

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

TUESDAY

10:00 A.M.

APRIL 23, 2019

PRESENT:

**Vaughn Hartung, Chair**

**Bob Lucey, Vice Chair**

**Marsha Berkbigler, Commissioner**

**Kitty Jung, Commissioner**

**Jeanne Herman, Commissioner**

**Nancy Parent, County Clerk**

**John Slaughter, County Manager**

**Paul Lipparelli, Assistant District Attorney**

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:

**19-0301** **AGENDA ITEM 4** Appearance: Dr. Laura Night, Medical Examiner. Presentation and update on Donate Life Month.

Medical Examiner Dr. Laura Knight introduced Vice President of Clinical Affairs for the Nevada Donor Network Matt Wadsworth and said he would be talking about Donate Life Month. Dr. Knight conducted a PowerPoint presentation and reviewed slides with the following titles: Washoe County Regional Medical Examiner's Office & Nevada Donor Network Partnership; Bridging the Gap; Benefits of Tissue Donation; Partnership Results; and Donor Hero: Hunter Weiss.

Mr. Wadsworth stated the Medical Examiner's Office (MEO) received the platinum level award for their efforts with the Nevada Donor Network. He reviewed slides titled: Let Life Bloom Campaign; April 2019 – Donate Life Month Campaign; Raising the Bar; and Award Winning Collaboration.

Dr. Knight reviewed the final slide titled Thank you to the Citizens of Washoe County. She said she would be remiss if she did not recognize citizens in the community for their donations of life. She thanked the Board for its support of this initiative. She encouraged citizens to register to donate at [www.nvdonor.org/washoe](http://www.nvdonor.org/washoe).

Nevada Donor Network Director of Tissue Operations Matt Graves and Partner Relations Supervisor Monica Miles introduced themselves. Ms. Miles said she worked in the Reno office and was honored to work directly with the MEO.

Chair Hartung thanked the MEO and the Nevada Donor Network for the work they did in the community. He mentioned many people passed away waiting for organ donations. He hoped organ cloning technology could be developed in the future, which could decrease the wait time for people in need of donations.

Commissioner Jung thanked Dr. Knight and her staff for taking the lead on this initiative. She stated she wanted to donate to the cadaver program at the University of Nevada, Reno, but they would not accept more donations once the program was completed. She said she made the decision early in life to be an organ donor.

**19-0302      AGENDA ITEM 5 Public Comment.**

Ms. Tammy Holt-Still stated a community meeting held on April 17 had 126 people in attendance. She said the items discussed were legal action against Prado Ranch North and South developments, the removal of the Lemmon Valley sewer plant, and A+ water conditions at the Stead sewer plant. She spoke about the 7,899 acre-feet of water processed through the Vidler pipeline. She said she watched the Truckee Meadows Water Authority (TMWA) meeting where they discussed 2 million gallons of water going through the Vidler pipeline; she wondered where it was going. At the TMWA meeting, water going into an aquifer was described as being “in distribution”. She submitted a requested for clarification of the meaning of “in distribution” and the type of water going through the Vidler pipeline. She said TMWA had three days left to respond.

Mr. Charles Stockford stated he represented many people from Quartz Lane who were unable to attend this meeting. He said two trucks and a trailer were abandoned the previous weekend and the area was littered with trash. Residents in the area wanted it to remain free of debris.

Ms. Susan Ambrose, a member of the Warm Springs Citizens Advisory Board (CAB), stated it was the time to bring life back to the CABs. She suggested inviting guest speakers instead of cancelling meetings. She said citizens in the area were interested in forming a fire adaptive community charter and a community emergency response team. She thought other CABs would be interested in guest speakers as well. She asked for the Warm Springs area plan to be reviewed and refreshed.

Mr. Sam Dehne spoke about a local voting system being corrupt, the *Reno Gazette-Journal* not reporting the news, money being spent on a new high school, and flooding in Lemmon Valley. He said Burning Man needed to be held somewhere else and an environmental study needed to be conducted at the Tesla Gigafactory.

**19-0303**      **AGENDA ITEM 6** Announcements/Reports.

Commissioner Herman asked for a solution to the issues on Quartz Lane.

Commissioner Jung stated she received several phone calls from people in the construction industry who proposed using water in Lemmon Valley for dust control at construction sites, which could eliminate water issues. She explained they could get water from Swan Lake for free instead of purchasing water. She said she was unsure of the grade of water allowable for dust control but thought it was a great idea.

Commissioner Berkbigler was curious about solutions to resolve the issues on Quartz Lane. She thought the land where people were dumping was private property and asked if the Sheriff could help with the issue.

Commissioner Berkbigler said Commissioner Herman had asked for an agenda item regarding Citizen Advisory Boards (CABs) but it did not happen. She asked for the topic to be placed on an agenda in May.

Commissioner Berkbigler said she agreed with Commissioner Jung's idea to reduce the water levels in Lemmon Valley. She thought it could work well for construction companies and resolve flooding issues.

Commissioner Lucey wanted an update from staff regarding special district funds for crosswalks and timelines for them to be installed.

Commissioner Lucey agreed a discussion about CABs needed to occur and wanted it brought back to the Board before budgets were finalized.

Commissioner Lucey asked for Consent Agenda Item 7C2 to be pulled for a future meeting. He said he scheduled a meeting with DR Horton regarding development.

Chair Hartung asked staff for stop signs on Silent Sparrow Drive at Rockin Robin Drive and Lanstar Drive, Dolores Drive and Erin Drive, and a three-way stop at Richards Springs Boulevard and Shelby Drive. He said stop signs were necessary for speed management and traffic control in Spanish Springs and he wanted the topic to come back to the Board for discussion if necessary.

Chair Hartung stated representatives from the Truckee Meadows Water Authority would be at the April 29 Board of County Commissioners meeting to speak about multiple issues.

Chair Hartung agreed using water from Swan Lake for dust mitigation was a great idea. He said he received a citizen request to discuss the creation of a pipeline to America Flat to water an alfalfa field. He did not know the particulars but suggested it

could be a positive solution for multiple issues, particularly if Washoe County was paying for the pipeline and using the alfalfa to feed wild horses in Palomino Valley.

County Manager John Slaughter stated a concurrent meeting with the City of Reno was scheduled for Monday, April 29 related to closed basins in the north valleys. He said he would inquire whether there was interest in construction trucks using water from Swan Lake.

Mr. Slaughter indicated issues regarding Quartz Lane and speed management would be on the agenda for the May 21 meeting.

Chair Hartung stated a request was submitted to the Regional Transportation Commission to move up the date for widening Lemmon Drive. He hoped a request for Federal Emergency Management Agency funds could be submitted to Congressman Mark Amodei for the installation of levees at the north and south ends of Lemmon Valley. He said levees would allow access to all of Lemmon Valley and create a safer environment.

Commissioner Herman thanked the Sheriff's Office for working with Mr. Stockman about issues on Quartz Lane.

**19-0304**      **AGENDA ITEM 3** Appearance: Congressman Mark Amodei, United States Representative from Nevada. Presentation and update on Federal issues.

Congressman Mark Amodei stated he was in contact with Lemmon Valley residents and Washoe County Commissioners about the flooding in Swan Lake. He noted his staff had also been in contact with the Army Corp of Engineers, the Federal Emergency Management Agency (FEMA), the Environmental Protection Agency, and the State Department of Conservation and Natural Resources. He said Washoe County staff provided his office with the information they needed and he was ready and willing to do whatever was needed by the Board.

Congressman Amodei stated two lands bills were being pursued by the Department of Defense, one by the Air Force for the Nellis Creech area and one for the Naval Air Station in Fallon. One report referenced the Reno Military Operating Area (MOA), which encompassed 700,000 acres from the end of Pyramid Lake to Gerlach. He indicated there was a proposal to reduce the altitude above ground level that Navy aircraft could travel in the MOA from 15,000 feet to 1,200. The change would allow the Navy to perform more traditional training in the airspace at that elevation. While he did not expect the bill to make progress until 2020, he indicated his staff would request a briefing by the Navy about MOAs that could be impacted since there could be an increased risk of wildfires and danger to wilderness. Those bills were expected to progress because they were in support of the Warfighter Mission. He felt issues such as wildfire protection and sage hen habitat restoration should be considered for discussion. He pointed out land ownership would not change but land use would and multiple use would be restricted.

