

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

TUESDAY

10:00 A.M.

JANUARY 13, 2015

PRESENT:

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

**Nancy Parent, County Clerk**  
**John Slaughter, County Manager**  
**Paul Lipparelli, Legal Counsel**

The Washoe County Board of Commissioners convened at 10:02 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:

**15-0027      AGENDA ITEM 3 – PUBLIC COMMENT**

**Agenda Subject:** “Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.”

Levi Hooper said he was trying to be the voice for people who did not have a voice and were really down and out. He stated he had an unpaid job with the Reno Area Alliance for the Homeless and was unanimously elected to the Leadership Board. He urged the Board to contact him if they needed anything at all.

Garth Elliott said he hoped the new Commissioners’ first week was fruitful. He suggested the Board watch the tendency to hire new people due to having to lay off 600-plus employees when the economy turned sour. He encouraged people to do what they could to help homeless animals. He noted Development Code issues were being discussed in Community Development tonight.

Cathy Brandhorst discussed issues of interest to herself.

Sam Dehne spoke about his background, Tesla, and the U.S. Bowling Congress agreeing to remain in Reno.

**Agenda Subject:** “Commissioners’/Manager’s announcements, reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to. Requests for information, topics for future agendas and any ideas and suggestions for greater efficiency, cost effectiveness and innovation in County government. (No discussion among Commissioners will take place on this item.)”

John Slaughter, County Manager, thanked the Board for attending last Friday’s Strategic Planning retreat. He stated there would be a meeting tomorrow with all of the Department Heads, Division Directors, and other key staff to follow up on that meeting. He said the results of tomorrow’s discussion would be brought to the Board at a future meeting.

Commissioner Lucey said he visited the Northern Nevada Food Bank with Commissioner Jung. He stated the Food Bank did an amazing job working with the County’s citizens. He stated many school children ate all three of their meals at their school, which were provided with the assistance of the Food Bank. He said he wanted to look at the snack programs at the schools to ensure the children were getting the nutrition and nourishment they needed.

Commissioner Jung said one of the things that came out of the Community Health Needs Assessment was the fact that 60,000 people per day in Washoe County needed some support to obtain food, and the Health District would be working to address some of those issues. She stated another one of the things that came out of the Assessment was Zip Code 89502 had a documented need for food, housing, and economic development. She said there were also four other Zip Codes that needed help. She stated Zip Code 89502 would be used as a beta test and non-profit service providers, the business community, and the Washoe County School District (WCSD) would be worked with to conduct that test. She noted Wooster High School was opening a medical clinic to provide its students with access to health care.

Commissioner Jung said she agreed with the new two-hour maximum staff time rule, which required bringing anything taking more staff time than that before the Commission for approval. She stated she had many slum landlords in her district and she was requesting a staff report on that issue. She said she would like to get the Board’s blessing to find a way to force the property owners to be responsible.

Commissioner Hartung asked for a report regarding whether the \$24,999.99 owed to the County by Intermountain Water Supply had been paid to the County. He stated that amount was promised to the County on record by the applicant and his attorney.

Commissioner Herman stated her first meeting, the Nevada Association of Counties (NACo), would be held on Friday, and she would report back regarding what occurred to the Board at its next meeting.

Commissioner Jung requested a report on what happened regarding the water theft in Golden Valley. She wanted to know if the Sheriff's Office filed the reports and if the District Attorney's Office pursued criminal charges or not and why. She also asked what would be done here on out to prevent water diversions now that the merger with the Truckee Meadows Water Authority (TMWA) was done.

Chair Berkgigler asked if it would be appropriate to have the WCSD and the Northern Nevada Food Bank present to talk about the snack issues and where we were headed with the issue of the vending machines.

Commissioner Hartung asked the County Manager to explain about the Consent Agenda and why the Board did block votes for the benefit of the new Commissioners and the public. Mr. Slaughter said the Consent Agenda consisted of items that were under \$100,000 or routinely came before the Board. He stated staff made a judgment call regarding whether they could be part of a block vote by putting them on the Consent Agenda. He said at any time, any Commissioner could take an item out of the Consent Agenda to be discussed and voted on separately. He said items that did not qualify to be in the Consent Agenda under those guidelines, but were identified by the Board members during the meeting as being appropriate, could be voted on in a block. He stated the Board should not have questions about the items and they should be noncontroversial. He advised public comment was taken for both the items in the Consent Agenda and those in a block vote.

Commissioner Jung noted the Manager did not read the consent items, but did read the titles for the items put into a block vote. She said she would talk about what would go into a block vote when that point in the meeting was reached. She felt doing that was a good idea for the new Commissioners and would give them a chance to ask questions about the process, because she had a lot of questions when she was new to the Commission. Chair Berkgigler agreed that was a great idea.

**15-0029      AGENDA ITEM 5**

**Agenda Subject: Introduction of new Washoe County employees. (All Commission Districts.)”**

John Slaughter, County Manager, invited the new employees to come to the podium and introduce themselves to the Board.

Pat MacDonald, Community Services, Facility Maintenance  
Jacob Palmer, Community Services, Facility Maintenance  
Dillon Watt, Community Services, Roads  
Bill Wardell, Community Services, Project Coordinator

Pamela Matson, Payroll, Payroll Tech I  
Amanda Mongolo, Incline Village Library, Programs and Outreach  
Librarian

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

**15-0030      AGENDA ITEM 6**

**Agenda Subject: Introduction of Shyanne Schull as the Regional Animal Services Director effective January 12, 2015. (All Commission Districts.)”**

Kevin Schiller, Assistant County Manager, introduced Shyanne Schull, who was the new Regional Animal Services Director. He said she had a degree in Animal Science from Cal Poly and extensive experience in setting up a department.

Ms. Schull said it was a pleasure to be a part of Washoe County’s team and was honored to be able to take Regional Animal Services to its next chapter and beyond. She stated she looked forward to building on the programs that were already successful, along with implementing new collaborative and community-based programs. She said she had a background in and a working knowledge of animal welfare. She felt there were a lot of great partnerships and things going on in Washoe County, and she looked forward to growing those relationships and collaborations.

Chair Berkgigler said all of the Commissioners were animal lovers, and they were very happy to have someone to head up Regional Animal Services that knew what they were doing and could lead Animals Services to a better way of taking care of the animals.

In response to the call for public comment, Sam Dehne stated he was a firm believer in Animal Services, and he was glad Ms. Schull was on board.

Garth Elliot said he knew the Animal Services Directors all the way back to the 1970’s, and he gave kudos to the Board for the choice of Ms. Schull. He stated someone with a lot of compassion was needed for the Director’s position, and he hoped Ms. Schull would bring a new dimension to this very important aspect of our community.

There was no action taken on this item.

**PROCLAMATIONS AND RESOLUTIONS**

**15-0031      AGENDA ITEM 7A – PROCLAMATION**

**Agenda Subject: “Proclamation--January 2015 as National Radon Action Month in Washoe County.”**

Commissioner Hartung read and presented the Proclamation to Jamie Roice-Gomes, Radon Education Coordinator, and Susan Howe, Radon Program Director.

Ms. Jamie Roice-Gomes said this was the fifth proclamation done by the Commission, which helped raise awareness of the deadly naturally occurring radioactive Radon gas. She stated more than 15,000 test kits were provided to County residents and out of the 6,653 valid tests, about 21 percent had elevated levels of Radon. She said the homes tested only represented about 5 percent of the County's homes, and only 23 percent of the homes with elevated levels of Radon had been fixed. She stated more homes needed to be tested and fixed.

