

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

TUESDAY

10:00 A.M.

MAY 21, 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 10:16 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:

19-0341 AGENDA ITEM 3 Public Comment.

On the call for public comment, Mr. Gerry Mifsud spoke about a party he was organizing for seniors on July 14 at Paradise Park. He noted he had support from the Reno City Council and had received a generous donation of \$500 from Commissioner Jung. He stated the Sierra Arts Foundation was his fiscal agent. He said there would be music, food trucks, and senior services and organizations at the event. He hoped to empower seniors to seek out and help other seniors. He said seniors and children were valuable and vulnerable and deserved to be protected. He requested support from the Board for the event.

Mr. Tim Stoffel spoke about Senate Bill (SB) 143, which he said tried to repair problems with Ballot Question 1 from 2016 regarding background checks and firearms. He stated the bill was poorly written, would not solve the problems it intended to solve, and was unenforceable. He said many Sheriff's departments in the state had decided they would not try to enforce the law because they believed it went against the Second Amendment of the Constitution. He encouraged the Board to ask the Washoe County Sheriff to oppose SB 143.

Mr. Vance Rushing spoke about laws concerning firearms. He stated he had a book of all gun laws from Germany from 1928 to 1938. He said he read all of the firearm laws in Carson City and believed they resembled the laws from Germany. He spoke about mass public disarmament, crime statistics, and the relationship between gun

ownership and violent crime rates. He suggested Washoe County become a Second Amendment sanctuary county.

Ms. Tammy Holt-Still displayed a document, a copy of which was placed on file with the Clerk. She said it was a holistic comprehensive plan for Lemmon Valley. She stated she was one voice but spoke for many residents. She spoke about a meeting scheduled for Thursday, May 23 between Western Regional Water and the Truckee Meadows Water Authority to discuss pumping water to the Tahoe Reno Industrial Center (TRIC). She asserted protecting the Lemmon Valley water treatment plant was too costly. She noted she would speak about the comprehensive plan for Lemmon Valley at the City of Reno Planning Commission meeting on June 19.

Mr. Peewee Henson urged the Commissioners to make Washoe County a Second Amendment sanctuary county. He said the Board would be responsible for the bad things that might happen if an entity attempted to disarm residents.

Mr. Sam Dehne spoke about the flooding in Lemmon Valley, the pipeline to the TRIC, his YouTube videos, his flight experience, Reno media, and the Wildcreek High School project.

Mr. Ryan McKinney mentioned that Truckee Meadows Fire Protection District Chief Charles Moore incorrectly stated the Pacific Gas and Electric Company was not responsible for the California Camp Fire. He spoke about the flooding in Lemmon Valley. He stated upgrades to the treatment plant needed to address requirements for the next 15 years. He asserted the effluent being pumped into Swan Lake was causing the flooding issues.

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

Nancy Parent, County Clerk, stated she received email correspondence from Donna Kapala regarding a Lemmon Valley update, a copy of which was placed on the record for the meeting.

19-0342 AGENDA ITEM 4 Announcements/Reports.

County Manager John Slaughter said Assistant County Manager Dave Solaro met with Citizen Advisory Board (CAB) members from the North Valleys, Warm Springs, and West Truckee Meadows/Verdi on May 10. He indicated a pilot program would be started with those three CABs to include one non-development project chosen by the Chair of the CAB and arranged by County staff. The pilot program would be revisited in six months to determine the effectiveness of the program to meet the needs of residents. He said staff had launched a FlashVote survey the previous day to gather additional information from the community about CABs.

Mr. Slaughter mentioned the noticing process required by County Code had been completed for Quartz Lane. He stated the cleanup of Quartz Lane began on May

20 with the assistance of Sheriff's Office work crews. He said workers would initially remove garbage then the vehicles would be towed away. He estimated the work would be completed by the end of May. He noted the Sheriff's Office had committed to patrolling the area to help prevent further dumping.

Regarding speeding and speed controls, Mr. Slaughter stated the County had adopted the Washoe County Development Code Manual of Uniform Transportation Control Devices from the Institute of Transportation Engineers as the standard for consistent traffic design in the County. He said staff was working with a local professional traffic engineer to develop a process for addressing requests from the public for changes to the standards. He indicated the work would be the basis for potential policy changes which would go before the Board in August. It was expected that the policy change would result in the development of a prioritized list of potential projects to be considered over the next year.

Chair Hartung asked Mr. Solaro to provide an update about the request to change the light pole on Pyramid Highway which remained damaged. He expressed interest in a update about stop signs in areas where issues had been experienced such as Silent Sparrow Drive.

PROCLAMATIONS

19-0343 **5A1** Proclaim May 19, 2019 through May 25, 2019 as National Public Works Week.

Commissioner Jung read the Proclamation and presented it to Eric Crump, Division Director of Operations for the Community Services Department. Mr. Crump thanked the Commissioners for the Proclamation. He expressed appreciation for the public works employees throughout the County who served the community every day through all types of weather conditions. He thanked public works employees for their dedication.

Chair Hartung recognized Mr. Sam Dehne wanted to make public comment but stated the Board would take public comment on Agenda Item 5 after all Proclamations were read. Mr. Dehne objected to having to wait to make public comment.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 5A1 be adopted.

19-0344 **5A2** Proclaim May 19-25, 2019 as Emergency Medical Services Week.

Commissioner Berkbigler read the Proclamation and presented it to Adam Heinz, Director of Clinical Communications for the Regional Emergency Medical Services Authority (REMSA). He said it was a pleasure to serve the citizens of Washoe County. He stated REMSA's relationship with the County was very collaborative and

thanked the Board for their support. He mentioned REMSA had many events planned for the week to recognize and celebrate all of their emergency medical services (EMS) professionals.