Congressman Amodei stated meetings were scheduled with the Bureau of Land Management (BLM) and the field manager for the Black Rock Desert to discuss the fact that planning for the Burning Man event was behind. He wanted to avoid a situation where permitting was imminent but communication with certain people was inadequate. He noted Washoe County and the Pyramid Lake Tribe were the major off-site hosts for transportation and tourist resources.

Commissioner Berkbigler asked the Congressman whether he thought Washoe County should focus its County lands bill efforts away from wilderness issues and onto land transfers in the area. Congressman Amodei responded county lands bills had conservation elements which had caused issues in the past. Even though he acknowledged there was County land north of Gerlach, he thought the County had an opportunity to address some of those issues with the MOA portion of the Navy bill.

Commissioner Berkbigler said she knew the City of Sparks discussed having a lands bill. She agreed with the location they wanted to move an industrial center because it would move it out of a flood plain, which would benefit businesses, workers, and the city itself. She did not believe they had any proposals that included wilderness issues and wondered whether there was now a different thought about lands bills.

Congressman Amodei said he was unsure whether there were conservation opportunities south of the Truckee Meadows between the Carson and Virginia ranges. He mentioned Clark, Washoe, Carson City, Douglas, and Pershing Counties were all working on lands bills, which would cover about 90 percent of Nevada's population. There was also discussion about having either one lands bill for the state or two bills, one for the north and one for the south. Those options would not address the opportunities in Fallon or Nellis Creech. He felt the current Congress was the best one for a lands bill, in part because five of the six federal delegation members lived in Clark County and the Air Force had requested changes in the southern part of the state.

Congressman Amodei brought up the Fallon lands bill and some concerns about what should be included. He described it as very much a Churchill County lands bill. He suggested the Board offer to give their counterparts in Fallon a briefing on the impacts to Washoe County, starting with the Reno MOA. He mentioned the Navy was increasing their consulting footprint, adding they never rejected one of his requests to meet with someone. He indicated the changes to the Reno MOA would be significant.

Commissioner Berkbigler said Chair Hartung consistently preached that regional government in northern Nevada extended beyond just the Truckee Meadows because growth was happening outside that area. She thought there was an opportunity to draft one bill for the northwestern region and said Chair Hartung and Commissioner Lucey were continuously working on it.

Commissioner Herman thanked Congressman Amodei for his work on full statehood. Additionally, she thanked the Congressman for his help and encouragement in Lemmon Valley and she hoped for a solution. She mentioned reservoirs could be used as

an emergency measure. In response, Congressman Amodei said the County had options to address the conditions and they just had to put the pieces together. He indicated his staff would be happy to play an oversight role with any federal agencies that might be involved. He had received no pushback from them so far. He wanted to ensure that the Commissioners would be the policy leaders and he would attempt to make the tools to find a solution available to them.

Commissioner Lucey showed appreciation for Congressman Amodei's work with the Federal Transit Administration to help the County secure \$40 million for a Virginia Street restoration project. He asked whether there was an opportunity to work with the United States Department of Energy to identify Homestead Wilderness Study Area lands for solar and renewable energy use. He pointed out the Legislature signed bills to redirect NV Energy to more renewable energy by 2030 and increase renewable energy consumption.

Congressman Amodei stated Washoe County was unique because it contained both the Carson City district of BLM land and a portion of California's district. He said the California BLM manager was in Sacramento and they were expected to have a discussion soon. He commented the availability of suitable solar resources had to be determined along with a process to use them for renewable energy. A lot hinged on the suitability of the site and whether any issues needed to be mitigated. If it could be done responsibly, it was worth including in a bill.

Commissioner Lucey recalled Congressman Amodei saying conservation was a key component to lands bills. The Commissioner thought certain uses for the land other than wilderness could be appetizing to certain members of Congress. This could provide additional leverage to gain the support of those members.

Congressman Amodei felt there was an opportunity because the makeup of Congress in Nevada was beneficial; he expected the Clark County bill and the two Department of Defense bills to proceed. He mentioned the Navy would be dealing with existing endangered species areas and wilderness areas in the Reno MOA, along with restoration concerns, fire prevention, and fuels management. In the past, traditional Washoe County lands bills consisted of so many different aspects that there was something for everyone to oppose. Now he thought there was an incredible opportunity. Commissioner Lucey stated the funds from the economic development side of land sales on perimeter properties would be used for conservation.

Commissioner Lucey wondered whether it was possible to identify federal funding for the Route 395 corridor to the Herlong Army Depot in California. Congressman Amodei replied the Southern Nevada Public Lands Management Act (SNPLMA) placed proceeds from the sale of federal lands into accounts sequestered for certain purposes. Some people felt that could not be done any more because those would be considered earmarks but he said he would vote for earmarks as long as they were transparent and composed only a small portion of the budget. He stated earmarks happened every day in the executive branch regardless of political party; those branches

chose who received program funding. He thought setting up a SNPLMA-type bill would not work in rural Nevada counties but it could in Washoe County.

Congressman Amodei noted the Department of the Interior (DOI) was not the primary executive agency for funding but stressed Nevada had the highest percentage of federal ownership in the nation. The DOI dealt with endangered species and energy development on public lands, and basically every community in Nevada was surrounded by federal land. He surmised the Board would want to have jurisdiction over planning and zoning within the entire county.

Congressman Amodei pointed out SNPLMA was 20 years old and described it as the most ambitious piece of public lands litigation in the history of the country. It authorized the sale of 70,000 acres around Las Vegas, Henderson, and North Las Vegas, 35,000 of which had been conveyed so far. This translated to about 1,700 acres a year, which he thought should assuage people who were concerned about development encroaching in the Black Rock Desert area. He said this was not indicative of a typical lands bill; funds from lands bills were used for fuels management. He thought it was possible to accomplish something with the resources available that would be responsible for both local government planners and taxpayers.

Chair Hartung praised the SNPLMA process, saying it worked well. The land from that act was prime, developable land with infrastructure nearby, and it was developed in an orderly fashion. He acknowledged some people in Washoe County were concerned that urban sprawl would spread to the northern edge of the county but he thought that would not happen. He wished to see the County have control of where and how it grew.

Chair Hartung thanked Congressman Amodei for taking time to meet with him in Washington D.C. He directed staff to supply the Congressman or his staff with the matrix of options for Lemmon Valley. Additionally, he requested a presentation from FEMA as soon as possible so the Board could provide the Congressman with a proposal of how the agency could help. He invited Congressman Amodei to tour the Water Innovation Institute at the University of Nevada, Reno to witness the steps being taken towards treating water to a class A+ designation.

Congressman Amodei offered to call the regional FEMA headquarters in Oakland or the main office in Washington D.C. to help make Washoe County a higher priority. Chair Hartung thanked him for that but said representatives at FEMA had already pledged to help when the County could narrow down its requests.

**CONSENT AGENDA ITEMS – 7A THROUGH 7E1**

County Manager John Slaughter indicated Agenda Item 7C2 was pulled.

- 19-0305**      **7A** Approval of minutes for the Board of County Commissioners' regular meetings of March 12, 2019, March 19, 2019, and March 26, 2019. Clerk. (All Commission Districts.)
- 19-0306**      **7B** Recommendation to approve Certification Page and Agreement between the County of Washoe (Juvenile Services) and the Nevada Department of Agriculture, Child Nutrition Programs, designating Christine Eckles, Division Director and Frank Cervantes, Director, as the authorized signers for the National School Lunch and School Breakfast Program; and if approved, authorize Washoe County Department of Juvenile Services to submit the application to the National School Lunch and School Breakfast Program and to accept reimbursements from the program for Fiscal Year 2019/20 for youth detained at Wittenberg Hall Detention Facility. Juvenile Services. (All Commission Districts.)
- 19-0307**      **7C1** Recommendation to: 1) accept the Community Foundation of Western Nevada “Truckee River Fund #220-Weed Treatment and Revegetation Project along the Truckee River grant” [in the amount of \$45,000 with a Washoe County cash/in-kind match in the amount of \$17,800]; and 2) approve the Grant Award Letter with a grant period from issuance of the notice to proceed through June 30, 2020; and 3) authorize the Assistant County Manager [Dave Solaro] to sign the Grant Award Letter and any subsequent documents related to the grant on behalf of the County; and 4) direct the Comptroller’s Office to make the necessary budget amendments. Community Services. (All Commission Districts.)
- 19-0308**      **7D1** Recommendation to approve the removal of uncollectible accounts receivable totaling [\$81,720.00] for the accounts past statute of limitations. Comptroller. (All Commission Districts.)
- 19-0309**      **7D2** Recommendation to retroactively approve budget amendments in the Utilities Fund (566) to correct Fiscal Year 2019 budget carryforward in the amount of [\$148,546.33] for a grant award accepted in Fiscal Year 2018 from the U.S. Department of Interior Bureau of Reclamation for the Northern Nevada Indirect Potable Reuse Feasibility study for the period August 13, 2017 through December 31, 2018; and direct the Comptroller to make the necessary budget amendments. Comptroller. (All Commission Districts.)
- 19-0310**      **7E1** Recommendation to approve the 2018 Justice Assistance Grant (JAG) Program Award (2018-DJ-BX-0440), Office of Justice Programs, Bureau of Justice Assistance through the Reno Police Department