Ms. Roice-Gomes said Zip Code 89704 in the Washoe Valley had the most homes with the highest level of Radon at 48 percent, Verdi had 46 percent, and Zip Code 89501 had 44 percent. She said if a home's Radon level was at 4 pCi/l, it should be fixed. She noted the highest level ever found in Nevada was in Zip Code 89511 and was recorded at 155 pCi/l. A copy of her slides was placed on file with the Clerk.

Ms. Roice-Gomes said residents could pick up a free Radon test kit from now to the end of February at the Cooperative Extension Office. Free coffee mugs and Radon test kits were presented to the Board.

Commissioner Hartung asked how Radon could be mitigated. Ms. Roice-Gomes replied there were different procedures for different types of foundations.

There was no public comment on this item.

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

**15-0032      AGENDA ITEM 7B – RESOLUTION**

**Agenda Subject: “Resolution--Supports of the Nevada Breastfeeding Welcomed Here Campaign. (Requested by Commissioner Jung)”**

Commissioner Jung read and presented the Resolution to Nicole Alberti, Health Educator 1, and Jan Houk, PHNII. Ms. Alberti thanked the Commissioners for their support.

Commissioner Jung said breast milk provided babies with protection from food and airborne allergies. She stated it was also 850 calories that were being given to someone else, which helped take the baby-weight off. She said this was a serious issue and was glad the Board had always been supportive of breastfeeding.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 7B be adopted.

**CONSENT AGENDA – AGENDA ITEMS 8A THROUGH 8I(3)**

**15-0033      AGENDA ITEM 8A**

**Agenda Subject:** “Approve minutes for the Board of County Commissioners’ October 28, November 12, and December 9, 2014 meeting, special meeting of December 2, 2014 and concurrent meeting of December 8, 2014 meeting.”

There was no public comment on this item.

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

**15-0034      AGENDA ITEM 8B – DISTRICT COURT**

**Agenda Subject:** “Acknowledge receipt of the Washoe County Law Library Annual Report 2014-2015--District Court. (All Commission Districts.)”

There was no public comment on this item.

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

**15-0035      AGENDA ITEM 8C – HEALTH DISTRICT**

**Agenda Subject:** “Approve amendments [increase of \$69,151] in both revenue and expense to the FY15 Advancing Conformance with the Voluntary National Retail Food Regulatory Grant Program (VNRFRPS), IO11088, and if approved direct the Comptroller’s Office to make the appropriate budget adjustments--Health District. (All Commission Districts.)”

There was no public comment on this item.

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

**15-0036      AGENDA ITEM 8D – HUMAN RESOURCES**

**Agenda Subject:** “Approve requests for reclassification of a vacant Office Support Specialist, pay grade H, to an Account Clerk, pay grade G (Community Services); a Department Computer Application Specialist, pay grade J, to a Department Systems Specialist, pay grade KL (Sheriff’s Office); a Program Assistant, pay grade K, to a Community Outreach Coordinator, pay grade N (County Manager), and an

**Administrative Assistant II, pay grade L, to an Assistant to the County Manager, pay grade N (County Manager) as evaluated by the Job Evaluation Committee; and remove the job classifications of Department Computer Application Specialist and Department Computer Specialist, pay grades J and KL respectively, from the Washoe County Classification Plan. Net annual cost of these actions is estimated at [\$30,691]--Human Resources. (All Commission Districts.)”**

There was no public comment on this item.

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

**15-0037      AGENDA ITEM 8E – SOCIAL SERVICES**

**Agenda Subject: “Approve a ten percent (10%) increase to the reimbursement rates for cremation or burial of indigent persons provided by Washoe County funeral homes, mortuaries and cemeteries--Social Services. (All Commission Districts.)”**

In response to the call for public comment, Cathy Brandhorst spoke about cremation and burials.

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

**15-0038      AGENDA ITEM 8F(1) – COMMUNITY SERVICES**

**Agenda Subject: “Approve appointment of Ms. Kristina Hill as the Washoe County Lay Member on the Tahoe Regional Planning Agency’s Advisory Planning Commission. (Commission District 1.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8F(1) be approved.

**15-0039      AGENDA ITEM 8F(2) – COMMUNITY SERVICES**

**Agenda Subject: “Approve an Agreement for employee residence between Washoe County and David Evans (Washoe County Sheriff’s Office Deputy) retroactive to January 1, 2015, to allow occupancy within the County owned residence located at 330 Sunset Boulevard, Gerlach, Nevada. (Commission District 5.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8F(2) be approved.

**15-0040      AGENDA ITEM 8F(3) – COMMUNITY SERVICES**

**Agenda Subject: “Approve an Agreement between Washoe County and BV Reno LLC to hold the Bon Vivant Festival at Rancho San Rafael Regional Park on June 5-7, 2015, with options for 2016 and 2017. (Commission District 3.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8F(3) be approved.

**15-0041      AGENDA ITEM 8F(4) – COMMUNITY SERVICES**

**Agenda Subject: “Approve a Quitclaim Deed to transfer APN 007-111-12, a 1,200 square foot sliver parcel located at 0 Codel Way as authorized under NRS 244.281; and all other matters properly related thereto. (Commission District 3.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8F(4) be approved.

**15-0042      AGENDA ITEM 8G(2) – MANAGER**

**Agenda Subject: “Acknowledge Receipt of Wadsworth Justice Court Minimum Accounting Standards Audit Report from the Internal Audit Division. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8G(2) be approved.

**15-0043      AGENDA ITEM 8G(3) – MANAGER**

**Agenda Subject: “Approve reappointment of Mr. Keith Romwall, to the Washoe County Audit Committee for the term commencing January 1, 2015 and expiring on December 31, 2016. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8G(3) be approved.

**15-0044      AGENDA ITEM 8H(1) – SHERIFF**

**Agenda Subject: “Approve grant award [\$80,000, no match required] and Interlocal Contract between Las Vegas Metropolitan Police Department and Washoe County Board of County Commissioners On Behalf Of The Sheriff’s Office for reimbursement of expenses associated with Internet Crimes Against Children investigations, grant term is retroactive from 10/1/14 – 6/30/15, and if approved, direct Comptroller’s Office to make the necessary budget adjustments. (All Commission Districts.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8H(1) be approved and directed. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

**15-0045      AGENDA ITEM 8H(2) – SHERIFF**

**Agenda Subject: “Approve Sheriff’s Security Agreement between the Hyatt Regency – Lake Tahoe and the Washoe County Sheriff’s Office to provide uniformed Deputy Sheriffs for security [costs to be reimbursed by HYATT] during New Year’s Eve events, retroactively from December 31, 2014 through January 1, 2015 to be held at the Hyatt Regency – Lake Tahoe in Incline Village, Washoe County. (Commission District 1.)”**

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8H(2) be approved.

**DONATIONS**

**15-0046      AGENDA ITEM 8I(1) – SHERIFF**

**Agenda Subject: “Accept a donation [\$1,000] from Timothy and Shelley Farrell to the County of Washoe on behalf of the Washoe County Sheriff’s Office to purchase equipment for the K-9 Unit and authorize Comptroller’s Office to make the appropriate budget adjustments--Sheriff. (All Commission Districts.)”**

On behalf of the Board, Commissioner Jung thanked Timothy and Shelley Farrell for their \$1,000 donation to purchase equipment for the Washoe County Sheriff’s K-9 Unit.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8I(1) be approved and authorized.

**15-0047      AGENDA ITEM 8I(2) – SHERIFF**

**Agenda Subject: “Accept a donation [\$1,500] from the Reno Air Racing Association, Inc., dba: National Championship Air Races to the Washoe County Sheriff’s Office for the Citizen Corps Program (CCP), and, if approved, authorize Comptroller’s Office to make appropriate budget adjustments--Sheriff. (All Commission Districts.)”**

On behalf of the Board, Commissioner Jung thanked the Reno Air Racing Association for their \$1,500 donation to the Washoe County Sheriff’s Citizen Corps Program (CCP). She said the CCP played a big role in ensuring the crowd’s safety at the Reno Air Races.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8I(2) be accepted and authorized.

