echoed the statement the County needed to spend public funds properly. He questioned if implementing the program would set a precedent for any damaged house and Chair Lucey responded the discussion centered around houses damaged only by natural disasters.

Mr. Solero expressed concern about proving the cause of the damage, saying it could put Washoe County staff in the position of determining if damages were flood related. Since it was common knowledge which houses were currently red-tagged,

he asked for further discussion when the topic was brought back before the Board. Commissioner Hartung remarked the provision was to exclude houses yet to be built that could be red-tagged for unrelated reasons; he did not want to waive permit fees for all of Lemmon Valley.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried with Commissioner Berkbigler absent, it was ordered that Agenda Item 14 be approved and staff directed to return with a proposal supported by the legal department for the Board's endorsement.

17-0326 **AGENDA ITEM 17** Master Plan Amendment Case No. WMPA17-0002 and Regulatory Zone Amendment Case No. WRZA17-0001 (Lemmon Valley Properties) - For possible action hearing and discussion to affirm the findings of the Planning Commission and: (1) To adopt an amendment to the Washoe County Master Plan, North Valleys Area Plan Master Plan Map that reconfigures the location of Rural (R) and Suburban Residential (SR) Master Plan Categories on six parcels to conform more closely to the topography of the area. If approved, the amendment would change ±25.3 acres of the property currently designated Rural to Suburban Residential and would change ±25.3 acres of the property currently designated Suburban Residential to Rural. The overall amount of acreage on the property designated Rural will remain the same at ±139.816 acres and the amount of acreage designated Suburban Residential will also remain the same at ±68.797 acres, after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission; and (2) Subject to final approval of the associated Master Plan change, to adopt an amendment to the North Valleys Regulatory Zone Map that reconfigures the location of General Rural (1 dwelling per 40 acres) and Medium Density Suburban (3 dwellings per acre) regulatory zones on six parcels to conform more closely to the topography of the area. If approved, the amendment would change ±25.3 acres of the property currently zoned General Rural to Medium Density Suburban and would change ±25.3 acres of the property currently zoned Medium Density Suburban to General Rural. However, the overall amount of acreage on the property zoned General Rural will remain the same at ±139.816 acres and the amount of acreage zoned Medium Density Suburban will also remain the same at ±68.797 acres. JDS, LLC is the applicant and one of the property owners. The additional property owners are Juan and Linda Arevalo, The subject parcels (APNs: 080-730-18, 080-730-19, 080-730-21, 080-635-01, 080-635-02 and 552-210-07) total ± 208.615 acres in size and are located at 1200 Estates Road, adjacent to, and south of, the intersection of Lemmon Drive and Deodar Way, extending south to Bernoulli Street, in the Lemmon Valley area. They are situated within the North Valleys Area Plan and North Valleys Citizen Advisory Board boundaries and within portions of Section 3, T20N, R19E and Sections 34 and 35, T21N, R19E MDM. (Commission District 5.)

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

Senior Planner with Planning and Development Roger Pelham explained the amendment was to approve the relocation of 25 acres of density from a hilly area to a flat area. He stated it was in Lemmon Valley but not in the flood area, and it would not increase the number of units allowed.

On the call for public comment, Mr. Steve Hilton referenced pictures given to the Clerk of the main egress from the proposed development. He spoke about having developed areas on Baring Boulevard and Rattlesnake Mountain in the 1970s. He stated Patrician Drive and Palace Drive had no sidewalks and the roads were windy. He questioned why Estates Road was not part of the proposal's egress plan. He expressed concern that the sewer plant could fail and it would poison the lake.

Ms. Judy Hilton was called but she was not present to speak.

Mr. Chris Baker of Manhard Consulting, Ltd. reiterated the amendment simply changed the designations of the parcels since areas over a 30 percent grade did not comply with the master or regional plans. He stressed there was no increase in the available density within the property boundary. He pointed out that, when complete, the proposal's future project site would open up other access points such as Estates Road and Deodar Way.

Ms. Tammy Holt-Still stated the area did not need additional development and any approved development needed flood mitigation. She claimed more development would expand the flood zone to encompass her home, and expressed concern about additional traffic on Lemmon Drive with the development of another 200 homes.

Ms. Cathy Brandhorst spoke about matters of concern to herself.

Commissioner Hartung asked if the proposal was a project, to which Mr. Pelham replied it was a request to amend the master plan in zoning. Commissioner Hartung asked if projects were planned to provide for flood mitigation, ingress and egress concerns. Mr. Pelham responded they were and the drainage standards to which new developments were held were higher than 40 years prior. When asked if the approval could be stopped at this point, Mr. Pelham said the plan was approved and the developer had the right to build 207 dwellings. Prompted by Commissioner Hartung, Mr. Pelham reiterated the density would remain constant and the plan would move 25.3 acres of the property from steep ground to flat ground.