[\$57,681.60, no County match required] for purchase of Law Enforcement equipment, Law Enforcement related training and travel, and overtime for the retroactive grant term of October 1, 2018 - September 30, 2021 and if approved, direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

**19-0311**      **7E2** Recommendation to approve a grant for [\$10,000.00, No cash match required; 25% in-kind match required] from the Nevada Office of Traffic Safety (OTS) to purchase speed measuring devices specifically for use on multi lane roadways and tint meters for the retroactive grant term of February 27, 2019 through September 30, 2019 and if approved, direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

**19-0312**      **7E3** Recommendation to approve funding [\$12,481.00, no match required] provided by the Reno Police Department through their grant award 18-JAG-18 through the Justice Assistance Grant program, Office of Criminal Justice Assistance for overtime costs associated with the Regional Gang Task Force activities for the retroactive grant period of January 1, 2019 through September 30, 2019; and if approved, direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

**11:10 a.m.**      Commissioner Berkbigler left meeting.

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

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 4-0 vote with Commissioner Berkbigler absent, it was ordered that Consent Agenda Items 7A through 7E3 except Consent Agenda Item 7C2 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 7A through 7E3 except Agenda Item 7C2 are attached hereto and made a part of the minutes thereof.

**BLOCK VOTE – 10, 12, 14, 15, 16, 18, 19, and 20**

**19-0313**      **AGENDA ITEM 10** Recommendation to retroactively authorize the emergency purchase of the temporary flood mitigation system from US Flood Control Corp [in the amount of \$210,909], to protect residential homes most vulnerable to immediate water elevation increases of Swan Lake in the areas of Pompe Way and Shane Way in Lemmon Valley. The purchase was conducted pursuant to NRS 332.112 and 338.011. Manager. (Commission District 5.)

**11:14 a.m.**      Commissioner Berkbigler returned to the meeting.

On the call for public comment, Ms. Tammy Holt-Still wondered about the timing of the installation of Tiger Dams in Lemmon Valley. She opined residents at Shane Way and Pompe Way would not have been flooded had the dams been installed earlier. She wanted a detailed report for the proposed \$285,000 for flood mitigation because the staff report did not include any mapping or descriptions; it only stated 20 feet of drainage ditch was to be installed. She expressed frustration about not being heard regarding flooding issues.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10 be authorized.

**19-0314**      **AGENDA ITEM 12** Recommendation to approve entering a five-year contract with Microgenics Corporation (dba: ThermoFisher Scientific) for the annual purchase of a Beckman AU680 Reagents to include an annual instrument lease, user licenses for the Paracelsus™ software, and service charges at an annual cost of (\$164,667.58), or (\$874,242.53) five year total under a sole source exemption with the intent to use existing department testing funds in addition to anticipated funds arising from a Professional Services Agreement with the Second Judicial District Court for drug and alcohol testing for Specialty Courts, not to exceed (\$368,311) annually. If approved, authorize the Purchasing and Contracts Manager to execute all necessary contract documents. Alternative Sentencing. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 12 be approved and authorized.

**19-0315**      **AGENDA ITEM 14** Recommendation to approve retroactive and future authorization for purchases that have or are likely to exceed [\$100,000] in the aggregate for FY19 and for FY20 with the understanding all such expenses will remain within available adopted budget funding. If approved, all purchases remain subject to compliance and accordance with the provisions of the Local Government Purchasing Act. Comptroller. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 14 be approved.

**19-0316**      **AGENDA ITEM 15** Recommendation to approve removing Reliance Trust Company as trustee for the Washoe County 457(b) Deferred Compensation and 401(a) Plans and appointing Voya Institutional Trust Company (“VITC”) as successor custodian and trustee, effective May 31, 2019; and approve a resolution for same. Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 15 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

**19-0317**      **AGENDA ITEM 16** Recommendation to approve the Agreement for Professional Consulting Services between Washoe County and Brown and Caldwell for the Cold Springs Water Reclamation Facility Headworks and South Truckee Meadow Water Reclamation Facility Clarifier Coating Project [\$159,800]. Community Services. (Commission Districts 2 and 5.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be approved.

**19-0318**      **AGENDA ITEM 18** Recommendation to: 1) Approve Amendment #1 to the original Agreement Regarding November 2002 State Question 1: Parks and Open Space Bond Issue - Truckee River – One Truckee River Implementation Phase - Project Funding between Washoe County and Nevada Land Trust for an extension of time [no fiscal impact to Washoe County]; and 2) authorize the Assistant County Manager [Dave Solaro] to execute the amendment and related documents. Community Services. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 18 be approved and authorized.

**19-0319**      **AGENDA ITEM 19** Recommendation to: 1) Approve Amendment #1 to the original Agreement Regarding November 2002 State Question 1: Parks and Open Space Bond Issue - Truckee River - Truckee River Management Plan-One Truckee River Initiative Phases I, II, and III – Project Funding between Washoe County and Nevada Land Trust for an Extension of Time [no fiscal impact to Washoe County]; and 2) authorize the Assistant County Manager [Dave Solaro] to execute the amendment and related documents. Community Services. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 19 be approved and authorized.

**19-0320**      **AGENDA ITEM 20** Recommendation to approve an Agreement for Professional Consulting Services between Washoe County and Paul Cavin Architect, LLC for the Northern Nevada Adult Mental Health System (NNAMHS) Homeless Housing Project - Architectural and Engineering Design Scope [\$953,255]; and if approved, direct the Comptroller's Office to make the necessary cross-fund appropriation transfers [net impact to County Budget is zero]. Community Services. (Commission Districts 3.)

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 20 be approved and directed.

**19-0321**      **AGENDA ITEM 11** Presentation and Update on FY 18-19 Third Quarter Status Report for the Washoe County Regional Detention Facility to include security of the jail, conditions of confinement, staffing and medical care of inmates housed at the Washoe County Sheriff's Office; acknowledge receipt of Report. Sheriff. (All Commission Districts.)

Sheriff's Office (SO) Chief Deputy Jeff Clark conducted a PowerPoint presentation and reviewed slides with the following titles: Jail Status Report; Welfare of the Inmates; Welfare of the Inmates – Medical (2 slides); Welfare of the Inmates (2 slides); Booking Data; Inmate Bookings by Calendar Year; Inmates Booking by Agency; Inmate Average Daily Population; Inmate Booking Types; and Additional Quarterly Jail Data.

Chief Deputy Clark stated Sheriff Darin Balaam hit the ground running and had not stopped since he was elected. He said there were steep goals focusing on mental health, opioids, addiction, sex trafficking, and increased staff. Sheriff Balaam was committed to enhancing partnerships with the Board of County Commissioners,

management, stakeholders, and the community. He stated the SO and NaphCare initiated a 2-year contract on July 1, 2018 for the medical welfare of inmates. He noted NaphCare had become a strategic partner by developing innovative programs and initiating progressive treatments to reduce the detoxification hurdles experienced by the detention facility population. Pregnant inmates with drug addictions were now able to receive care at the detention facility rather than being sent outside for treatment.

Chief Deputy Clark stated NaphCare had hired a new Administrator earlier in the year since the previous one had retired. He said David Everett, the new Health Services Administrator, was present to speak about NaphCare. Chief Deputy Clark mentioned the Executive Director of the Ridge House Denise Everett was Mr. Everett's wife.