**15-0048      AGENDA ITEM 8I(3) – COMMUNITY SERVICES**

**Agenda Subject: “Accept cash donations [\$35,668.95] from various businesses, organizations and individuals and acknowledge in-kind donations for Regional Parks and Open Space programs and facilities; and direct the Comptroller’s Office to make the appropriate budget adjustments--Community Services. (All Commission Districts.)”**

On behalf of the Board, Commissioner Jung thanked the various businesses, organizations, and individuals for their donations to the Regional Parks and Open Space programs and facilities.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8I(3) be accepted and directed.

**15-0049      AGENDA ITEM 8G(1) – MANAGER**

**Agenda Subject: “Acknowledge Receipt of the Three-Year Schedule of Audits for Internal Audit Division. (All Commissioner Districts.)”**

Alison Gordon, Internal Auditor, said she provided this report to the Board annually regarding the schedule of audits approved by the Audit Committee. She stated she did a detailed risk analysis to identify those audits that had never been done or had been done in the last few years and had significant items that needed to be corrected before going before the Audit Committee. She said the list included what was submitted to and approved by the Audit Committee on December 5, 2014. She advised she also took special requests by the Commission to do audits and those requests would get inserted into the schedule.

Commissioner Lucey said he had concerns regarding the proposed audit schedule, because in the next Fiscal Year he understood Ms. Gordon would be doing an audit of the Truckee Meadows Fire Protection District (TMFPD) Emergency Management System (EMS). Ms. Gordon said that audit had already been started, and a prior audit had been completed of the entire TMFPD. Commissioner Lucey said there had been quite a bit of public comment regarding the Sheriff's Forensic Lab, and he would like to see that audit put into the schedule. Ms. Gordon replied that would definitely be doable.

In response to the call for public comment, Thomas Daley said the Sheriff's Office was owed at least \$8 million by the City of Reno and the City of Sparks owed approximately \$500,000 for services provided by the Forensic Lab. He stated the Cities' Police Departments accounted for 50 percent of the demand for the Forensic Lab's services. He felt the audit schedule needed to be adjusted to complete that audit by the end of 2015.

John Slaughter, County Manager, stated the Fiscal Year 2016-17 Sheriff's Office Fees audit did not contemplate the issue at hand, but contemplated a review of fees, such as those charged for a concealed weapon permit. He said the audit of those fees would be left in that audit year, but the audit of the funding for the Crime Lab would be included in the current year's list of audits to be done.

Commissioner Lucey noted everyone heard that we were all climbing out of the economic recession, and every penny the County could recoup or save would be a positive for the County.

Mr. Slaughter said staff proposed adding to the Fiscal Year 2014-15 audit schedule the review of the Crime Lab and its funding structure. He stated everything else would be left in the schedule, but the Crime Lab audit would be put as near the top of the priorities as possible. He said there were other things being done, but the audits not yet started would be pushed to a lower priority.

Commissioner Hartung reminded everyone that Sheriff Allen indicated there were other things going on in terms of the fee issue. He said that issue was not new to the Board, and the County was working on it with the City of Reno. He stated he had no problem with the audit, but there might be some other ways to solve this. He felt the original agreements needed to be looked at or, if those agreements did not exist and it

was just a handshake agreement, there would be some questions on what really transpired. He said the most important thing was what did those original agreements state.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 8G(1) be approved as amended.

**15-0050      AGENDA ITEM 9 – MANAGER**

**Agenda Subject: “Presentation, discussion and possible approval of the top themes that resulted from the Smarter Region community engagement process to determine a new regional economic development brand vision--Manager. (All Commission Districts.)”**

Maureen McKissick, City of Reno Strategic Development Administrator, said she was present to provide the Board with the results of the visioning process, which was last talked about in April 2014. She stated she and Stacy Huggins, Reno Tahoe Airport Authority, were part of a four-person team that acted on the direction received from the elected bodies earlier that year by going out into the community for the better part of 2014.

Ms. McKissick stated the IBM Smarter Cities project grew during 2013 to include 11 regional entities, which were shown in the bottom banner of the slides in her PowerPoint presentation. She said IBM made five recommendations to improve the area’s economic development outcomes, and the 11 agencies had been working in collaboration for the last year and a half to implement those recommendations.

Ms. McKissick said recommendation #4 was to develop a regional economic development brand as our vision, which the team felt could be the cornerstone of our economic development efforts. She stated it was felt the vision for the community needed to expand and diversify to incorporate the new economic activities occurring. She said the top themes identified in 2013 were: Strategic location, business friendly, quality of life, and LakeTahoe/outdoor sports.

Ms. McKissick stated on April 24, 2014, the recommendation brought to the Smarter Regions Summit was to focus on the groups that had day-to-day knowledge of economic development. She said the elected officials gave direction to also include the members of Gen “Y” and the elected bodies; and, to be more inclusive, three additional groups were added. She stated the Economic Development Authority of Western Nevada (EDAWN) assembled the people chosen to be a part of the conversation in groups of two or three, and she wanted to acknowledge EDAWN’s help. She said approximately 200 people were canvassed and the majority of the participants came from the private sector, which was important because collaboration would be required to achieve results.

Ms. McKissick said the white paper, which was the product of that process, was distributed in November 2014, and provided a more complete picture of the whole process. She stated the first question asked what was working now, the second question asked what could be improved, and the third question asked what our aspirations were. She reviewed the top five themes that emerged regarding what was working, the three top themes that needed to be worked on, the six themes that indicated what the region should aspire to be, and the next steps. She said the elected bodies were being asked to accept the top themes and to convene a short-term subcommittee consisting of members of the elected bodies and key staff to formulate the brand-vision that would be used going forward.

Commissioner Jung said Ms. McKissick did a terrific job. She stated people should be attracted to the area because there was so much upward mobility possible. Ms. McKissick stated what impressed the team as they went around to the different groups was the energy and enthusiasm the groups had. She said the private sector welcomed the opportunity to be players in the conversation and would like to continue that participation. She stated the private sector was a bottomless well of ideas.

Commissioner Hartung said Commissioner Jung should be the County's representative at the short-term committee meetings. John Slaughter, County Manager, said Commissioner Lucey was designated to be the County's representative to the Smarter Region initiative during last Friday's meeting. Chair Berkbigler said everyone was pretty active in the Smarter Region initiative, because it was an extremely important issue. Commissioner Hartung made it a point to say over the last two years that regionalization was important and everyone must work together as a region, which should include a broader area than just the County and the Cities of Reno and Sparks.

Commissioner Lucey said after last Friday's discussion, he was very excited to be a part of this Board. He stated he fell within the Gen "Y" label, along with being a business owner. He felt rebranding was an important factor in moving this community forward, and he was very excited to be a part of that effort.

In response to the call for public comment, Sam Dehne spoke about regional branding.

Garth Elliott agreed the area needed to be rebranded, but maybe not as a university town. He felt the rebranding should emphasize the area's quality of life. He stated he agreed the effort went far beyond the County and the Cities of Reno and Sparks.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that the top themes resulting from the Smarter Region community engagement process be approved.

### **BLOCK VOTE – AGENDA ITEMS 11, 12, AND 13**

Commissioner Jung said Chair Berkbigler and Commissioner Hartung had been a breath of fresh air in their ushering in the two new Commissioners. She stated their help would make the new Commissioners better so much quicker.

Commissioner Jung said any Commissioner could identify items that they felt were non-controversial and would have no questions, which could then be put into a block vote. She stated a Commissioner could request an item not be included in the block vote or could suggest adding additional items. She noted she would like to place Items 10, 11, 12, 13, and 14 into a block vote if it was decided to do a block vote today.