On the call for public comment, Mr. Sam Dehne stated he signed up to speak on Agenda Item 5A1, which was marked for possible action on the agenda. He said it was wrong for the Board to make him wait to speak until after the other Proclamation. He stated public works was arguably the most important issue besides law enforcement safety. He commended public works employees for the work they performed throughout the year. He spoke about the water pipeline for the Tahoe Reno Industrial Center, the EMS, and REMSA.

Truckee Meadows Fire Protection District (TMFPD) Chief Charles Moore remarked the TMFPD had a wonderful working relationship with REMSA. He said they trained, responded to calls, and developed protocols together. He stated the system was working well. He noted EMS was 80 percent of what the TMFPD did and they were happy to be a partner in serving the community.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 5A2 be adopted.

DONATIONS

19-0345 **6A1** Recommendation to accept monetary donations to Washoe County Regional Animal Services [\$10,496.00] received from January 1, 2019 to March 31, 2019 to be used for the humane care and treatment of sick and/or injured, stray, abandoned, or at risk animals received; express appreciation for these thoughtful contributions; and direct the Comptroller's Office to make the necessary budget amendments. Animal Services. (All Commission Districts)

19-0346 **6B1** Recommendation to accept the donation of an out-of-service passenger bus [estimated value of \$3,000] from Amador Stage Lines to the Regional Public Safety Training Center (RPSTC) to be used as a training prop. Sheriff. (All Commission Districts)

19-0347 **6B2** Recommendation to accept military surplus equipment [overall estimated value \$1,569.60, no charge to the County] donated to the Washoe County Sheriff's Office to be utilized to support Special Operations and the Community Engagement Office of Washoe County Sheriff's Office. Sheriff. (All Commission Districts.)

19-0348 **6C1** Recommendation to (1) acknowledge various items donated totaling an estimated market value of [\$24,330] retroactive for the period February 1, 2019 through April 20, 2019 and; (2) accept cash donations to Washoe County Human Services Agency to support child welfare activities in the amount of [\$15,510.00] retroactive for the period February 11, 2019 through April 20, 2019 and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

19-0349 **6C2** Recommendation to accept cash donations to the Human Services Agency -Senior Services Fund to support operations of the Washoe County Senior Centers in the amount of [\$335.70] retroactive for the period February 11, 2019 through April 20, 2019; and direct the Comptroller to make the necessary budget amendments. Human Services Agency. (All Commission Districts)

Commissioner Jung read the donations and thanked everyone who donated to Washoe County, allowing the County to achieve its mission to provide and sustain a safe, secure, and healthy community.

On the call for public comment, Ms. Cathy Brandhorst spoke about matters of concern to herself with regard to Agenda Item 6A1.

County Clerk Nancy Parent stated she received email correspondence from Annmarie Grant regarding Agenda Item 6B2, a copy of which was placed on the record.

On motion by Commissioner Jung, seconded by Commissioner Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 6A1 to 6C2 be accepted.

CONSENT AGENDA ITEMS – 7A1 THROUGH 7E3

19-0350 **7A1** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners. Clerk. (All Commission Districts.)

19-0351 **7A2** Approval of minutes for the Board of County Commissioners' regular meeting of April 9, 2019. Clerk. (All Commission Districts.)

19-0352 **7B1** Recommendation to Acknowledge Receipt of the Distinguished Budget Presentation Award for Fiscal Year 2018-2019 from the Government Finance Officers Association (GFOA). Manager's Office. (All Commission Districts.)

- 19-0353** **7B2** Recommendation to acknowledge the Board of County Commissioners Quarterly Dashboard Report. Manager's Office. (All Commission Districts.)
- 19-0354** **7B3** Recommendation to approve, on the recommendation of the Chair, the reappointment of Lisa Gianoli to the Reno-Tahoe Airport Authority representing Washoe County, beginning on July 1, 2019, and ending on June 30, 2023. Manager's Office. (All Commission Districts.)
- 19-0355** **7B4** Recommendation to approve Commission District Special Fund disbursement [in the amount of \$2,500] for Fiscal Year 2018-2019; District 5 Commissioner Jeanne Herman recommends a [\$1,250] grant to the Board of Regents of the University of Nevada to support Washoe County 4-H Livestock Leaders for youth members as they pursue their personal goals to learn about the livestock industry; and a [\$1,250] grant to the Board of Regents of the University of Nevada to support Washoe County 4-H Horse Leaders for youth members as they pursue their personal goals to learn about the horse industry and affiliated programs and or careers; approve Resolution necessary for the same; and direct the Comptroller's Office to make the necessary disbursements of funds. Manager's Office. (Commission District 5)
- 19-0356** **7B5** Recommendation to approve Commission District Special Fund disbursement in the amount of [\$17,323] for Fiscal Year 2018-2019; District 4 Commissioner Vaughn Hartung recommends a [\$17,323] grant to the Washoe County Sheriff's Office to support the Special Weapons And Tactics Team (S.W.A.T.); approve Resolution necessary for the same; and direct the Comptroller's Office to make the necessary cross-functional budget appropriation transfers of funds. Manager's Office. (Commission District 4)
- 19-0357** **7B6** Recommendation to approve Commission District Special Fund disbursement in the amount of [\$14,000] for Fiscal Year 2018-2019; District 3 Commissioner Kitty Jung recommends a [\$500] grant to the Sierra Arts Foundation to support the Senior Citizens Picnic ("Us Seniors Block and Roll Party") and a [\$13,500] grant to the Sun Valley General Improvement District (SVGID) to support their recreational programs; approve Resolutions necessary for same; and direct the Comptroller's Office to make the necessary disbursements of funds. Manager's Office. (Commission District 3)
- 19-0358** **7C1** Recommendation to acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the Nine Months Ended March 31, 2019 - Unaudited. Comptroller. (All Commission Districts.)