Mr. Everett said he was pleased to be the Health Services Administrator for NaphCare at the Washoe County Jail. He stated the last 10 years of his career included working for the Department of Corrections and running medical services at the Warm Springs Correctional Center. He mentioned he was a registered nurse with extensive experience in emergency medicine and correctional administration. He stated he came out of retirement to take this position for NaphCare. He said he looked forward to making improvements at the jail, which included a focus on mental health, drug addiction, and an overall reduction of recidivism. He hoped he would have positive progress to report in the near future.

Chief Deputy Clark said the SO was often questioned about the level of care they were able to provide for inmates in the detention facility. He explained they were a detention facility and not an emergency room. According to the statistics being tracked, he believed the overall health of inmates had increased under Medical Director Dr. Eloy Ituarte, a dual-certified endocrinologist. He noted approximately one-third of the inmate population received medication for some type of mental health issue. He said this was an increase from the previous quarter and stated thousands of medications were distributed every month at the detention facility. He explained the number of Hopes referrals listed was not just for the quarter, but reflected the total since they started referring. He said the statistics indicated approximately 30 percent of inmates got a second appointment with Hopes. He noted bookings were down from the previous quarter and he was pessimistic that the reduction was due to the programs in place.

Chair Hartung said he was thrilled to see a relationship built with Hopes and would like to see the numbers increase in time.

Chair Hartung wondered whether the detention facility could recover expenses by billing insurance companies for the health care provided to inmates with private medical insurance. Chief Deputy Clark said they had increased the number of Medicaid applications provided to inmates. The goal was to ensure inmates had insurance upon release from jail because Medicaid benefits were immediately terminated when a person was arrested. Medicaid would only pay for medical services if an inmate was admitted to the hospital from jail.

Chair Hartung expressed frustration about medical care being the responsibility of the County. He thought an incarcerated person should still receive federal medical benefits. Chief Deputy Clark explained there was a bill currently at the Legislature which would allow Medicaid to be unaffected for a person incarcerated for 0 to 30 days, suspended if they were incarcerated for 31 to 365 days, and terminated after one year. The average jail stay was 15 days.

Chair Hartung said taxpayers still had to pay for the medical care of an inmate. Chief Deputy Clark stated they were constantly working with community partners to address those concerns. SO staff had recently met with Renown Medical Center President and Chief Executive Officer Dr. Tony Slonim and Vice President of Advocacy and Community Partnerships Wendy Damonte based on their interest in helping the SO with medical care outside the detention facility. They spoke primarily about the high costs associated with medical refusals and emergency room (ER) referrals. He noted Renown Medical Center executives had asked how they could help make the process easier. He said officers across the region had to take inmates to get medical clearance and ER referrals, adding the ER was typically busy. They discussed a type of urgent care setting for Renown to provide direct access to the SO exclusively for inmates, which could reduce costs and time spent on medical services.

Chair Hartung asked whether issues regarding blood-alcohol and drug tests were resolved. Chief Deputy Clark replied the issue had been resolved and the contract required there to be phlebotomists at the detention center, whose services were provided to all partnering agencies. There was still an issue with blood tests in Incline Village due to the distance to the detention center. One project they were working on was the creation of a detention services unit, which was initiated on April 22. Another was the combination of services within the same office, including an administrative support unit, an inmate assistance program ordered by the Court, health and human services, and discharge planning. This would make the process easier for providers to collaborate as a team to improve release services and discharge planning for inmates. He stated a new medication assistance treatment program was created which would include a narcotics treatment program (NTP); only 15 other jails in the nation had an NTP. Securing the NTP was a lengthy process with many certifications required through the Drug Enforcement Administration, medical partners, and Regional Medical Director Dr. Jeffrey Alvarez, who initiated the program in Maricopa County, Arizona. He stated they were fortunate to have so many great partners working to improve inmate medical services.

Chief Deputy Clark stated a Karma Box program was started, which proved to be a success at the jail. When inmates were released from jail and in need of supplies or nutrition, the box was there to help them. He said the box was currently replenished by staff and it contained snacks, water, socks, gloves, and other items needed on a daily basis.

Chief Deputy Clark addressed in-custody deaths for the fiscal year and said there was one death the previous quarter. The incident occurred on January 10 and was deemed a suicide by hanging. He stated the inmate was in a detox protocol unit and

was discovered when a cell mate returned. He said the inmate wrapped a ligature around an L bracket on a bunk and around his neck. He said this was an ongoing issue with gaps near L brackets on cell bunks and said more than 500 bunks in the facility had the issue. The SO received a quote in 2017 for \$45,435 to retrofit 14 bunks. He said Sheriff Balaam addressed the retrofit issue and was working with community partners to attempt to reduce the cost.

Commissioner Lucey recognized that Sheriff Balaam had a challenging job. Referencing Agenda Item 13, he wondered about the impacts on the jail of the 20 beds available in the Community Triage Center (CTC). Chief Deputy Clark stated the reopening of the CTC would positively impact the jail. When the last center closed unexpectedly, they were forced to open an area within in the jail called civil protective custody, which housed serial inebriates and people who could not care for themselves. He said the CTC provided treatment, meals, medical oversight, and a secure environment to sober up rather than being booked in the jail. The law mandated a person be taken to an operational CTC before taking them to jail except in circumstances such as violent behavior or the person having charges placed against them.

Commissioner Lucey said NaphCare would focus on the Washoe County jail since it would be the only facility within the State of Nevada to provide in-house services; they were attempting to divert a number of resources towards the facility. Chief Deputy Clark stated most of the changes were contractually regulated. Currently, NaphCare was contracted for 49 full-time employees and a number of part-time employees. He said NaphCare had increased services in collaboration with the SO. He noted the owner of NaphCare had visited them on a number of occasions and understood the importance of being an active participant in the community. He said they were focusing on mental health and offering more resources, including additional psychiatry services, a full-time psychiatric nurse, and an increase in the licensed clinical social work coverage to seven days a week. He stated the intake area saw most of the suicidal behavior due to the circumstances of being arrested. A special watch was required for inmates with this behavior who were placed into cells with cameras and checked every 15 minutes to ensure safety. He indicated he was happy with the partnership with NaphCare and the benefits they provided.

Commissioner Lucey thanked Chief Deputy Clark for the time he spent with ambassadors of the downtown Reno partnership. He said he saw the direct benefit of allowing ambassadors to meet with the SO to ensure services would be available for inmates being released from jail to reduce recidivism. He thought inmates were often released but did not know what to do to receive help. Ambassadors had the resources and were able to guide people in a positive direction.

Commissioner Jung said she, Commissioner Lucey, and County Manager John Slaughter went to St. Louis, Missouri to observe a competing contractor for detention facility medical services where they emphasized the position of a placement specialist. This position was housed at the jail and helped people create a plan for inmate releases, which included housing, resources for additional services needed outside the

facility, and nutritional resources. She wondered whether that was included in the NaphCare contract. Chief Deputy Clark confirmed there was a position included in the contract called a discharge planner. He said they currently had one discharge planner but were working on a grant to get another. Once they had both positions filled, one would focus on drug-related discharge plans and the other on mental health discharge plans. He said the current discharge planner consistently worked with outside providers and courts for effective discharge plans, was knowledgeable of resources, and possessed great contacts.

Commissioner Jung asked about a request for proposal (RFP) the County did not take part in because of a relationship with southern Nevada. Chief Deputy Clark indicated that was for the previous contract. There had been some issues when the current contract came up for renewal so they decided to do an RFP. He thought there were four or five different companies who submitted proposals and a panel was selected to interview each of them. He stated former Chief Deputy Tom Green took part in the selection meetings.

Commissioner Jung asked about the company who had the contract in southern Nevada. Chief Deputy Clark indicated southern Nevada used Wellpath as their provider. Commissioner Jung was curious of the length on the Washoe County contract. Chief Deputy Clark stated the contract was through 2020 with three 1-year extensions.

Commissioner Jung wondered what supplies were needed for the Karma Box and whether they were purchased or donated. Chief Deputy Clark stated staff did a great job keeping it filled with donations. Currently it had a surplus of items but he would let the Commissioners know if items were needed.