Commissioner Hartung said if a Commissioner had a question, staff could answer the question while the item remained as part of the block vote. He stated doing a block vote was a way to expedite getting through a meeting.

Chair Berkbigler felt it was important that Commissioners Herman and Lucey understood they could ask any question they wanted or could make any question public even if it had already been answered.

**11:34 a.m.** Commissioner Jung left the meeting.

Commissioner Lucey expressed his gratitude for the warm welcome extended by the Commissioners to Commissioner Herman and himself, and he appreciated the time the Commissioners had taken to offer their help and provide direction.

Commissioner Lucey stated he was not opposed to doing a block vote today because he appreciated efficiency. He said his only issue was getting some clarity regarding Item 10. Commissioner Herman agreed. Commissioner Hartung said he would also like to remove Item 14 for questions.

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Items 11, 12, and 13 be put into a block vote.

**11:42 a.m.** Commissioner Jung returned to the meeting. Commissioner Hartung left the meeting and was absent during the vote on Agenda Items 11, 12, and 13.

Paul Lipparelli, Legal Counsel, counseled that the Board should take a vote on the block vote items now that they had been read, which meant the public had notice about what the items were. After a vote was called for, Nancy Parent, County Clerk, advised she did not have a record of who made or seconded the motion for that vote. Mr. Lipparelli stated traditionally the Board did not vote to place items in a block vote. He said normally a Commissioner would designate items, the Manager would read those items, and then there would be a motion and a vote. He stated today the Board

voted to place items in a block vote prior to those items being read. He said it was his advice after the Manager read the titles, to take a vote on those items. He stated there were two motions and two votes with Commissioner Lucey making the second motion and Commissioner Herman seconding the motion.

**15-0051      AGENDA ITEM 11 – COMMUNITY SERVICES**

**Agenda Subject: “Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Rancho San Rafael Regional Park Irrigation System Reconstruction Project - Phase 1, recommended [Gerhardt & Berry Construction, Inc., \$485,252]--Community Services. (Commission District 3.) To be heard before Agenda Item #12.”**

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried with Commissioner Hartung absent, it was ordered that Agenda Item 11 be awarded and approved.

**15-0052      AGENDA ITEM 12 – COMMUNITY SERVICES**

**Agenda Subject: “Recommendation to approve Amendment 1 to the Agreement for Professional Services between Washoe County and Wood Rodgers, Inc., for additional scope of work items in support of construction of the Rancho San Rafael Regional Park Irrigation System Reconstruction Project – Phase 1, for an additional [estimated amount of \$38,500] and a total estimated contract amount of \$134,800; and authorize the Purchasing and Contracts Manager to sign the Amendment 1--Community Services. (Commission District 3.) To be heard after Agenda Item #11.”**

In response to the call for public comment, Cathy Brandhorst spoke about construction work.

On motion by Commissioner Lucey, seconded by Commissioner Herman, which motion duly carried with Commissioner Hartung absent, it was ordered that Agenda Item 12 be approved and authorized.

**15-0053      AGENDA ITEM 13 – COMMUNITY SERVICES**

**Agenda Subject: “Recommendation to approve an Agreement for Consulting Engineering Services between Washoe County and CH2M Hill Engineers, Inc. to provide construction management for the South Truckee Meadows Water Reclamation Facility Bio-Solids Facility Project [\$1,156,000]--Community Services. (Commission District 2.)”**

There was no public comment on this item.

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

**11:44 a.m.** Commissioner Hartung returned to the meeting.

**15-0054      AGENDA ITEM 10 – TECHNOLOGY SERVICES**

**Agenda Subject: “Recommendation to approve the purchase of a three year license for Intel Security’s McAfee Complete End Point Enterprise Suite and Content Security Suite from the lowest responsible reseller, CDW-G, at a cost of [\$243,047.90]--Technology Services. (All Commission Districts.)”**

Commissioner Lucey stated the staff report showed a cost of \$243,047.90 for a three-year license. Tony Kiriluk, IT Manager, Enterprise Infrastructure, confirmed that was the cost of the entire licensing suite being purchased from McAfee. Commissioner Lucey asked if that was a new product or was it a renewal. Mr. Kiriluk stated it renewed our current licensing and added licensing to provide better coverage for some areas. Commissioner Lucey said the Board approved four-year renewals in past years, and this amount was a significant jump in price for a three-year renewal. He asked if Symantec’s prices were better even though the staff report indicated they did not have the same product advantages. Mr. Kiriluk said Symantec could save the County approximately \$45,000 over the three-year period, but there would be no technological advantage in switching, staff time would be required to train everyone on the new product, and it would be a year-long process to switch the product out throughout the County. He stated it would take 10 years to make up for moving to a product that did not provide better protection. Commissioner Lucey asked why there was such a significant increase for McAfee’s product. Mr. Kiriluk said there were a growing number of security threats, so McAfee was always adding more products into the core Suite. He stated the mobility market increased the number of protection points beyond desktops and laptops and required a larger investment by the security companies to protect those devices.

Commissioner Hartung asked if McAfee offered a sandbox, which ran the hard drive in a virtual environment. Mr. Kiriluk replied they did. Commissioner Hartung stated he saved himself a lot of grief by deleting the sand box. Mr. Kiriluk stated one of the things staff liked about the McAfee Suite was it brought virus and overall security down to the hardware level of the servers, which really helped with the root-kit infections. He said McAfee was currently the only company doing that due to their alliance with Intel.

There was no public comment on this item.

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

**15-0055      AGENDA ITEM 14**

**Agenda Subject: “Recommendation to approve the Regional Road Impact Fee land use assumptions and adopt the Regional Road Impact Fee Capital Improvements Plan as required by NRS 278B.190 and NRS 278B.210. (All Commission Districts.) To be heard before Agenda Items #15 and #16.”**

Commissioner Hartung said his questions were about some of the assumptions made regarding the Regional Road Impact Fee (RRIF) program and how they led back into the CCFEA, which was a capital contribution funded agreement process. He stated that process had been a huge source of development-driven infrastructure for Washoe County over the years, but there had been issues with the credit system due to the drop in the real estate market. He said the crash led to an excess of credits being available on the market and to the concern regarding how those credits would be flushed out of the market.

Dwayne Smith, Engineering and Capital Projects Division Director, said as a region, the RRIF process had been updated and refreshed over the last few months. He stated this item was to get Board approval of the recommendations made by the Planning Commission acting as the Capital Improvement Advisory Committee (CIAC) on January 6, 2015. He stated the CIAC listened to the land-use assumptions used to define and help create the Capital Improvement Plan (CIP) for the roadway project that would move forward over the next time period. He stated Nevada Revised Statue (NRS) 278B required that anytime an impact fee was developed, a process had to be followed. He said that process required the CIAC to make findings, which went into the Board’s review of the land-use assumptions. He stated because of the timing of that meeting, those findings were not included in the staff report. He said the findings included: 1) The Regional Capital Improvements Plan was based on the County Master Plan in the 2012 Consensus Forecast; 2) the Regional Capital Improvement Plan facilitated growth by constructing capacity improvements to the region’s streets and highways that would benefit the efficient movement of persons and goods; 3) the north services areas and south service areas that had separate capital improvements and impact fees were contributing to create a reasonable nexus, which was federal law; 4) the Regional Capital Improvement Plan would not adversely impact public health, safety or welfare; and, 5) the Regional Capital Improvement Plan was based upon due and careful consideration of the information provided in the 2014 Regional Road Capital Improvement Plan and Impact Fee Methodology. He stated the findings were signed by Roger Edward, the Chair of the Planning Commission and the CIAC.