- 19-0359** **7D1** Recommendation to approve acceptance of reimbursement costs [up to \$45,000.00, no match required] for overtime and other expenses incurred by deputies assigned to work with the U.S. Immigration and Customs Enforcement Homeland Security Investigations (ICE-HSI). If approved, direct the Comptroller's Office to make the necessary budget amendments and authorize the Sheriff to execute the Memorandum of Understanding (MOU) between Immigration and Customs Enforcement and Local, County, or State Law Enforcement Agency for the Reimbursement of Joint Operations Expenses from the Treasury Forfeiture Fund. Sheriff. (All Commission Districts)
- 19-0360** **7D2** Recommendation to approve Sheriff's Security Agreement between the Sierra Nevada College and the County of Washoe on behalf of Washoe County Sheriff's Office to provide uniformed Deputy Sheriffs for security [estimated costs will be \$560.00] retroactively, during the 2019 Sierra Nevada College Commencement Exercises on May 18, 2019. Sheriff. (All Commission Districts)
- 19-0361** **7D3** Recommendation to approve acceptance of reimbursement costs [\$13,000.16, no match required] from the USDA Forest Service Humboldt-Toiyabe National Forest for overtime costs incurred while involved in the Cooperative Law Enforcement Agreement #16-LE-11041701-008 Mod 04 for the retroactive period of March 13, 2019 - October 31, 2020; and if approved, authorize Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 19-0362** **7E1** Recommendation to approve an Interlocal Contract Between Public Agencies, Nevada Department of Health and Human Services Division of Health Care Financing and Policy and Washoe County, in an annual amount of FY20 [\$1,434,812] and FY21 [\$1,212,262] for the period July 1, 2019 through June 30, 2021 for the Disproportionate Share Program for certain indigent services. Human Services Agency. (All Commission Districts)
- 19-0363** **7E2** Recommendation to approve the Washoe County Human Services Agency's Title VI Policy as required in the Enhanced Mobility of Seniors and Individuals with Disabilities sub-recipient agreement between the Regional Transportation Commission and Washoe County approved on January 8, 2019; and authorize the Director of the Human Services Agency to execute the policy documents. Human Services Agency. (All Commission Districts)

19-0364 **7E3** Recommendation to approve the reclassification of the grant funded Human Services Case Worker II position number 70010028, pay grade Y/LL to a Human Services Case Worker III, pay grade Y/NN, as evaluated by the JEC, retroactive to February 12, 2019; and authorize Human Resources to make the necessary changes. [Net fiscal impact to salaries and benefits is estimated at \$1,574.11 in FY19]. Human Services Agency. (All Commission Districts.)

County Manager John Slaughter pointed out Consent Agenda Item 7B1 acknowledged receipt of the Distinguished Budget Presentation Award for Fiscal Year 2018-2019 from the Government Finance Officers Association. He congratulated Senior Fiscal Analyst Patricia Buxton, Senior Fiscal Analyst Kari Estrada, Fiscal Analyst Valerie Gilmore, Fiscal Analyst Brianna McBride, and Budget Manager Lori Cooke for the award.

Commissioner Jung noted she and two other Commissioners had made donations using the remainder of their discretionary funds for the fiscal year. She noted Consent Agenda Item 7B4 listed Commissioner Herman's fund disbursement, 7B5 listed Chair Hartung's disbursements, and 7B6 listed her own disbursements. She thanked Commissioner Herman and Chair Hartung for their activism, advocacy, and support of 4-H and the Sheriff's Office Special Weapons And Tactics Team. Chair Hartung thanked Commissioner Jung for her donations.

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

On motion by Commissioner Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 7A1 through 7E3 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 7A1 through 7E3 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 8 THROUGH 12

19-0365 **AGENDA ITEM 8** Recommendation to approve two appointments to the Washoe County Audit Committee of Randy Brown and Matthew Buehler, each to fill a two-year term beginning June 1, 2019 and ending May 31, 2021 as well as re-appointment of Denise Jacobsen with a two year term beginning August 1, 2019 and ending July 31, 2021 and discussion and possible action with regard to appointment of an alternate Commissioner to serve on the Audit Committee from the Internal Audit Division. Manager's Office. (All Commission Districts)

Chair Hartung asked Assistant District Attorney Paul Lipparelli how the Board should proceed with the item. Mr. Lipparelli responded the Open Meeting Law allowed for the appointment of alternates if the law that created the public body specifically allowed it. He surmised the Audit Committee allowed for alternates so the

Board could appoint one or more Commissioners to serve as alternates. Chair Hartung asked whether he referred to a County Commissioner. County Manager John Slaughter replied that was correct.

Mr. Slaughter explained the membership of the Audit Committee was designated through County Code. The bylaws of the Audit Committee had changed so they were adding two citizen members. The recommendation was for Mr. Brown and Mr. Buehler to fill those citizen positions. Staff also recognized that an alternate Commissioner had not been appointed, which was why the item was before the Board.

Commissioner Berkgigler asked which Commissioner was currently appointed to the Audit Committee. Samantha Pierce, Internal Auditor, replied Commissioner Jung was the only Commissioner on the committee. Commissioner Berkgigler suggested Commissioner Herman be appointed as the alternate. Commissioner Herman responded in the affirmative. Chair Hartung agreed with Commissioner Berkgigler's suggestion.

Chair Hartung asked Mr. Lipparelli whether the Board could keep that item within the block vote. Mr. Lipparelli replied they could.

Commissioner Herman commented she did not know the people on the committee and requested they introduce themselves in the near future. Mr. Slaughter noted Mr. Brown was in Chambers earlier but had left.

There was no response to the call for public comment.