Commissioner Herman commented it would be against the Board's ethics to take anything away from local residents. She speculated residents might want to slow down growth down the line, to which Mr. Pelham said the entitlement for the number of

units remained the same. Commissioner Herman hoped there would be a long-term plan for flooding and she expected discussion among residents when development began.

Commissioner Hartung said it was common for developers to be tasked to mitigate potential water flows. He indicated development had paid for a great deal of floodwater mitigation in Spanish Springs. He stated they were re-mapping the area through the Western Regional Water Commission (WRWC) and not through the Truckee Meadows Water Authority (TMWA) which would give the County an idea how to deal with storm water.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Berkbigler absent, it was ordered to adopt Master Plan Amendment Case Number WMPA 17-002 as outlined in the staff report.

Mr. Pelham stated Commissioner Hartung's motion included the master plan amendment but he asked if it included the Regulatory Zone Amendment (RZA). Deputy District Attorney Paul Lipparelli noted Commissioner Hartung used language in his motion including what was outlined in the staff report, including the RZA.

17-0327 **AGENDA ITEM 15** Acknowledge status report and possible direction to staff on the County Manager's recommended Fiscal Year 2017-18 Budget; and direct the County Manager to return to the Board of County Commission with a Tentative and Final Budget incorporating the approved County Manager's recommendations for adoption at a public hearing to be scheduled in May 2017. Manager. (All Commission Districts).

County Manager John Slaughter referred the Board to the detailed staff report and the Clerk distributed copies of the Powerpoint Presentation. Mr. Slaughter stated the recommendation being presented was a balanced budget with no cuts, though there were challenges that needed to be discussed.

Assistant County Manager Christine Vuletich conducted a Powerpoint presentation and stated the County experienced three natural disasters since October 2016. The Bittle Valley Fire cost the County almost \$108,000, followed by the January 2017 flood. Commissioner Hartung asked if the County could be reimbursed by the State for the Little Valley Fire. Mr. Slaughter responded the major response to the fire was by the Truckee Meadows Fire Protection District (TMFPD) and their expenses were covered through a fire management grant. He stated the County had very limited access to programs for reimbursement. Commissioner Hartung felt it was important to request money from the State, to which Mr. Slaughter reiterated the TMFPD had a number of programs they could utilize but the County only had the option of a general request to the State.

Ms. Vuletich continued, mentioning the flooding in January 2017 caused \$3,600,000 in damage. She explained the costs under the private damage category were

for obtaining emergency access to homes and private property. She mentioned there was flooding in the North Valleys though not all costs were accounted for. The damage was estimated at around \$4.4 million for a total of \$8.1 million for the three incidents. She noted some of the incidents were federally declared emergencies which meant the County would have to pay all costs up front but could apply for reimbursement. The County would look at its general fund to pay those costs, beginning with using the remainder of the contingency account of \$1.1 million and the following year's base contingency account fund of \$1.5 million. She commented the County maintained a stabilization account which was intended for stabilization of general fund revenues in case of a shortfall or for disaster expenditures. There was a recent sale of water rights which provided the Capital Improvement Program (CIP) fund a one-time payment of \$2.8 million. Should the expenses increase, the next step would be to consider using the current CIP fund or to reduce the amount of funding for Fiscal Year (FY) 2018.

Ms. Vuletich indicated so far the County had absorbed costs for the labor used in the disasters and some funds could overspend in FY 2017-18. She noted the County might have to draw down fund reserves. She commented the County was eligible for reimbursement of up to 75 percent of expenses but cautioned it would have to do an excellent job documenting all costs. Additionally all repair projects would have to be approved by the Federal Emergency Management Authority (FEMA) and by the State. Because all costs had to be paid up front, it created a cash flow concern both in the short and the long term. She said the State maintained an emergency disaster relief account and the County had submitted letters of intent to attempt to obtain half of the remaining 25 percent that was not FEMA eligible. She recommended if the County drew from the stabilization account it should replenish that amount to prepare for future natural disasters or revenue shortfalls.

Budget Manager Mark Mathers recalled that he had meetings with various departments in January and received budget requests from them in March. Based on departments' estimates the budget would end with expenses slightly exceeding revenues, though he noted he would not be surprised if the County ended up with a surplus. The ending budget was projected to be just shy of \$49.5 million, of which \$45.7 million would be available in unrestricted funds. That would be an all-time high. He noted over the prior four years the fund balance as a percentage of expense was under 15 percent and explained the percentage was dropping because the general fund budget was increasing. He stated overall general fund revenues were expected to increase about 5.1 percent.

3:10 p.m. Commissioner Berkbigler returned to the meeting.