Commissioner Hartung said the three benefit districts were reduced to two in the process of fixing the RRIF issue. Julie Masterpool, Regional Transportation Commission (RTC) Senior Engineer, explained there had been one service area previously where one fee was calculated and the fees were collected and spent by the three benefit districts. She stated with the new fifth edition and based on a NRS change, the old service area had to be divided into two service areas with separate fees. Commissioner Hartung asked how that would affect the current owners of the credits if

they owned credits in a specific benefit district. Ms. Masterpool explained the old credit system stayed in effect and they would still use their credits in the same benefit district where they were earned. She said the system was being changed to a RRIF waiver program for anyone who built roadway improvements in the future. She stated a particular developer could not earn more credits or waivers than what they could spend in impact fees, which eliminated the over-issuance of the credits or waivers.

Commissioner Hartung stated regarding Figures 9 and 10 in Attachment A of the staff report, he asked if the items were listed in their order of importance. Ms. Masterpool replied they were not. She stated the sorting was on the RRIF Funding column from most to least.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 14 be approved and adopted.

**15-0056      AGENDA ITEM 15 – COMMUNITY SERVICES**

**Agenda Subject: “Introduction and first reading of an ordinance to adopt regional road impact fees for unincorporated Washoe County, as described in the Regional Road Capital Improvement Plan and Impact Fee Methodology dated September 19, 2014, and as provided for in NRS 278B.160 and Washoe County Code Section 110.706.05; and, providing for matters properly related thereto; and if introduced, set a public hearing for second reading and possible adoption of the ordinance for January 27, 2015 at 6:00 p.m.--Community Services. (All Commission Districts.) To be heard after Agenda Item #14 and before Agenda Item #16.”**

Nancy Parent, County Clerk, read the title for Bill No. 1730.

Commissioner Hartung asked why the Regional Road Impact Fee (RRIF) went down. Julie Masterpool, Regional Transportation Commission (RTC) Senior Engineer, said the calculation of the RRIF fees was a very long process. Commissioner Hartung asked if national numbers were being used to arrive at those numbers. Ms. Masterpool replied the national trip-generation numbers were being used. She stated one of the factors that made the biggest difference in the old fees was an average trip length was used for trips on the regional roads network. She said that information was obtained from their Travel Demand Forecast Model, which was based on the Consensus Forecast, and on land use assumptions. She advised that average trip length went down about 25 percent and the Population and Employment Consensus Forecast went down about 20 percent, which all tied together and was why the fees were lower this year.

There was no public comment on this item.

**Bill No. 1730, entitled, "AN ORDINANCE ADOPTING REGIONAL IMPACT FEES FOR UNINCORPORATED WASHOE COUNTY, AS**

DESCRIBED IN THE REGIONAL ROAD CAPITAL IMPROVEMENT PLAN AND IMPACT FEE METHODOLOGY DATED SEPTEMBER 19, 2014, AND AS PROVIDED FOR IN NRS 278B.160 AND WASHOE COUNTY CODE SECTION 110.706.05; AND PROVIDING FOR MATTERS PROPERLY RELATED THERETO," was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

**15-0057      AGENDA ITEM 16 – COMMUNITY SERVICES**

**Agenda Subject:** “Introduction and first reading of an ordinance to amend Washoe County Code, Chapter 110, Development Code, at Article 706 (Impact Fees) at Section 110.706.05, *Regional Road Impact Fee*, to correct NRS citations, to reference the latest General Administrative Manual (GAM) for applicability, to adopt the latest approved GAM, to adopt the latest version of the Regional Road Improvement Fee System Capital Improvement Plan (RRIF CIP), to define service area boundaries as within the GAM and fees as within the RRIF CIP, and to set the impact fees in accordance with the GAM and the fee schedule within the Regional CIP; and, providing for matters properly related thereto; and if introduced, set a public hearing for second reading and possible adoption of the ordinance for January 27, 2015 at 6:00 p.m.--Community Services. (All Commission Districts.) To be heard after Agenda Items #14 and #15.”

Nancy Parent, County Clerk, read the title for Bill No. 1731.

There was no public comment on this item.

Bill No. 1731, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110, DEVELOPMENT CODE, AT ARTICLE 706 (IMPACT FEES) AT SECTION 110.706.05, REGIONAL ROAD IMPACT FEE, TO CORRECT NRS CITATIONS, TO REFERENCE THE LATEST GENERAL ADMINISTRATIVE MANUAL (GAM) FOR APPLICABILITY, TO ADOPT THE LATEST APPROVED GAM, TO ADOPT THE LATEST VERSION OF THE REGIONAL ROAD IMPROVEMENT FEE SYSTEM CAPITAL IMPROVEMENT PLAN (RRIF CIP), TO DEFINE SERVICE AREA BOUNDARIES AS WITHIN THE GAM AND FEES AS WITHIN THE REGIONAL CIP, AND TO SET THE IMPACT FEES IN ACCORDANCE WITH THE GAM AND THE FEE SCHEDULE WITHIN THE RRIF CIP; AND, PROVIDING FOR MATTERS PROPERLY RELATED THERETO," was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

**15-0058      AGENDA ITEM 17**

**Agenda Subject:** “Discussion and possible action with regard to amendment, additions to and/or repeal of the 2012 Washoe County Board of Commissioners

**Rules and Procedures, and such other action as the Board of Commissioners may desire to take in regard to these administrative matters. (All Commission Districts.)”**

John Slaughter, County Manager, said there was a revision to the Board’s Rules and Procedures, which was placed on file with the Clerk.

Commissioner Hartung said in the first paragraph, he was uncomfortable with the presiding officer having the discretion to remove items from the consent agenda, taking items out of order, combining items with other items, or taking requests for items to be voted on in a block. He believed that should be changed to any Commissioner could remove items from the Consent Agenda. Mr. Slaughter said Version 2 struck that from item 1 and moved it down to item 3, which reflected the Board’s practice.

Commissioner Hartung said under item 11, did the full Commission mean all five Commissioners, a majority, or everyone present. Paul Lipparelli, Legal Counsel, suggested striking the word “full,” so it would be at the approval of the Commission however it was constituted at the time. Chair Berkbigler agreed.

Chair Berkbigler said there used to be a succession policy where the Vice Chair moved to the Chair position, which meant only a new Vice Chair had to be voted on. She stated she would like to revisit that issue. Commissioner Hartung said he did not believe that was an adopted policy or practice, and he did not remember seeing it articulated anywhere. Commissioner Jung said most Boards and Commissions would not need to articulate that because they practiced succession. She stated this Board had elected a Chair and a Vice Chair for a long time because the Vice Chair did not want to be Chair. She said last year Commissioner Humke stayed as the Chair due to needing continuity because of the new Commissioners and the new County Manager, but she would like to see succession come back.

Commissioner Jung asked if the Manager and the Department Heads were looking into how to enforce item 11, and she suggested looking into best practices. She felt that would be very difficult to put on staff because it would put staff in an awful, tenuous, and job threatening position. She said there had to be a formal mechanism, such as a sheet that had to be filled out, and the Commissioners had to be trained to look at that sheet and realize staff was not being insubordinate, but was following County policy that the Board set.

Commissioner Jung felt the Chair should serve one year and move on, and she would like to see that specified in the Rules and Procedures.

Ms. Slaughter noted the Board’s Rules and Procedures were reviewed at the beginning and middle of the year, but this could be brought back sooner. He said a wholesale review of the agenda and meeting processes was being done, which would generate additional changes to the Rules and Procedures in the next few months. Commissioner Jung asked if that software was bought, when would that process come online. Mr. Slaughter replied the software was budgeted for this Fiscal Year, and the

software would integrate well with our existing video software used by the public to go online to view the Board's meeting because it was from the same company. He said a working group had been meeting quite frequently and the Clerk and the departments were involved. He said he was not sure of timing for it to go live. He noted the agenda software would allow electronic tabbing of the agenda. He said the Commissioners could still get a hardcopy of the agenda and the backup material; however, staff was moving to paperless agendas and backup material. He stated the Board would be shown all options when that point was reached.