Commissioner Jung asked when the County purchased the bunks with dangerous L brackets. Chief Deputy Clark stated the original bunks were purchased when the jail was built in 1987. Commissioner Jung wondered about any possible liability due to inmates being able to cause self-harm with the flawed brackets. Chief Deputy Clark said he did not know but would research it. Commissioner Jung wondered whether the manufacturer would be willing to fix the bunks due to an engineering flaw. Chief Deputy Clark said he appreciated the idea and would do some research. He indicated the bunks were not all the same; some of the newer bunks had gaps but they were not as bad as the original ones. If an inmate could hang something over a corner, they could use that to cause self-harm. He said he visited the Behavioral Health facility and they were very creative to ensure there were no gaps in any bunks. He noted a handicapped cell required handles but the Behavioral Health facility added a piece of metal to the inside of the handle so it could still be used but nothing could be looped around it. He said they were looking at all options.

Commissioner Jung inquired about locks being destroyed at the jail and Chief Deputy Clark said that was an ongoing issue and noted maintenance staff worked on it continually. He indicated locks would be replaced if they were sticking or had any

issues. He stated maintenance staff installed a different system in one special housing unit so a light would be illuminated if a door was unlocked or open.

Commissioner Jung thanked Chief Deputy Clark for the presentation and his compassion towards the inmates. She thought the jail was the largest mental health facility in northern Nevada and it was the wrong place for people with these issues. She expressed gratitude for the improvements being made at the jail. She said it was so important to respond to timely issues such as opioids, methamphetamines, and homelessness. Chief Deputy Clark said it was worth the work they were doing to see even a small impact at the jail.

Chair Hartung expressed frustration about the cost to correct the bunk issue. Chief Deputy Clark stated maintenance staff was working with local companies to get quotes but funding for the repair was an issue.

County Clerk Nancy Parent stated email correspondences from Annemarie Grant and Tonya Brown were received and placed on the record.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 11 be accepted.

**19-0322**      **AGENDA ITEM 13** Recommendation to approve funding to support the operation of a twenty-bed Community Triage Center for those in need of crisis psychiatric services, medical and social detoxification from alcohol or other substances, or co-occurring disorders, for individuals who are 18 years of age or older and are not in need of emergency room care for a total amount of \$1,204,862 [Washoe County portion \$190,000 cash]; effective May 1, 2019 through April 30, 2020 with the option to renew for a one year period. Human Services Agency. (All Commission Districts.)

Human Services Agency (HSA) Director Amber Howell said this item was an approval of a center to replace WestCare, which closed its doors a year before. She acknowledged representatives from the new company, Well Care Services, were in the audience. She indicated each region was required to receive funding approval from its regional board; the County's portion was \$190,000. Pursuant to Nevada Revised Statute, one-third of the funding came from the State, one-third from local hospitals, and one-third from Washoe County and the Cities of Reno and Sparks. She expressed excitement about the facility reopening, noting it had 20 beds. Because the average stay was only three days, the center could serve approximately 400 people per month, which would benefit the community by taking individuals to the detox center rather than booking them in jail. She said it was a great resource to help resolve overcrowding at the jail.

Commissioner Berkbigler said this was a great program and she was pleased for the center to reopen. The Community Triage Center (CTC) would reduce the number of people who would go to jail and it would help the people who really wanted it.

She thought a \$190,000 contribution from the County would be well spent for a program that was so helpful.

Commissioner Jung asked how much local hospitals paid towards this program and how that price was determined. Ms. Howell stated local hospitals and the State of Nevada each paid \$400,000; the Cities of Reno and Sparks paid a total of \$210,000 and Washoe County paid \$190,000. She stated historical figures were used to determine the amount each municipality would pay and Washoe County had always budgeted \$190,000 for this type of emergency assistance.

Commissioner Lucey thanked Ms. Howell for her work on this project and said she was a strong advocate to reopen the CTC. He said this made a huge difference to the jails and the citizens they served, and it saved taxpayer dollars.

Chair Hartung said this process not only saved the jail time, resources, and taxpayer dollars, it helped people be productive citizens.

Commissioner Lucey asked about the process to select Well Care Services as the provider. Ms. Howell stated there was a panel of reviewers from each region who ranked and scored the applicants; Well Care Services was the leading applicant. She said the Board had to provide the authority to spend the money on this and a regional agreement would come back before the Board for approval.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be approved.

**19-0323**     **AGENDA ITEM 8** Recommendation to acknowledge status report and possible direction to staff on the County Manager's recommended Fiscal Year 2020 Budget; and direct the County Manager to return to the Board of County Commission with a Tentative and Final Budget incorporating the approved County Manger's recommendations for adoption at a public hearing to be scheduled on May 21, 2019. Manager. (All Commission Districts.)

County Manager John Slaughter introduced the item. He stated he, Assistant County Manager Christine Vuletich, and Budget Manager Lori Cooke would conduct the budget presentation. He acknowledged the following budget staff members for all their hard work this budget process: Senior Fiscal Analyst Patsy Buxton; Senior Fiscal Analyst Kari Estrada; Fiscal Analyst II Val Gilmore; and Fiscal Analyst II Brianna McBride.

Mr. Slaughter conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Agenda,

Budget Process; and Budget Process Update. He indicated the Investment Committee used the word ‘uncertainty’ to describe the economic status. He thought people were breathing easier for the upcoming year although uncertainty was present.

Ms. Vuletich reviewed slides with the following titles: Fiscal Year 2020; Economic Outlook; Local Area Employment Statistics; Leading Economic Indicators (2 slides); Washoe County Population vs. Staffing; FY 2020 Budget Outlook – “Uncertainty”; and Strategic Goal: Fiscal Sustainability.

Mr. Slaughter reviewed the following slides: Fiscal Year 2020 County Manager’s Recommendations; and FY 2020 Recommended Budget – All Funds. He stated the County was structurally balanced.

Ms. Cooke reviewed slides with the following titles: FY 2020 Recommended Budget – By Fund; FY 2020 Recommended Budget – Governmental Funds; FY 2020 Recommended Budget – Proprietary Funds; and FY 2020 Recommended Budget – General Fund Revenues/Sources.

Commissioner Lucey said property tax had historically been at about 51 to 54 percent and wondered why it was lower. Ms. Cooke indicated the consolidated tax (C-tax) was catching up proportionately, growing faster than property tax revenue.

Ms. Cooke continued with the presentation slides: General Fund Property Tax Revenue; General Fund Consolidated Tax Revenue; FY 2020 Recommended Budget – General Fund Expenses/Uses; FY 2020 Recommended General Fund Budget; General Fund Transfers Out; and Washoe County General Fund.

Chair Hartung asked whether there were any Nevada Revised Statute requirements with respect to fund balances. Ms. Cooke stated the County was required to keep a minimum of 4 percent to cover expenses when revenue was not received. She explained the first quarter property tax was not due until August 19, which meant expenses for the quarter still had to be paid; the fund balance had to cover 50 days of expenses. She stated C-Tax revenue would start coming in two months after property taxes did. She said a property tax unfunded balance was required for cash flow.

Commissioner Berkbigler asked whether the budget submission deadline to the State was before the legislative session ended. Ms. Cooke stated that was correct. Commissioner Berkbigler opined there could be some changes in that case and Ms. Cooke agreed.

Commissioner Berkbigler asked whether any specific bills presented could impact the projections in a negative way. Mr. Slaughter stated most of the bills they were tracking would come at a cost. The Sheriff’s Office (SO) was tracking many bills related to crime lab requirements and there could be some trade-offs or additional requirements. There were a number of bills being tracked and he thought it was early to say which bills could impact the budget. Some bills could impact the next fiscal budget cycle.

Ms. Cooke stated the presentation would be available online and a public hearing would be held on May 21 with additional details.

Commissioner Jung wondered about the long-term costs and benefits of owning facilities. Ms. Vuletich explained it would depend on the asset and the available options. Staff could review the best practice for each site. Commissioner Jung said leases were pulled when the recession started and the County housed staff where they could to save money. She wondered about the future of the workplace and thought many employees would work off-site or telecommute. Staff could work anywhere in the world from a cellular phone or portable computer. She was curious to see how assets could affect the County and the balance between costs versus benefits. She wondered what effect selling off assets would have on the bottom line. She wanted staff to compare the best practices of other counties to Washoe County's practices. She said there would always be a need for locations for customer service-oriented agencies but she thought it would be easy to establish remote offices.