On motion by Commissioner Berkgigler, seconded by Chair Hartung, which motion duly carried on a 5-0 vote, it was ordered that Randy Brown and Matthew Buehler be appointed to the Washoe County Audit Committee and Commissioner Herman be appointed as the alternate.

19-0366 **AGENDA ITEM 9** Recommendation to approve the Refund of Surplus Assessment Funds in the amount of [\$4,347,866.36] for the 1,090 properties in Special Assessment District #23 – Southwest Pointe/ArrowCreek (No Fiscal Impact to the General Fund). Treasurer. (Commission District 2.)

There was no response to the call for public comment.

On motion by Commissioner Berkgigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 9 be approved.

19-0367 **AGENDA ITEM 10** Recommendation to award Washoe County Bid No. 3068-19 for orthophotography, oblique imagery, and 2- foot contour products on behalf of the Washoe County Regional Basemap Committee members (Washoe County, the cities of Sparks and Reno, and NV Energy) and the Washoe County Assessor to Pictometry International, Corporation, 25 Methodist Hill Dr., Rochester, NY 14623, in the amount not to exceed [\$999,765.00]; and authorize the Purchasing and Contracts Manager to execute the agreement with Pictometry International, Corporation including the purchase of additional mapping products through December 31, 2023. Technology Services. (All Commission Districts.)

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

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

19-0368 **AGENDA ITEM 11** Recommendation to approve an Interlocal Contract between the Department of Health and Human Services (Division of Health Care Financing and Policy) and the County of Washoe to authorize Human Services Agency to participate in claiming allowable reimbursements covered under Federal Title XIX of the Social Security Act, for activities performed for Medicaid Targeted Case Management (TCM) Services, Adult Day Health Care Direct Services, and Medicaid Administrative Services, retroactive July 1, 2017 to June 30, 2022 for approximately [\$4,800,000] for SFY 2018, [\$5,600,000] for SFY 2019, [\$5,900,000] for SFY 2020, [\$6,100,000] for SFY 2021 and [\$6,100,000] for SFY 2022 with a total reimbursement not to exceed [\$28,500,000] for the term of the contract; and if approved, authorize Chairman to execute Contract. Human Services Agency. (All Commission Districts).

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 Agenda Item 11 be approved and authorized.

19-0369 **AGENDA ITEM 12** Recommendation to approve a Temporary Assistance to Needy Families (TANF) Emergency Assistance Program Sub-award from the State of Nevada, Department of Health and Human Services, Division of Welfare and Supportive Services in the amount of [\$1,400,000.87; no county match] for Washoe County Child Welfare Services retroactive February 1, 2019 through January 31, 2020; authorize the Director of the Human Services Agency to execute the subgrant award documents; and direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts).

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 Agenda Item 12 be approved, authorized, and directed.

PUBLIC HEARINGS

19-0370 **AGENDA ITEM 13** Public hearing discussion and possible action on the Washoe County Tentative Budget, as well as possible changes to the adoption of the Final Budget for Fiscal Year 2020; approve the changes to position control for Fiscal Year 2019 indicated on Attachment A; and approve the fee updates indicated on Attachment B. This item may be continued to May 28, 2019 at 10:00 AM. (All Commission Districts). Manager's Office. (All Commission Districts).

County Manager John Slaughter introduced the public hearing.

Commissioner Berkbigler disclosed that her daughter worked for Washoe County as an Account Clerk II for the Human Services Agency. She stated she made the disclosure under the Nevada Ethics in Government Law on advice from County legal counsel. She stated her daughter was a classified employee and would receive no unique benefit from the potential approval of the budget. She indicated she had no financial interest in her daughter's earnings and said her potential vote on the budget would not be affected by her daughter's employment status. She intended to participate and vote on Agenda Item 13.

Commissioner Lucey disclosed his wife had a contract to provide service as an independent contractor for the Human Services Agency. He noted his potential vote on the County budget was not affected by his relationship with his wife. He said the approval of the tentative budget would not be an approval of his wife's contract and he had previously abstained from participating in the consideration of that contract. He noted he made the disclosure on the advice of counsel and intended to participate and vote on the tentative County budget.

Mr. Slaughter conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Budget Process; FY 2020 Final Budget (3 slides); Summary of Overall Budget FY 2020; and FY 2020 Budget Recommendations (5 slides).

Mr. Slaughter noted the Board had made protecting the vulnerable populations a priority and it was reflected in the annual budget.

Chair Hartung asked Mr. Slaughter to explain what a full-time equivalent (FTE) was. Mr. Slaughter indicated it represented an employee position. He noted partial FTEs represented part-time positions.

Chair Hartung commented the Northern Nevada Adult Mental Health Services (NNAMHS) campus would not only deal with vulnerable populations, it would also be an extension of the Crossroads Program. He said the Crossroads Program worked to keep people out of jail and get them on a sober and productive path. He stated it was an expenditure for NNAMHS but it saved money elsewhere in the County budget. Mr. Slaughter pointed out some additional NNAMHS programs focused on the most vulnerable populations such as families, youth, and women. Chair Hartung thanked Human Services Agency Director Amber Howell for taking something which was sitting idle in the community and developing the NNAMHS campus.

Lori Cooke, Budget Manager, noted there was a typo on slide 11; the positions listed as Human Services below the Human Services-Indigent positions were part of the 21 new indigent positions for NNAMHS. She reviewed slides with the following titles: FY 2020 General Fund Budget; General Fund Long-Range Forecast; General Fund Unrestricted Fund Balance; Special Revenue Funds; Capital and Debt Funds; and Proprietary Funds.

Ms. Cooke stated the General Fund was the largest appropriation fund for the County. She noted the majority of the fund increase in the year-end estimate for 2019 was due to the savings from the Consolidated Tax repayment being repaid over 18 months versus the budgeted 12 months. The resulting 14.6 percent unrestricted fund balance percentage was trending lower but was within the Board's policy range of 10 to 17 percent.