Commissioner Jung said the Sparks City Council was given tablets and had been paperless for the last five years. She stated if a Councilmember wanted a paper copy, they had to print their own. She noted Commissioner Larkin wanted to go paperless in 2007, but she found the software was not user friendly or fast enough.

Chair Berkbigler said she wanted to make sure we were not talking about the day-to-day hands on support staff for the Commission in item 11, but all other staff. Mr. Slaughter stated the staff assigned to the Board was due to previous approval by Board.

Chair Berkbigler said she supported putting the succession on the Board's Rules and Procedures today, but was willing to wait until July if that was what the rest of the Commissioners wanted to do.

Mr. Lipparelli said the record should be clear regarding which version of the Rules and Procedures were being approved. He understood it was the version marked Version 2 in the bottom right-hand corner of the document. He said the changes included taking out the word "full" in item 11 and that that rule did not apply to the Commission's staff. He said the succession provisions would be added for the Vice Chair to become the Chair in the next cycle and the Commission would take action to replace the Vice Chair.

Commissioner Lucey made a motion that Agenda Item 17 be approved as amended. Commissioner Jung seconded the motion.

Commissioner Hartung said he would like to see the final document without the changes in red before adopting it. Chair Berkbigler suggested amending the motion to have staff make the changes and bring the final version of the Rules and Procedures back for approval. Commissioners Lucey and Jung said they were fine with making that change to the motion.

In response to the call for public comment, J. Edward Parker stated he did not want to see his Commissioner locked into a hard and fast rule that could not be changed in case the people who elected them wanted that change.

Chair Berkbigler said the language should include what would happen if the Vice Chair did not want to serve as Chair.

Commissioner Lucey said he would make the adjustment to the motion that the Vice Chair had the first right of refusal to become Chair. He stated if the Vice Chair chose not to accept the position of Chair, it would go to an open vote of the Commission to appoint the next Chair. Commissioner Jung seconded the amendment to the motion.

Commissioner Hartung stated he had no problem with the Vice Chair moving to the position of Chair. He said if there was a Commissioner who had been serving as Vice Chair that we felt was not the best qualified person to serve as Chair, adopting that language would not give us any wiggle room at all. He stated he respectfully disagreed with that approach. He said he had been on other Boards and Commissions where that was not always how it worked.

Chair Berkbigler said we were all duly elected Commissioners, and she did not believe it was the responsibility of any one Commissioner to say another Commissioner was not qualified to be the Chair. Commissioner Hartung said it would not be one person, but by a vote of the body. He said when Chair Berkbigler was elected, she wanted to spend time at the Legislature, but the Board's Rules and Procedures prohibited her doing so even though that was not necessarily how the rest of the body felt. He stated we would be locking ourselves into certain decisions with language that would give us no opportunity to revisit it.

On the call for the vote with the changes as proposed to the Board's Rules and Procedures, the vote was 3 to 2 with Commissioners Hartung and Herman voting "no."

**15-0059      AGENDA ITEM 18**

**Agenda Subject: "Discussion and possible action with regard to appointment and reappointment of Commissioners to boards and commissions, alteration of terms of service on boards and commissions where legally permissible. (All Commission Districts.)"**

John Slaughter, County Manager, said the appointments and reappointments were decided during last Friday's meeting. He stated today was an opportunity for the Commissioners to make any necessary corrections.

Chair Berkbigler said the appointments seemed to be correct. Commissioner Jung said there had been concern about the Reno-Sparks Convention and Visitors Authority (RSCVA) appointments. She stated Commissioner Hartung expressed a steadfast desire to be on the RSCVA, which would have her and Commissioner Hartung serving on the RSCVA. She felt it would be in the best interests of the RSCVA for the Commissioner whose district collected the most room taxes be on the RSCVA. She stated she gave up that position to Commissioner Lucey with the understanding it would be revisited in six months. Chair Berkbigler said she appreciated Commissioner

Jung doing that, and she agreed with Commissioner Jung because Commissioner Lucey's district included the two highest room-tax payers.

The appointments are as follows:

<b>Board/Commission</b>	<b>Commissioners</b>
Community Assistance Center Transitional Governing Board	Commissioner Jung
Criminal Justice Advisory Committee	Chair Berkbigler – Primary and Commissioner Herman – Alternate
Debt Management Commission	Commissioner Lucey
District Board of Health	Commissioner Jung
Economic Development Authority of Western Nevada (EDAWN)	Commissioner Jung – Primary and Commissioner Lucey – Alternate
Internal Audit Committee	Chair Berkbigler
Investment Committee	Chair Berkbigler and Commissioner Hartung
Legislative Liaison	Chair Berkbigler
Library Board of Trustees	Commissioner Jung
Medical Marijuana Working Group	Commissioner Jung
Nevada Association of Counties (NACo) Board of Directors	Commissioner Herman and Chair Berkbigler
Nevada Commission for the Reconstruction of the V&T Railway	Commissioner Hartung – Primary and Commissioner Lucey – Alternate
Nevada Land Transfer Task Force	Commissioner Hartung
Nevada Tahoe Conversation District Board of Supervisors	Chair Berkbigler
Nevada Works	Commissioner Herman – Primary and Commissioner Jung – Alternate
Open Space and Regional Parks Commission	Commissioner Herman
Organizational Effectiveness Committee	Chair Berkbigler
Verdi Water Service Oversight Advisory Board	Commissioner Herman
Regional Jobs Network	Commissioner Jung
Regional Planning Governing Board (RPGB)	Commissioner Lucey, Commissioner Hartung, and Commissioner Herman
Regional Transportation Commission (RTC)	Commissioner Lucey and Commissioner Hartung
Reno-Sparks Convention and Visitors Authority (RSCVA)	Commissioner Lucey and Commissioner Hartung
Senior Services Advisory Board Liaison	Commissioner Herman – Primary and Commissioner Hartung – Alternate
Smarter Region Economic Development Vision Subcommittee	Commissioner Lucey – Primary and Chair Berkbigler – Alternate

<b>Board/Commission</b>	<b>Commissioners</b>
State Land Use Planning Advisory Council (SLUPAC)	Commissioner Herman
Tahoe Regional Planning Agency	Chair Berkbigler – Primary and Commissioner Lucey – Alternate
Nevada Tahoe Regional Planning Agency	Chair Berkbigler
Tahoe Transportation District Board of Directors	Chair Berkbigler – Primary and Commissioner Lucey – Alternate
Tahoe Transportation Commission	Chair Berkbigler
Truckee Meadows Water Authority Board	Commissioners Herman and Hartung – Primary and Commissioner Jung – Alternate
Truckee River Flood Management Authority	Commissioner Lucey and Commissioner Hartung
Washoe County Stadium Authority	Chair Berkbigler and Commissioner Jung
Western Nevada Development District (WNDD)	Commissioner Jung
Western Regional Water Commission	Commissioner Hartung, Commissioner Herman – TMWA appointee, and Commissioner Lucey – STMGID Successor

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that the appointments and reappointments of the Commissioners to various boards and commissions be approved.

**15-0060      AGENDA ITEM 19 – MANAGER**

**Agenda Subject: “Discussion and possible further direction to staff to establish a process and timeframe to fill a vacant Reno Justice Court Department, Department 3, including soliciting applicants, screening applicants (including the possible appointment of a subcommittee of the Board)--Manager. (All Commission Districts.)”**

John Slaughter, County Manager, said this item was discussed prior to the two new Commissioners coming on board, but staff was bringing this item back to get further direction from the Board.