Mr. Slaughter stated staff was undergoing a facility master planning process where this would be considered. He described the slide showing the added positions as his department's favorite slide. He continued the presentation with slides titled: Budget Recommendations – General Fund New Positions; and Budget Recommendations – General Fund Reclassification.

Commissioner Lucey thought Incline Village and Wadsworth Justice Courts could be unified with the Reno Justice Court by updating technology. Mr. Slaughter stated staff would work on the details and bring back recommendations to the Board. Mr. Slaughter reviewed the slide titled Budget Recommendation – General Fund.

Chair Hartung stated he did not see budgeting under the marijuana funds section for the direct impact of marijuana to law enforcement. Mr. Slaughter stated many discussions occurred about this topic and said the number of deputies could be increased, which would resolve some departmental impacts to Alternative Sentencing, the drug courts, and the District Attorney's Office. Statue allowed a 3 percent contingency budget. The County budgeted \$1.5 million budget but the recommendation for this year was to increase that to \$5 million, or a 1.6 percent contingency budget.

Mr. Slaughter reviewed the following slides: Budget Recommendations – Other Funds New Positions; Budget Recommendations – Other Funds Reclassifications; and Budget Recommendations – Capital Improvement Funds (4 slides). He explained he and staff were comfortable with this budget for the upcoming fiscal year.

Chair Hartung asked for an explanation about the Wildcreek Golf Course Rehabilitation listing in the capital improvement funds. Assistant County Manager Dave Solaro stated this represented the money the County would receive from the transfer of the sale of water rights and property to the Washoe County School District. The money was specifically earmarked for improvements that would be needed to the golf course at Wildcreek to keep it viable. He stated the budget line item was offset by revenue.

Mr. Slaughter explained the Northern Nevada Adult Mental Health Services campus remodel would be offset by revenues coming from the Human Services Agency, fund balance, and marijuana revenue.

Chair Hartung requested Mr. Slaughter explain the Disaster Recovery Site at Switch, Inc. Mr. Slaughter stated this was a technology issue related to disaster backup of data with Switch. The first phase was to position all backup data servers at a safe and secure location; additional projects would be brought forward to move all servers off site. He spoke about a sprinkler system going off at a downtown facility but the Reno Fire Department responded quickly and was able to save the server room. He said it could have been disastrous.

Commissioner Berkbigler wanted information about the effluent distribution expansion. Mr. Solaro stated the projects included the Huffaker Hills effluent storage pond lining, improvements to the entire effluent system in the south Truckee Meadows, and some partnership projects through the Nevada Water Innovation Institute to understand whether A+ water was right for the community. He indicated the lining of the effluent storage facility in Huffaker Hills was the largest project. Chair Hartung wondered if that was due to a significant loss in penetration and infiltration. Mr. Solaro confirmed that and said part of utilizing effluent as a resource was capturing as much as possible. Chair Hartung asked whether this water made it to the river and Mr. Solaro indicated all the water stayed in the south Truckee Meadows area.

Mr. Slaughter reviewed the slides titled Next Step and Questions. He stated the next scheduled meeting would include a public hearing and possible adoption of the recommended Fiscal Year 2020 final budget.

Chair Hartung confirmed the May 21 meeting would be the next regular meeting but there would be a joint meeting on April 29. Mr. Slaughter confirmed the budget would not be a topic of discussion at the April 29 meeting.

Mr. Slaughter stated this item allowed for Board direction and recommendations would be brought back on May 21 with the final budget reflecting any changes.

There was no response to the call for public comment.

Commissioner Berkbigler mentioned budget presentations had been made to each Commissioner individually, during which she expressed concern about the SO and appreciation for new positions being included in the tentative budget. Mr. Slaughter said individual meetings were held at the Board's request and they were extremely helpful for gathering input and direction. He stated the same process would be used for the next fiscal year's budget.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 8 be accepted.

**1:15 p.m.** The Board recessed.

**2:00 p.m.** The Board reconvened with all Commissioners present.

**19-0324** **AGENDA ITEM 9** Discussion and possible action to approve a recruitment plan to recruit a new Washoe County Manager; recommend any changes to the County Manager job description, qualifications, and ideal candidate. Human Resources. (All Commission Districts.)

Human Resources (HR) Director Patricia Hurley conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: County Manager Recruitment; Recruitment Process (4 slides); Minimum Qualifications; Ideal Candidate (3 slides); and Next Steps. She stated the position could be posted later that day.

Chair Hartung thought the HR department was fully capable of finding a candidate to fill this position. He stated he was supportive of allowing HR to do the recruitment. He said many people were watching this position and he expected HR would receive a number of great candidates.

Commissioner Berkbigler asked if Chair Hartung recommended option 1. Chair Hartung stated he recommended using option 1A, which would allow HR to go to an outside firm if local recruitment was unsuccessful without having to come back to the Board for further direction.

Commissioner Berkbigler said she knew people would be interested in this position and thought there would be many applicants. She stated Washoe County was a strong area to live and the economy was stable.

Commissioner Lucey asked Ms. Hurley whether staff had identified a firm to do a national search. Ms. Hurley she stated it would Ralph Anderson & Associates, the same company used to recruit the current County Manager.

Commissioner Jung agreed option 1A provided the most flexibility. She hoped there would be enough staff to go through the applications, especially if hundreds were received. She supported option 1A also.

Chair Hartung asked Assistant District Attorney Paul Lipparelli for the process HR needed to follow to recruit for this position. Mr. Lipparelli said it was the Board's discretion to set the recruitment process to attract the right person for the job. The language of the agenda item provided flexibility including recommendations to change the County Manager job description, qualifications, and ideal candidate's information. Any qualifications could be added or subtracted and direction could be provided to Ms. Hurley and the County Manager about processes the Board wanted to employ to screen applications. He stated applications would be filtered out by experience

and qualifications. He explained there was no outline or statute for this process; it would be the decision of the Board.

Chair Hartung wanted the ideal candidate to have emergency management experience. Commissioner Lucey thought it was not necessary for the candidate to possess emergency management experience but it could be a recommendation. He stated it was a great skill but the majority of the job was purely management and addressing day-to-day issues. He wanted to see someone who had the ability to deal with those types of issues. Chair Hartung agreed the position covered a vast array of experience.

Commissioner Lucey asked how candidate interviews were done the previous time. Commissioner Jung stated an executive management firm handled all the decisions the Board was making now. She thought Ms. Hurley and her staff could handle the task with the direction provided. She noted great finance and emergency teams were already in place and the County needed a great administrator who knew how to use and inspire subject matter experts based on the policies identified by the Board. She believed Washoe County was a place people wanted to live due to a stable economy and flat finances. She stated the previous recruitment company narrowed down the applicant pool but she felt that could be completed by HR. The Board could provide broad direction about the process and the required qualifications. She noted there were many aspects to consider when filling this top-level position.

Commissioner Berkgigler read through the criteria and indicated it covered the aspects they wanted the County Manager to possess. She thought the criteria provided could be used.

Ms. Hurley was pleased the Board liked option 1A and said she her team was qualified to choose ideal candidates. She would bring an update to the Board on May 21 along with a broader discussion if necessary.

Commissioner Lucey said the Reno-Sparks Convention and Visitors Authority used search firms to hire top-level candidates and used an outside panel of individuals directly related to the business to interview candidates. He wondered who would be included in the interview process and what the guidelines would be. Chair Hartung suggested establishing selection teams before candidates were brought before the Board.

Commissioner Berkgigler recalled there were two or three panels of citizens that would not be involved in the front-end selection but would meet with the candidates who met the criteria. She wanted the qualifications left to the HR team and private sector panels be brought in when the field was narrowed down. Chair Hartung said he was not against bringing in a panel of people to interview the candidates but he only wanted to see a ranking from them; they should not be able to disqualify anyone from the interview process.

Mr. Lipparelli stated a committee formed by the Board that reported to the Commissioners would have to follow Open Meeting Law, which required agendas to be posted, and recordings and minutes be provided for each meeting. A committee that reported directly to Ms. Hurley would not be subject to Open Meeting Law.

Ms. Hurley stated she would need direction from the Board as to who they wanted on the selection team. Discussion took place amongst the Commissioners and it was determined Ms. Hurley and Mr. Slaughter would have the discretion to determine the process based on the process when Mr. Slaughter was hired.