Chair Hartung asked Ms. Cooke to clarify whether the fund balance had gone down because expenses exceeded revenues. Ms. Cooke replied no, the fund was trending lower as a percentage of total expenditures.

Ms. Cooke indicated Health, Indigent Tax Levy, and Child Protective Services funds constituted \$125 million of the \$198 million in appropriations for the County's 15 special revenue funds. Chair Hartung asked where the appropriations came from. Ms. Cooke replied the funds were from a variety of sources, including ad valorem taxes and funds from users, grants, fees, donations, and other restricted revenues. Some

of the funds had mixed funding sources, such as donations, general funds support, and ad valorem taxes combined.

Mr. Slaughter reviewed slides with the following titles: Outstanding Fiscal Year 2020 Items; Next Steps.

Commissioner Jung congratulated the all-female team of finance personnel. She thanked them for their efforts and congratulated them on the honor of the Distinguished Budget Presentation Award they received every year. She believed their responsibility was one of the highest in the County.

Commissioner Lucey thanked Manager's Office staff and the budget team for allowing the change in the budget process. He thought the process was truly transparent and he enjoyed the way they reached the tentative budget. He expressed joy because the County would move forward with a balanced approach across all departments while staying fiscally conservative yet optimistic.

Commissioner Berkbigler congratulated the all-female finance team and thanked them for their work and receptiveness.

Commissioner Herman thanked the budget team.

Chair Hartung expressed gratitude for the efforts of the budget team. He noted Washoe County was the second largest county in Nevada and it operated with a robust budget, though it had been running lean for some time. He said the requests for additional employees from many departments had to be deferred. He acknowledged it had been difficult to run an organization as large as the County on an outdated budget. He expressed appreciation for the consideration given to where jobs were needed throughout the entire County

There was no response to the call for public comment.

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

19-0371 **AGENDA ITEM 14** Discussion and possible action on the County Manager's recommended Capital Improvement Plan (CIP) for Fiscal Years 2020-2024 and direct the County Manger to submit the CIP to the State of Nevada and others by August 1, 2019. This item may be continued to May 28, 2019 at 10:00 AM. Manager's Office. (All Commission Districts).

Budget Manager Lori Cooke stated Nevada Revised Statute 354.5945 required local governments to prepare a five-year (CIP) annually. The Washoe County Plan included capital projects that cost over \$100,000 per year and had assets with a

lifespan of more than one year; purchases might be capital purchases in nature but not meet the criteria for inclusion in the plan.

Ms. Cooke conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. She reviewed slides with the following titles: Washoe County Capital Improvements Plan Fiscal Year 2020-2024; FY20 Capital Improvement Fund – New Projects (3 slides); FY20 Parks Capital Fund – Highlights; FY20 Utilities Capital Fund – Highlights; and Long Term Capital Needs for Major New Facilities/Projects.

Ms. Cooke noted the Fiscal Year (FY) 2020 budget adopted in Agenda Item 13 included the Year 1 fund amounts of the CIP. She explained the CIP process paralleled the annual budget process, including meetings with departments and project request submissions. The CIP Committee was composed of the three Assistant County Managers, the County Chief Information Officer, the Comptroller, and the Budget Manager.

Ms. Cooke indicated the focus was often on the Capital Improvement Fund, which only included new projects without any carry forward balances. She mentioned there had been a time when the majority of the projects in the fund were funded with General Fund transfer support, but the General Fund transfer support in FY 2020 was \$6.4 million so it would not support all of the projects outlined in the CIP. She said the current fund included projects with blended, leveraged, or multiple funding sources. She highlighted the Northern Nevada Adult Mental Health Services (NNAMHS) campus remodel project, stating a number of funding sources were used to reach the budgeted amount.

Commissioner Lucey thanked staff for the comprehensive CIP plan. He mentioned the Board constantly looked at massive CIP plans which required significant improvement in future years. He asserted the Board needed to work toward diminishing the list of projects on the CIP rather than growing it. He challenged the Board to look for additional sources of revenue. He stated the Commissioners needed to discuss funding for CIP initiatives because they were responsible for providing services to the community.

Chair Hartung noted the programs in the CIP were visible to residents because they noticed a lack of funding for parks or roads, although they might not notice internal issues. He said the CIP was extremely important because it was how the County funded the facilities utilized by residents on a daily basis.

There was no response to the call for public comment.

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

19-0372 **AGENDA ITEM 15** Public Hearing and possible action to hold the first reading of an ordinance: (1) amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); (2) providing for a notice of a public hearing and other matters relating thereto; and (3) setting the public hearing for the second reading and possible adoption on June 11, 2019; AND, Hold the first reading of an ordinance: (1) imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; (2) providing for a notice of a public hearing and other matters relating thereto; and (3) setting the public hearing for the second reading and possible adoption on June 11, 2019. Community Services. (All Commission Districts.)

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

County Clerk Nancy Parent read the title for Bill No. 1823.

Ms. Parent read the title for Bill No. 1824.

Director of Engineering and Capital Projects Dwayne Smith said the agenda item concerned the Central Truckee Meadows Remediation District (CTMRD). The contaminant boundary and service boundary were adjusted on an annual basis as needed. He explained the contaminant boundary identified areas where plumes of Perchloroethylene (PCE) contamination existed underground. Staff monitored the PCE plumes and adjusted the boundary if necessary. He indicated there were no changes to the contaminant boundary for the current year.

Mr. Smith said the service boundary area was critical because it provided a funding source to monitor and mitigate groundwater contamination issues. Based on Nevada Revised Statute, any water service purveyor with municipal wells within a contaminate boundary was subject to fees which were paid by water users. He said the service boundary changed each year when new areas were added or annexed to the service territory. When a new development went online, the service boundary expanded and the fees were adjusted based on the number of users. He stated the fees had basically stayed the same for the current year. He noted the primary water service purveyor was the Truckee Meadows Water Authority (TMWA).