Commissioner Hartung noted the vacant seat opened last March and the Department saved a considerable sum since then because the associated staff positions were not filled based on attrition. He said the Court had indicated their caseload was down to about the 1998 level. He stated the Court and the Secretary of State were comfortable with not filling the position as long as it was filled by the next regular election. He suggested tabling this item unless there was a need expressed by the Court to

fill the seat based on the case load. Chair Berkbigler agreed. Commissioner Jung felt it would be incumbent on the Chief Judge to bring this to us or not. She said if the Chief Judge could not get consensus, she respectfully asked that this not be brought to the Board because she did not feel it was the Board's job to decide what their compromise should be. She requested a formal letter be sent to the Secretary of State to clarify what the Board's intentions were and to ask for feedback. She agreed the Chief Judge should come to the Board if the Court needed to fill the vacancy. Commissioner Herman agreed.

Chair Berkbigler said this item would be tabled until asked to do something by the Reno Justice Court.

Paul Lipparelli, Legal Counsel, said he was aware the Secretary of State authored a letter suggesting it was the Board's duty to fill the vacancy. He stated under the statute there was the duty to fill the vacancy, but the statute did not say when it had to be done. He felt that left room for the Board to take time to act. He said he was not aware that the Secretary of State had the authority to compel the County to do anything, and it would probably take someone acting on their own behalf to start a legal challenge. He stated the Secretary of State was the Chief Elections Officer for the State and had some authority over conducting elections, but he was not sure vacancies fell into the Secretary of State's domain. He stated he was not sure if that changed Commissioner Jung's thoughts about what next actions should be or not. Commissioner Jung said she would defer to legal to handle as they saw fit. Commissioner Hartung asked Mr. Slaughter to reach out to the current Chief Judge and get such a letter, even though he was aware some conversations occurred. He applauded this Commission for being a good steward and looking at every opportunity to save the County money. He stated he knew the Court had other needs, and the Board should be sensitive to those needs, such as the need for a certified interpreter. He agreed the Board should get the Chief Judge's opinion and let him reach a concession with the members of his Court.

In response to the call for public comment, Cathy Brandhorst discussed her concern regarding judges.

On motion by Commissioner Hartung, seconded by Commissioner Herman, which motion duly carried, it was ordered that Agenda Item 19 be deferred to a time when information was received from the Court.

**12:50 p.m.** The Board recessed.

**6:00 p.m.** The Board reconvened with Commissioners Jung and Lucey absent.

**PUBLIC HEARINGS**

**15-0061      AGENDA ITEM 20**

**Agenda Subject:    GENERAL    OBLIGATION    BUILDING    BONDS  
ADDITIONALLY SECURED BY PLEDGED REVENUES PROPOSAL:** Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) building bonds, in one series or more, in the aggregate principal amount of not exceeding \$12,000,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of building projects as defined in NRS 244A.019, the bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available therefor), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium? (the "Proposal"); and The above Proposal was previously approved by the Debt Management Commission of Washoe County, Nevada. The County has determined that the Bonds to be issued for the purpose of financing the acquisition, construction, improvement and equipment of building projects, including, but not limited to facilities, structures, fixtures, furniture and equipment for a building for the Medical Examiner, and all appurtenances and incidentals necessary, useful or desirable for any such facilities as set forth in NRS 244A.019 (as further described in the above Proposal) will be additionally secured by a pledge of the "Pledged Revenues," which include the pledge of 15% of all income and revenue derived by and distributed to the County pursuant to NRS 360.698. The Board has, in addition, determined, based upon a revenue study, that the Pledged Revenues will at least equal the amount required in each year for the payment of the interest on and the principal of the Bonds."

**6:01 p.m.**      The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Cathy Brandhorst discussed bonds.

Paul Lipparelli, Legal Counsel, said the Board already adopted the resolution approving the bonds. He stated tonight's agenda item was to hold the public hearing to satisfy Nevada Revised Statue (NRS) 350.020 and allow people to challenge the issuance of the bonds. He said after that the Board would be ready to consider a bond ordinance, which would authorize the issuance of the bonds. He said closing the public hearing would complete this item.

Chair Berkgigler closed the public hearing.

**15-0062      AGENDA ITEM 21 – CLOSED SESSION**

**Agenda Subject: “Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.”**

There was no closed session.

**15-0063      AGENDA ITEM 23 – PUBLIC COMMENT**

**Agenda Subject: “Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.”**

Cathy Brandhorst spoke about items of interest to herself.

**COMMUNICATIONS**

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

**15-0064**      Contract between State of Nevada Department of Transportation and Sierra Nevada Construction, Inc. Contract No. 812-14, Project No. SP-MS-1201(018), MY 921, Reno Maintenance Yard, at SR 667 MP WA 26.3, Washoe County.

**15-0065**      Executed copy of the Amendment to the Agreement for Consulting Engineering and other services for the Central Truckee Meadows Remediation District Program between Kleinfelder West, Inc. and Washoe County dated December 17, 2013. Board of County Commissioners Meeting dated December 17, 2013, Agenda Item #35, Minute Item #13-1073.

**COMPREHENSIVE ANNUAL REPORTS/FINANCIAL STATEMENTS**

**15-0066**      Palomino Valley General Improvement District Fiscal Year 2013-2014 Financial Statements.

**15-0067**      Sun Valley General Improvement District Financial Statement and Supplementary Information for Fiscal Year Ended June 30, 2014.

- 15-0068** Washoe County School District Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2014.
- 15-0069** Regional Transportation Commissioner Comprehensive Annual Financial Report  
Fiscal Year Ended June 30, 2014.
- 15-0070** Reno-Tahoe Airport Authority Comprehensive Annual Financial Report 2013-14.
- 15-0071** Incline Village General Improvement District Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2014.
- 15-0072** City of Sparks Comprehensive Annual Financial Report for year ended June 30, 2014.
- 15-0073** South Truckee Meadows General Improvement District's 2014 Financial Statements.
- 15-0074** Truckee Meadows Water Authority Comprehensive Annual Financial Report for Fiscal Year 2014.
- 15-0075** Western Regional Water Commission's 2014 Financial Statements.
- 15-0076** Incline Village General Improvement District - Truckee Meadows Water Reclamation Facility Financial Statements for year ended June 30, 2014.

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**6:10 p.m.** There being no further business to discuss, on motion by Commissioner Hartung, seconded by Commissioner Herman, the meeting was adjourned without objection.

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**MARSHA BERKBIGLER**, Chair  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by:  
Jan Frazzetta, Deputy County Clerk*

**INTERLOCAL CONTRACT  
BETWEEN LAS VEGAS METROPOLITAN POLICE DEPARTMENT AND  
THE WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS ON BEHALF OF THE  
WASHOE COUNTY SHERIFF'S OFFICE**

**WHEREAS, Las Vegas Metropolitan Police Department ("LVMPD"), is in receipt of FY 14 Internet Crimes Against Children grant funds, CFDA # 16.543; and**

**WHEREAS, the Washoe County Board of Commissioners on Behalf of the Washoe County Sheriff's Office (the "Subrecipient"), a unit of local government located at 911 Par Blvd., Reno, NV 89512 wishes to conduct programming under the Internet Crimes Against Children grant (the "Project"); and**

**WHEREAS, LVMPD has agreed to provide FY 14 Internet Crimes Against Children grant funds (the "Funds") to the Subrecipient, such funding to be administered by the LVMPD (County and Subrecipient referenced collectively as "the parties"), for support of investigations related to internet crimes against children (ICAC) as defined in Exhibit "A", "Expenditures Eligible for Reimbursement"; and**