Mr. Mathers clarified property tax abatement was the difference between what a property owner would pay in taxes based on full assessed value versus what they actually paid. For Washoe County the difference was \$28.7 million. He presented a chart showing C-tax revenues were levelling off, which was expected, and he projected a 6 percent growth for C-tax. He reviewed the slide entitled FY18 Major Expenditure Trends.

Replying to Commissioner Hartung's query, Mr. Mathers indicated there were approximately 1,500 retirees for which the County paid medical benefits. He explained all County employees hired before FY 1997-98 who worked more than 20 years had medical expenses covered by the County, and those employees hired between FY 1997-98 and 2010 received a small subsidy.

Mr. Mathers reviewed slides with the following titles: Per Capita Revenues, Expenses & Staffing; FY18 Recommended General Fund Budget (two slides); Historical & Projected Unrestricted General Fund Balance; and FY18 Recommended Budget – All Funds. He reminded the Board the County's proposed total budget, of which the general fund comprised half, was projected to increase one percent over FY 2017.

Mr. Slaughter reviewed slides with the following titles: Budget; Other Unknown Cost Impacts; and FY18 General Fund Base Budget. He stated in a typical year any available resources would be used to fund departments' above-base requests, but given the natural disasters, his recommendation was to move approximately \$1 million into the general fund contingency account. He expected the County to review unknown costs by midyear and, when appropriate, begin funding critical above-base requests.

Commissioner Hartung asked if it would be wise to set up a larger disaster fund given the increased probability of disaster given the growth in the area. Mr. Slaughter responded there already existed a contingency account and a stabilization account, and the recommendation was to increase the contingency account by \$1 million. Commissioner Hartung clarified he meant a disaster fund with narrower parameters than those accounts. Mr. Mathers responded state law allowed the creation of a stabilization account, which was both a stabilization fund that allowed a County to manage revenue downturns of more than five percent and also an emergency fund. He noted the parameters were narrowly defined and the Board would have to make a declaration of a natural disaster to pull from the fund.

Mr. Slaughter mentioned there were a number of departmental requests they were able to accommodate by identifying offsets or revenue increases. He reviewed five slides entitled Recommended Budget Increases with Cost Offsets or Revenue Increases. He commented on instances where an employee took on additional duties and position was reclassified, they approved it and were able to properly compensate the employee. He expressed pride at presenting a balanced budget and thanked the departments for outlining their needs and priorities. He stated a conservative approach to maintaining a balanced budget was to hold off making decisions about funding those needs for a few months and then evaluating how things were looking.

Commissioner Hartung inquired about ways to offset additional costs like fingerprinting and testing inmates for tuberculosis. Commissioner Jung suggested presenting the budget to the Regional Parks and Open Space Commission for adoption before returning to the Board. She additionally requested staff tie together any requests for above-base spending to the results of the citizen's survey. Chair Lucey asked for

continued discussion about what to do with the Wadsworth Justice Court as well as addressing cost efficiencies at the Incline Village Justice Court.

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

Mr. Slaughter noted the motion in the staff report indicated staff would return to the Board on May 23, 2017 with a tentative and final budget for adoption in a public hearing.

Chair Lucey invited two students from Reno High School who were present at the meeting, Ms. Murphy and Ms. Viera, to introduce themselves.

17-0328 **AGENDA ITEM 19** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. (Including but not limited to AB39). Manager. (All Commission Districts.) (standing item until further notice)

Management Services Director Al Rogers reviewed the staff report listing bills of importance. He reported there had not been much movement since the deadline for bills coming out of the first house was the prior Friday.

Commissioner Berkbliger asked for an update on Senate Bill (SB) 462, to which Mr. Rogers said the Senate was scheduled to reconvene later in the day. He noted most votes followed party lines, an answer to which Commissioner Berkbliger expressed disappointment.

Commissioner Jung announced she would be at the legislative meetings on April 28, 2017 as a guest of outside lobbyist Alfredo Alonso, but she would not be attending in a business capacity. County Manager John Slaughter added April 27, 2017 was local government day at the legislative session and there was a reception scheduled with legislators and local government officials. Chair Lucey said he would attend the reception as would Commissioner Berkbliger. Commissioner Hartung asked if more than two Commissioners being present would violate open meeting law. Deputy District Attorney Paul Lipparelli responded open meeting law contemplated that members of public bodies could find themselves together at unexpected places, and in that situation members should not sit together or discuss any business of Washoe County.

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

17-0329 **AGENDA ITEM 21** Public Comment.

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

17-0330 **AGENDA ITEM 22** Announcements/Reports.

There was no discussion or action on this item.

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3:40 p.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Derek Sonderfan, Deputy County Clerk*

Pending Board Approval