Chair Hartung asked whether contaminants were removed as the water was used or whether the water was removed, cleansed, and reinjected. Mr. Smith replied the CTMRD lead the efforts in partnership with the TMWA to construct stripping towers for TMWA wells to remove a significant amount of PCE material annually. He said a second method for removing PCE from the environment directly had been identified. County staff was working with State staff to define the responsibilities for both property owners and the County who would serve as the contractor removing the contaminants.

Chair Hartung noted the contaminants were solvents and many sources of contamination were very old. He asked whether the current owner of a property would be held responsibility for the contamination. Mr. Smith replied the State had funds to help but the burden of responsibility for a property which caused an impact was primarily on the property owners. He clarified County funds were primarily used for analysis, identification, and management of the program.

There was no response to the call for public comment.

Bill No. 1823 was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

Bill No. 1824 was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

19-0373 **AGENDA ITEM 16** Update on the Washoe County Manager recruitment and possible direction on the next step of the interview process and assessment areas for interview questions. Human Resources. (All Commission Districts.)

Human Resources Director Patricia Hurley conducted a PowerPoint presentation and reviewed slides with the following titles: Recruitment Information; Minimum Qualifications; Applications; Ideal Candidate Information; and Ideal Candidate Information Cont.

Indu Moore, Human Resources Analyst, reviewed slides with the following titles: Distinction – Minimum Qualifications and Ideal Candidate Information; Assessment Areas; Next Steps of the Process; Timeline for Board interviews with current candidate pool; Timeline for Extended HR Recruitment; Timeline for Assessment Panel Review; Timeline to Contract Executive Search Firm.

Chair Hartung asked how long the recruitment posting had been open when the current County Manager was recruited. He conjectured it had to have been longer than two weeks. Ms. Moore replied it was open for a minimum of one month, possibly longer. Chair Hartung expressed concern about whether the current recruitment was left open long enough. He thought 17 was a low number of applicants in comparison to the previous recruitment, during which approximately three times that number were received. He recognized a national search firm had been used for the previous recruitment. He recalled the Board hosted an event during the previous recruitment to meet the candidates individually.

Commissioner Jung asked how many applications were received during the previous recruitment for the County Manager position. Ms. Moore replied more than 50 applications were received for that recruitment. Commissioner Jung asked how many applicants made it through the screening process. Ms. Moore stated 11 applicants passed that stage. Commissioner Jung thought the number of applicants was de minimis. She

believed the length of time for the recruitment was not of great concern because anyone who was interested would apply. She had been in favor of using the services of a headhunter. She was not interested in keeping the recruitment open any longer unless it was to seek professional help because the County was in a very different situation than the previous time a County Manager was recruited.

Commissioner Herman said the County Manager position was very important. She wanted to ensure the Board had every opportunity to replace the existing Manager. She did not want to rush into a decision because the residents of the County deserved the best.

Commissioner Berkbigler noted she did not know who the 11 candidates were or whether the ideal candidate was in the pool. She agreed with Commissioner Jung, that staff needed to proceed with a national search if the recruitment period should be open longer or it was believed additional candidates were needed. She was aware there would be additional costs involved but believed they would not be prohibitive.

Commissioner Lucey agreed with Commissioners Jung and Berkbigler about proceeding with a national search if the recruitment was reopened. He said the Board made a commitment to open the recruitment and proceed with interviews if they felt confident with the applicant pool. He noted the number of applicants was lower than in previous recruitments for the position. As indicated by Commissioner Herman, the Manager position was very important. He thought professional help was necessary to obtain more applicants. He felt the Board needed to provide more clarity to Human Resources (HR) staff and to the national search firm about the specific qualities they sought in a candidate. He expressed concern about having a consensus on the exact qualities the Commissioners sought. He recommended moving qualified applicants from the initial search to the national search team and letting them conduct a more robust process.

Chair Hartung asked how the search firm was selected for the previous recruitment process. He knew Ralph Anderson & Associates (RAA) had been used. He asked whether there were other firms to choose from and what the process of selecting the firm would be.

County Manager John Slaughter said several firms were considered; there had been a selection process and RAA was selected. Chair Hartung and Commissioner Jung had no recollection of the selection process being presented to the Board. Mr. Slaughter said staff selected the firm and he noted three firms had been considered.

Commissioner Berkbigler asked whether one firm was generally used by HR. She noted there had been recruitments for other positions using a search firm and inquired whether HR staff had a preference for a particular firm. Ms. Moore responded staff had used RAA for the previous County Manager recruitment and for a Chief Information Officer recruitment in 2014. She said there were other firms that staff had previously contracted with and could consider.

Commissioner Berkbigler stated the candidate needed government experience in addition to the other requirements. Chair Hartung asked whether she referred to the search firm or the County Manager. Commissioner Berkbigler responded she meant the County Manager candidate. She had no strong preference whether staff or the Board should select the search firm.

Commissioner Jung stated she was not in favor of using the previous search firm. She said some of the candidates recommended by that firm during the previous recruitment were not qualified. She thought the best firm should be selected by reviewing the Commissioners' criteria. She agreed with Commissioner Berkbigler's statement about the candidate needing government experience and reiterated she believed a Master's Degree in Public Administration should be required. She said the County would be unable to allow on-the-job training due to its current size and level of growth. She noted the various County divisions were well staffed and the County needed someone who had the training to administer this type of government organization.

Commissioner Lucey agreed education was an important factor but believed experience provided more than a master's degree. He noted many individuals with a master's degree might not have the experience or skillset to manage an organization of the County's size. He stated community relations within the Cities of Reno and Sparks needed to be taken into account as well because they would need to work with the County Manager.