HR Analyst Lead Indu Moore stated HR anticipated having applicants ready to interview on May 28. She said it would require time to research the best practices when Mr. Slaughter was hired. She stated HR would be the initial screener of all applications to determine qualifications, at which point they would go before a committee for ranking. She noted there was not a committee in place at this point.

Commissioner Berkbigler wanted an update at the May 21 meeting. Ms. Moore confirmed they would update the Board on that date and provide options to narrow down the applicant pool. Commissioner Berkbigler said this would be the time to use an outside firm if deemed necessary.

Chair Hartung suggested having HR narrow down the candidate pool and allowing the Board to choose from 10 possible candidates.

Chair Hartung suggested directing Ms. Hurley to use option 1A and questioned how long the position would be posted. Ms. Moore indicated the position would be posted immediately and recruitment would close on May 7.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that option 1A be used to recruit with the understanding that option 1 be used first. The minimum qualification and ideal candidate criteria lists were to be used as a guideline.

**19-0325**      **AGENDA ITEM 17** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Lemmon Valley Estates Drainage Channel Improvements Project [staff recommends RaPid Construction Inc. in the amount of \$289,982.00] Community Services. (Commission District 5.)

Director of Engineering and Capital Projects Dwayne Smith said this item was to resolve an issue that occurred during the 2016-17 flooding events in Lemmon Valley. It would allow the County to fix a drainage channel associated with the subdivision that was originally mapped in the mid-1970s. The drainage easement was accepted at that time by Washoe County for operation and maintenance. During the flood

events, significant amounts of scouring and erosion occurred and he said the water went right to property lines or further in some cases. Staff worked with a designer to come up with an appropriate design solution including scour protection. A request for bid was placed. He indicated the project was identified as a potential reimbursement project under the Federal Emergency Management Agency (FEMA). Once the construction was complete, all invoices would be submitted to FEMA for reimbursement consideration, which could result in up to 75 percent of costs being recovered.

Commissioner Berkbigler said she was curious where the channel went. Mr. Smith displayed a map of Lemmon Valley from the County website <https://gis.washoecounty.us/wrms> and explained the channel was behind two rows of houses. Commissioner Berkbigler asked where the channel started and ended. Mr. Smith noted water collected at a detention pond but when it overflowed water traveled down the drainage easement, which was significantly damaged in 2017 by flooding. He said water would move into a damaged pipe system and enter Swan Lake. He was pleased for the potential opportunity to receive any FEMA reimbursement to repair this drainage easement. He stated there was significant erosion due to the steepness of the area and armor protection was needed to prevent future erosion. He said the project would include necessary repairs, reinforcement, and a process to de-channelize the drainage easement to protect the area for the future.

Chair Hartung calculated the FEMA reimbursement to be approximately \$217,500. He thought there were a number of places in the County that needed similar repairs and wondered how to approach the needs in other areas. Mr. Smith admitted it was a challenge because the County accepted ownership of drainage and easements many years ago in some areas, as was the case in Lemmon Valley. There were a lot of areas where the County did not accept ownership and maintenance of easements. He said there was not a significant amount of funding for these types of issues. He said the County was fortunate this flooding was located in the presidentially-declared flood disaster of 2017, which provided the opportunity to receive FEMA reimbursement. He said ownership and operation had been accepted in some areas by homeowners associations, which was a typical strategy for a particular area with a series of drainage channels and basins. There were areas where no ownership existed and Washoe County had not accepted the responsibility of the drainage and channels for a variety of reasons. He said there were areas where no one knew who owned the responsibility. This was a struggle but he looked forward to other funding options in the future.

On the call for public comment, Ms. Tammy Holt-Still thought it was about time something was done for the people in Lemmon Valley.

On motion by Commissioner Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 17 be awarded and approved.

**19-0326**

**AGENDA ITEM 21** Introduction and first reading of an ordinance pursuant to NRS 278.0201 through 278.0207 approving a Development Agreement as required by the Warm Springs Specific Plan (WSSP) at WSSP.8.1 to utilize the land use designation specified on the Warm Springs Specific Plan - Land Use Plan for: Tentative Parcel Map Case Numbers WTPM17-0015, WTPM17-0017, WTPM17-0018, WTPM17-0019 and WTPM17-0020 (Palomino Ranch Estates #1, #2, #3, #4 & #5) – Which were a series of tentative parcel maps which approved the division of a 67.60 acre parcel into fifteen total lots ranging from 2.5 acres to 5 acres in size. In order to develop any property in the WSSP more densely than General Rural (1 dwelling unit / 40 acres), the specific plan requires that these development agreements be approved. Among other things, the development agreements adopt the development standards handbook for the properties in question, which specifies the denser development potential available on affected properties, which in this case would result in individual residential parcels of 2.5 acres or 5 acres in size. Additionally, the agreements would specify other aspects of allowable development on the properties, including uses allowed, density and intensity of those uses, building sizes, setbacks, building heights, and other matters concerning the development of the land. The allowable density in the High Density Rural zone is one dwelling per 2.5 acres. The applicant and property owner is LW Land Company, the subject site is approximately 67.6 acres in size and is located at the south end of Grass Valley Road, approximately ½ mile south of Whiskey Springs Road, the Assessor's Parcel Number is 077-130-23, the Master Plan Category is Rural Residential and the Regulatory Zone is High Density Rural. And, Set the public hearing and second reading of the ordinance for May 28, 2019. Community Services. (Commission District 5.)

Nancy Parent, County Clerk, read the title for Bill No. 1822.

Senior Planner Roger Pelham said this was a development agreement in accordance with the Warm Springs Specific Plan. He noted this item was brought to the Board previously but had not gone to the Warm Springs Citizen Advisory Board (CAB) at that point; it had since been approved. He conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Request; Vicinity Map; Overview (3 slides); Requirement for Development Agreement (2 slides); and Possible Motion.

Commissioner Herman said she still had concerns about placing a well and a septic system on a 2.5-acre parcel.

Chair Hartung said he had the same concern as Commissioner Herman. He stated it had been approved by a 5-0 vote of the Warm Springs CAB. He mentioned long discussions had occurred about ditches and swales. He addressed page 99 of the draft agreement, which would place the responsibility on property owners to maintain and

clean ditches and swales and provide installation of culverts where needed for proper drainage. He wondered how this would be enforced because currently maintenance was not being done. He said he met with some residents who experienced huge floods from water flowing out of the valley and he was concerned these people would come to the Board in the future claiming they could not maintain the areas due to the expense. That issue was currently happening in Spanish Springs where residents stated Washoe County needed to control the water that was flowing onto residential properties. It was determined the water flow was coming from Bureau of Land Management property. He stated enforcement was a huge concern to him.

Mr. Pelham said the construction improvement drawings that were required before a final map could be recorded would include the appropriate improvements including ditches and swales. Ongoing maintenance would fall to the property owner and he did not have an answer about how to enforce that.

Chair Hartung stated he did not know the last time storm water flows were mapped volumetrically to determine the height of the pads. Director of Engineering and Capital Projects Dwayne Smith said this dealt with offsite flows which originated from upstream properties and, according to Nevada drainage laws, downstream parcels were required to accept the flow. When staff reviewed a proposed development, it was important to create those elements that allowed for the perpetuation of storm water flows through the property. He said those conditions were being placed on the plans, which set the expectation that private property owners had a responsibility to maintain swales, ditches, and culvert piping to perpetuate offsite flows through the property. In situations where someone did not perform maintenance, something would usually happen downstream that impacted a parcel. The County would then receive a call to research the source of the water and whether easements were involved, and they would deal with the property owners to provide resources and maps. The property owners would be responsible to work with each other to resolve the issue. Staff would become involved to resolve any issues where Washoe County accepted responsibility and operated and maintained the property. He indicated other steps could be required to enforce the responsibilities. The property owner was expected to maintain the elements on their property.

Chair Hartung asked whether these expectations were included in Chapter 110 of the Code. Mr. Smith confirmed they were there as well as in the Truckee Meadows Drainage Manual.

Chair Hartung said he liked Attachment C on page 230 about future assessment districts. He wondered whether adding this language would make owners be responsible for future assessment districts and bind them to pay additional fees. Mr. Pelham stated yes and explained this was a standard provision within this type of development agreement.