Commissioner Jung did not think a master's degree was enough. She had not discounted experience but believed it needed to be informed by education. She recalled the Managers of the Cities of Reno and Sparks were at the community forums for the previous County Manager recruitment. She believed they had input although not a final say.

Assistant District Attorney Paul Lipparelli stated Agenda Item 16 was an update on the process and direction on the next step of the interviews and assessment. He said it appeared some Commissioners were interested in modifying the recruitment process that was initially decided. He noted there were several comments regarding consulting with experts and potentially growing the candidate pool. He indicated the agenda item was fairly limited as written. If the Board wanted to stop the process and start a new or modified process, it could be done under future agenda items.

Mr. Slaughter concurred with Mr. Lipparelli regarding the need for a future agenda item for the selection of a recruitment firm if the Board was interested taking that direction. He stated he had looked through previous meeting minutes for May 28, 2013 and June 13, 2013. He confirmed the Board had been presented with a panel of search firms and had selected RAA for the previous County Manager recruitment in 2013.

Chair Hartung asked Mr. Lipparelli whether the Board's further direction to staff needed to be given under Agenda Item 20. He believed Mr. Lipparelli had noted

direction could not be given in Agenda Item 16. Mr. Lipparelli said it was a difficult situation because the law wanted things done in public but they could not be done if they were not on the agenda. He suggested the Board halt the previously-decided recruitment process if it was not working and provide directions under future agenda items. Chair Hartung confirmed the suggestion was for the Board to give specific direction in an item on the next agenda. Mr. Lipparelli said the Board would not be able to make a binding decision to provide direction to staff on what action to take based on the agenda item as written, but would be able to do so on future agenda items. He noted individual Commissioners could provide staff some direction.

Commissioner Berkbigler recalled the motion from the previous meeting included the ability to give staff direction to hire a national search firm. She asked whether the Board required a motion to have staff hire a firm and report back. She conjectured a motion was not needed and the Board had already provided direction to staff.

Commissioner Jung requested agenda items be written differently in future to allow the Board to take action on items. She agreed with Commissioner Berkbigler's statement regarding the previous vote and direction to staff. The Board had given an if-then motion. She noted the 11 candidates who had been selected should stay in the candidate pool because they were already deemed qualified by staff. She expressed no desire to select the search firm but wanted the facilitator to select the firm based on the Commissioners' requests and comments. She emphasized she did not indicate the 17 applicants and 11 candidates were unqualified, but if the recruitment needed to be reopened to solicit more applicants, it should be done with the help of a professional search firm. She restated she believed the County needed a subject matter expert with experience in public administration.

Chair Hartung reminded the Commissioners a national search was an option but the Board could move forward with the 11 candidates who had already qualified.

Commissioner Herman apologized to staff for the confusing instructions they sometimes received from the Board. She thought staff had done what they were told to do.

Commissioner Berkbigler stated she had no objection to moving forward with the 11 existing candidates but thought there was no consensus among the other Commissioners. She said Commissioner Herman had indicated an interest in taking the time to be sure the Board did the right thing. She noted Commissioners Lucey and Jung expressed an interest in a national search so she thought one should be performed. She believed staff had previously been given direction to perform a national search.

Commissioner Lucey said he did not necessarily feel a national search was needed and had no objection with moving forward with the 11 candidates. He believed a

national search firm should be employed if a more expansive pool of candidates was a needed.

Mr. Lipparelli reiterated the Board could move forward with the existing recruitment process and give direction regarding the interview process and assessment areas under this item or the Board could decide not to move forward. The Board could give direction at a later time but the agenda item did not authorize the Board to give alternate direction.

On the call for public comment, Ms. Tammy Holt-Still said she thought finding the right person for the position of Manager would take more than just applicants who were qualified within the State of Nevada. She thought the ideal candidate needed to be someone who was interactive with the public, concerned with safety, and who would deal with longstanding issues.

Chair Hartung summarized the Board had the choice to move forward or to halt. Commissioner Jung believed Mr. Lipparelli advised the Board that they could not give specific direction but could move forward with a national search based on a previous agenda item and motion.

Mr. Lipparelli stated the law indicated notice had to be given for things that would be acted on. There was no notice on the agenda for anything other than a continuation of the process, which was to have staff solicit names and bring back a pool of candidates; the Board could tell staff how to conduct the interview process. He noted any other process would need to be done at a future meeting with a specific agenda item.

Chair Hartung asked for clarification that the options were halting the agenda item or requesting staff present the 11 candidates. Mr. Lipparelli replied that was not entirely correct.

Commissioner Berkbigler stated the motion at a previous meeting indicated staff would have the ability to perform the national search if the local search did not yield sufficient qualified names. She expressed concern with the use of the term halt and suggested directing staff to follow previous directions regarding a national search. She asked whether a motion would be required given that a prior motion gave the ability to perform a national search. Mr. Lipparelli explained Agenda Item 16 was the Board's opportunity to tell staff what the next steps were regarding the 11 applicants who met the minimum qualifications. He noted a previous motion might have contemplated hiring a search firm but did not designate an opportunity for the Board to be involved in the selection process. The Board could direct staff to hire a search firm at their discretion if the Commissioners were comfortable with that, but an agenda item would need to be scheduled if the Board wanted to participate in the process.

Commissioner Berkbigler expressed concern with using the term halt because of the implications about the search process that already been performed and the applicants who had been screened. Mr. Lipparelli said no one suggested the candidates

who had been qualified would be dismissed. He perceived there was an interest in adding applicants. He said the Board should describe a process for staff to use if they wanted to add applicants.

Chair Hartung asked whether the agenda item allowed the Board to give direction without taking action. Mr. Lipparelli replied the Board could give direction but would not be able to make final decisions. Chair Hartung asked whether staff could meet with individual Commissioners for direction. Mr. Lipparelli replied individual meetings were legal under Open Meeting Law as long as information was not taken from one Commissioner to the next and was not used as a substitution for business that should be conducted in public.

Mr. Slaughter noted it was his understanding HR staff had not shared the applications of the 11 candidates with any of the Commissioners or himself. He said even Ms. Hurley had not looked at the applications because recruitment staff were managing the process.

Commissioner Berkbigler directed staff to follow the motion from the previous meeting, select a search firm, and keep the 11 candidates who met the minimum qualifications. She noted one of the 11 applicants might be the person the Board would want to hire.

In response to Mr. Slaughter's statement about discretion regarding the identity of the applicants, Commissioner Herman noted it did not mean applicants on the list had not contacted people. Commissioner Berkbigler acknowledged that was possible.

Chair Hartung asked about the time frame for HR to look for a search firm. Ms. Moore displayed slide 13 of the PowerPoint presentation, which outlined the timeline to contract with a search firm.

Commissioner Jung asked whether the process needed to take that much time. She was not advocating for a short or long time frame but stated the process had taken a significant amount of time already. She noted there was a lack of direction from the Board for the website search but perhaps the time frame was too short. She referred to Commissioner Herman's inclination to slow the process down. She expressed frustration about the position being open for a month through a search firm. She would fully endorse the timeline if it was HR staff's recommendation based on best practices and it would allow them to perform their due diligence. She believed an interim County Manager could take care of things because the County was set up to be successful. She said the search process would provide time to allow each Commissioner to be heard and to hire a candidate who would be there for all the right reasons.

Chair Hartung thought a search firm would want 30 days because there would be travel involved. Commissioner Jung said that if they were doing the search, it should be done right.

Chair Hartung asked Mr. Lipparelli whether the Board's directions to staff were satisfactory. Mr. Lipparelli asked whether the Board's instruction to staff was to follow the process outlined in the presentation. Chair Hartung confirmed that was correct. Mr. Lipparelli said Mr. Slaughter recalled the cost range for the recruitment firm was between \$30,000 and \$40,000, which could be approved at the administrative level and would not require Board action to approve. He summarized that, based on the Board's direction, staff would hire a firm and follow the outlined process.

Chair Hartung expressed interest in having the process completed soon if possible but he understood it might not be an option.

Ms. Hurley mentioned the time frame outlined in the presentation was an estimated time frame. She said staff would provide a more accurate timeline when a search firm was hired.

19-0374 **AGENDA ITEM 17** 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's Office. (All Commission Districts.)

County Manager John Slaughter said May 21 was the deadline for getting bills out of Second House, after which many bills would have lost their future at the Legislature. He said the Commissioners received the week 15 legislative report.

County Clerk Nancy Parent noted she received a copy of the legislative report, a copy of which was placed on the record.

Assistant County Manager Kate Thomas mentioned the report was one week behind because staff prepared it on a Thursday, discussed it with the legislative team on Friday, and provided it to the Board for the meeting. She noted 201 bills failed the deadline. She said May 17 was the Second Committee passage deadline and there were two weeks left in the legislative session. She indicated staff did not recommend any direction for the two bills provided for the Board that week because they were new and active amendments were being developed. Staff put 'watch' for the status of those bills. She said staff expected a few more last-minute bills.

Ms. Thomas noted Assembly Bill (AB) 533 made a few changes to existing laws regarding marijuana including permissive nature for local governments to participate. The bill gave some permissive language for lounges but prohibited sale and consumption of alcohol in those lounges. She noted the bill expanded how far lounges would be required to be from gaming establishments. She stated staff would meet during the week to discuss the bill. She indicated the legislative report listed bills that were removed from the watch list, including a notation of why they were removed. She

mentioned the final section of the report categorized bills by issue as directed by the Board. She indicated the email copy of the legislative report included links which Commissioners could click to access bills of interest.

Commissioner Herman asked whether Ms. Thomas could provide any updates about the water bills, specifically AB 95. Ms. Thomas indicated she had no information but said she would research the bill and provide an updated summary to the Commissioner. Mr. Slaughter noted AB 95 clarified the senior appropriations process for domestic wells. He said staff had reviewed the bill and believed it should be supported.

Chair Hartung asked for an explanation of Senate Bill (SB) 398. He was unsure if the bill pertained to the County. After a brief discussion, Chair Hartung confirmed it was a City of Reno bill, not a Washoe County bill. Mr. Slaughter indicated Government Affairs Liaison Jamie Rodriguez had been watching the meeting and texted to say SB 398 involved clarification of powers.

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

19-0375 **AGENDA ITEM 19** Public Comment.

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

19-0376 **AGENDA ITEM 20** Announcements/Reports.

County Manager John Slaughter announced two Washoe County employees received the Nevada Women's Fund 2019 Women of Achievement award: Amber Howell, Human Services Agency Director, and Jo Lee Wickes, Chief of the Juvenile Division at the District Attorney's Office.

19-0377 **AGENDA ITEM 18** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and Truckee Meadows Fire Protection District per NRS 288.220.

Chair Hartung asked Assistant District Attorney Paul Lipparelli whether the Board would simply recess to go into closed session. Mr. Lipparelli noted the Board had taken an action as the Board of Fire Commissioners to go into closed session. A motion to go into closed session would be required if the Board wanted to do the same.

There was no response to the call for public comment.

1:21 p.m. On motion by Commissioner Berkgigler, seconded by Chair Hartung, which motion duly carried on a 5-0 vote, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

* * * * *

2:23 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

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

Minutes Prepared by:
Carolina Stickleby, Deputy County Clerk