Chair Hartung said the Palomino Valley General Improvement District (GID) would handle the roads but noted they had serious concerns about the proposal

because Ironwood Road was a narrow, 20-foot road and the surfacing consisted of a thin cape seal. He wondered how this widening would be conditioned. Mr. Pelham stated this was conditioned with tentative parcel maps and the applicant would be required to build a road to County standards out to a public right of way. The development would be held to the same standards as any other subdivision.

Chair Hartung said the road would still be dirt even when built to County standards. Mr. Pelham thought the road would be paved but he was not certain.

The applicant Brian Murphy stated the roads and infrastructure would be built to the County's standards. He indicated neither the County nor the GID would accept responsibility for the roads so all roads would be private and drainage and swales would be the responsibility of the property owners.

Chair Hartung expressed concern about 2.5-acre parcels although he knew that was the minimum size for a well. Mr. Murphy corrected Chair Hartung by stating the minimum size for a well was one acre. Chair Hartung asked Mr. Pelham about the minimum acreage for a well. Mr. Pelham stated the general standard for the Health Department was to use a well and septic system on 5-acre parcels. The exception to the rule was the first parcel map recorded subsequent to October of 2001. The first parcel of land could have three parcels created on one acre each and still have a well and septic system. In this case, the minimum was 2.5 acres because it was in a high density rural zone.

Chair Hartung asked how many acre-feet were dedicated to each parcel. Mr. Murphy stated it was 2.5 acres per parcel. There were a total of 15 parcels, of which three would be 2.5-acre parcels and twelve would be 5-acre parcels. He said he would have only used 5-acre parcels if he had known it would be an issue. He stated it would be very expensive to complete the infrastructure and roads, so they wanted to add an additional parcel to help cover some of the costs.

Chair Hartung wondered whether this would set a precedent to force the County to use 2.5 acre parcels in the future. Assistant District Attorney Paul Lipparelli thought the existence of the 2.5-acre parcels was a product of the existing plan. It was part of the architecture of having density in the center and moving out from there. The decision about how to set zoning and masterplan designations for property was the highest order legislative act done in the planning realm, so there was a lot of discretion in making those decisions without being forced to allow 2.5-acre zoning in other areas. He said it was a clearly protected discretionary decision that would stand up in court.

There was no response to the call for public comment.

Bill No. 1822 was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

## **PUBLIC HEARING**

**19-0327**

**AGENDA ITEM 22** Public Hearing: Re-hearing and possible adoption of resolutions adopting Master Plan Amendment Case Number WMPA18-0009 (1015 US Highway 395 S) and Regulatory Zone Amendment Case Number WRZA18-0008 (1015 US Highway 395 S), and if adopted, authorize the Chair to sign the resolutions to that effect: Master Plan Amendment: To adopt an amendment to the South Valleys Area Plan, a component of the Washoe County Master Plan, to add the Master Plan Category of Rural (R) on a ±2.56 acre parcel that was previously part of the Nevada State Department of Transportation (NDOT) right-of-way and currently has no assigned Master Plan Category. If adopted, the Master Plan Amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission;

AND

Regulatory Zone Amendment: Subject to final approval of the associated Master Plan Amendment change and a finding of conformance with the 2012 Truckee Meadows Regional Plan, to recommend adoption of an amendment to the South Valleys Regulatory Zone Map, to add the Regulatory Zone of General Rural (GR) on a ±2.56 acre parcel that was previously part of the Nevada State Department of Transportation (NDOT) right-of-way and currently has no assigned Regulatory Zone. The site is located at 1015 US 395 Highway S. The parcel (046-051-49) is ±2.56 acres in size and is within the South Valleys Area Plan. The property owner is Michael D & Penny L Sayan. Community Services. (Commission District 2.)

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

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 21 be adopted and approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

**19-0328**

**AGENDA ITEM 23** Public Hearing: Second reading and adoption of an ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207, approving Amendment of Conditions Case Number WAC19-0001, amending Development Agreement DA09-002, originally approved in 2009 and previously amended in 2013 (Amendment of Conditions AC13-006), to extend the deadline for filing the next final map for Sun Mesa Tentative Map TM04-001 (approved for 207 lots) to April 28, 2020, with all subsequent final maps submitted for filing after April 28, 2020 being subject to the deadlines set forth in NRS 278.360. The applicant and property owner is Landstar Sun Mesa, LLC. The parcel (APN 504-460-02) is located at the eastern terminus of Sun Mesa Drive in the Sun Valley planning area and is approximately 37-acres in size. It has a master plan category of Suburban Residential and regulatory zones of Medium Density Suburban and Open Space. The property is within the boundaries of the Sun Valley Citizen Advisory Board. This request is regulated under Washoe County Development Code Article 814. The proposed ordinance was introduced and a first reading conducted on April 9, 2019. Community Services. (Commission District 5.)

The Chair opened the public hearing.

Nancy Parent, County Clerk, read the title for Ordinance No. 1634, Bill No. 1821.

Commissioner Herman said Sun Mesa residents were very upset about the condition of their roads, which had been placed on a long list of roads to be repaired. The residents wanted roads repaved before building started because construction equipment would raise a significant amount of dust when they used the roads.

Planner Kelly Mullin said she would speak with engineering and planning staff assigned to this case to ensure the conditions of approval associated with the original tentative map approval were being met.

Assistant County Manager Dave Solaro explained those roads had already been accepted by Washoe County and would be treated exactly like all roads built to Development Code standards. Staff continued to work with the homeowners association on requests they had received related to those roadways. He did not know the pavement condition index of those roads but said they strove for an index of 72. The last time he looked at the roads in Sun Mesa, they were all well above that index. He acknowledged the homeowners association's concerns but all roadways in Washoe County were built and constructed appropriately. He would ensure that future development was done appropriately. He said this was no different than any other development in Washoe County where conditions of approval were required.

Commissioner Herman stated residents were told the roads were due for repaving because the conditions were getting bad. She said she received complaints and

wanted to see if something could be done about the main roads where construction equipment would travel. Mr. Solaro they would condition subdivision travel routes if it was within staff's purview according to the Development Code.

Chair Hartung said he saw roads become dilapidated in the Stead area where construction was being done. He wondered about the impact of significant travel by large machinery on roads. He said construction companies which deployed trucks that destroyed roads should be liable to ensure those roads were in as good or better condition than when construction started. Mr. Solaro said staff spoke with developers about how to mitigate the impacts of haul routes during the street cut permit part of the process. He provided an example of a development that was conditioned to include a haul route and perform repairs before approval. He believed it had been taken into account with this process as well. He admitted they could not track this all the way back to the source of the construction equipment. The reason there were development standards for roadways was to take into account some wear and tear as well.

Angela Fuss spoke on behalf of the applicant and stated she did not get into that level of detail in the discussion as part of the process. The tentative map was approved quite some time ago and this was the third phase. The previous phases were approved, built, and constructed through a separate property owner. A new property owner was building this phase. The final map for this phase was required to comply with code based on current Washoe County standards. Any questions about issues in previous phases did not apply to this phase. She said they were moving forward with the current codes. She confirmed haul routes had to be identified and the applicant had to ensure routes were left in the same or better condition than when work started. There were practices in place that this phase had to adhere to as well as any future phases. She stated concerns about haul road condition would be dealt with in this phase.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Ordinance No. 1634, Bill No. 1821, be adopted, approved and published in accordance with NRS 244.100.

**19-0329**     **AGENDA ITEM 24** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County, 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 to be of critical significance to Washoe County. Manager. (All Commission Districts.)

County Manager John Slaughter stated today was the first house deadline, meaning all bills had to be off the floor of the house where it was introduced. He said the only difference was a move to a 'neutral' status on a sexual assault bill. He noted there were no updates at this time but more information could be released the following week.

Commissioner Lucey asked whether budgets were closing today as well. Mr. Slaughter stated they were closing soon but he was unsure whether it was today.

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

**19-0330**      **AGENDA ITEM 25** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and Truckee Meadows Fire Protection District per NRS 288.220.

County Manager John Slaughter said there was no need for a closed session.

**19-0331**      **AGENDA ITEM 26** Public Comment.

There was no response to the call for public comment.

**19-0332**      **AGENDA ITEM 27** Announcements/Reports.

There were no announcements or reports.

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**3:27 p.m.**      There being no further business to discuss, the meeting was adjourned without objection.

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**VAUGHN HARTUNG**, Chair  
Washoe County Commission

ATTEST:

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

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