**WHEREAS, the Subrecipient intends to use the funds to conduct investigations of child sexual exploitation; and**

**WHEREAS, NRS 277.180 permits one or more public agencies to contract with any one or more public agencies to perform any governmental service, activity or undertaking that any of the public agencies entering into the contract is authorized to perform by law.**

**NOW, THEREFORE, in accordance with NRS 277.180 and related regulations, the parties hereto agree as follows:**

- 1. LVMPD shall provide a maximum of EIGHTY THOUSAND DOLLARS (\$80,000.00) from Fiscal Year 2014 funds for the investigation of child sexual exploitation.**
- 2. Subrecipient agrees to submit requests for reimbursement for allowable expenditures under the line items defined in Exhibit "A". Requests for changes to the budget must be approved in writing by LVMPD.**
- 3. Subrecipient will provide LVMPD with documentation supporting any and all requests for payment of expenses against the funds encumbered, and will provide any additional documentation requested by LVMPD that may be required in the administration of the grant funds.**
- 4. Regardless of any termination of this agreement, Subrecipient shall comply with all Federal laws and regulations associated with the receipt of the grant funds as a Subrecipient of such funds for the project identified in this Contract. See Exhibit "B" for Federal Assurances required under this Contract.**
- 5. It is specifically understood and agreed by Subrecipient that LMVPD shall not be obligated to pay any monies to Subrecipient hereunder and hereafter in the event**

15-0044

that such Federal funds for any reason are terminated or withheld from LVMPD or are otherwise not forthcoming, and in such event, LVMPD may terminate this Contract.

6. This Contract shall take effect on the date of execution by both parties and shall continue in force and effect until terminated as delineated below:
  - a. This Contract shall be completed by June 30, 2015 unless extended in writing by LVMPD.
  - b. This Contract may be terminated by any party, for any reason with written notice of at least 60 days.
7. This Contract and its attachments constitute the entire understanding of the parties concerning the subject matter hereof. This contract may be amended solely by means of written amendment signed by both parties.
8. In the event LVMPD desires to increase the amounts set forth in Section 1 and Exhibit A, subject to Subrecipient's consent to provide matching funds if necessary, LVMPD, at its sole discretion, shall increase the aforesaid amounts of funding, and Subrecipient agrees that if such augmentation of the budgeted amounts occur, such new amounts shall be governed by all terms and conditions of this Interlocal Agreement as if such amounts were originally included in Section 1 and in Exhibit A.
9. Subrecipient shall agree to provide evidence of financial accountability. A copy of subrecipient's most recent single audit report (OMB Circular A-133) or a letter stating that subrecipient expended less than \$300,000 of Federal funds during the reporting period must be submitted to LVMPD annually. Letters should be addressed to: Lori Leyba, Grants Analyst, Las Vegas Metropolitan Police Department.
10. Subrecipient agrees to comply with the investigative standards detailed in the Internet Crimes Against Children Operational and Investigative Standards.
11. All correspondence and reports concerning this agreement shall be addressed as follows:

Lori Leyba, Grants Analyst  
400 Martin L. King Blvd.  
Las Vegas, NV 89106  
(702) 828-8210  
L5530L@LVMPD.COM

**INTERLOCAL CONTRACT  
BETWEEN LAS VEGAS METROPOLITAN POLICE DEPARTMENT AND  
THE WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS ON BEHALF OF THE  
WASHOE COUNTY SHERIFF'S OFFICE**

ENTERED INTO this 15 day of December, 2014.

ATTEST:

LVMPD

By: Annemarie Roberson  
Annemarie Roberson,  
LVMPD Fiscal Affairs Committee Clerk

By: Douglas C. Gillespie  
Douglas C. Gillespie, Sheriff  
Las Vegas Metropolitan Police Department

Date: 12-15-14

Date: 12/15/14

APPROVED AS TO FORM:

By: Mary-Anne Miller  
Mary-Anne Miller, Deputy District Attorney

Date: 12-4-14

ATTEST:

Washoe County Board of Commissioners on  
Behalf of the Washoe County Sheriff's Office

By: Nancy Parent  
Nancy Parent  
County Clerk

By: Marsha Berkbigler  
David Humke Marsha Berkbigler  
Chair, Board of County Commissioners

Date: January 13, 2015

Date: 1/13/15

APPROVED AS TO FORM:

Richard Gammick Chris Hicks  
District Attorney

By: Paul W. Gammick  
Deputy District Attorney

Date: 1-13-15

**Attachment "A" - Expenditures Eligible for Reimbursement  
 FY 14 Washoe County Internet Crimes Against Children Budget  
 2014-MC-FX-K045**

**October 1, 2014 through June 30, 2015**

Item	Application Budget
<b>Personnel</b>	
Overtime	\$ 21,660.00
<b>Subtotal</b>	<b>\$ 21,660.00</b>
<b>Travel</b>	
Forensic Training (Encase, FTK, FLETC, Paraben, A+, Net+, NW3C, Etc.)	\$ 10,975.00
National ICAC Conference	\$ 5,800.00
Dallas CAC Conference	\$ 3,080.00
<b>Subtotal</b>	<b>\$ 19,855.00</b>
<b>Equipment</b>	
Computer Monitors Samsung/Acer or equivalent	\$ 2,000.00
Patriot Memory Flash media storage devices thumb Drives)	\$ 750.00
Hard drive upgrades (Solid State or equivalent)	\$ 2,600.00
Computer peripherals and components	\$ 1,200.00
Undercover computer (HP, Acer, or equivalent)	\$ 1,400.00
Forensic computer component replacement	\$ 900.00
Faraday electronic device bags	\$ 400.00
T3iu Forensic SATA Imaging Bays	\$ 1,366.00
<b>Subtotal</b>	<b>\$ 10,616.00</b>
<b>Supplies/ Operating</b>	
Misc Software (Adobe, Camtasia, Microsoft Office)	\$ 5,719.00
Forensic software (Tech Net, etc)	\$ 15,000.00
<b>Subtotal</b>	<b>\$ 20,719.00</b>
<b>Other/Services</b>	
Wireless Internet/Cellular Fees	\$ 1,260.00
<b>Subtotal</b>	<b>\$ 1,260.00</b>
<b>Other/Training</b>	
Forensic Training	\$ 4,950.00
Dallas CAC Conference	\$ 940.00
<b>Subtotal</b>	<b>\$ 5,890.00</b>
<b>GRAND TOTAL</b>	<b>\$ 80,000.00</b>

## EXHIBIT "B"

### LOCAL and FEDERAL ASSURANCES

#### Financial and Project Activity Assurances

Upon acceptance of funding from LVMPD, the lead governmental unit hereby agrees to the following financial and project activity assurances governing the transfer of funds.

1. A quarterly Financial Report shall be submitted to Las Vegas Metropolitan Police Department not later than 15 days following the end of the modified quarter schedule below:  
June 1-August 31  
September 1-November 30  
December 1-February 28  
March 1-May 31

Requests for reimbursement must be submitted using the LVMPD Quarterly Financial Report form and shall include copies of paid invoices and appropriate payroll documentation as applicable. Unless approved by LVMPD, late reports could delay reimbursement.

2. The final Financial Report must be submitted to LVMPD no later than 30 days following the end of the contract period. Unless approved by LVMPD, late reports could result in non-payment of final claim.
3. LVMPD retains the right to terminate this contract for cause at any time before completion of the program when it has determined that the subgrantee has failed to comply with the conditions of this agreement.
4. Financial management must comply with the requirements of OMB Circulars A-102 or A-110, whichever is applicable to your organization.
5. All grant expenditures are to be reasonable and allowable in accordance with OMB Circular A-21, A-87 or A-122, whichever is applicable to your organization, and which are incorporated into this agreement by reference.
6. All grant expenditures are to be made in accordance with the interlocal contract, and within current DOJ and grant specific guidelines. Modifications must be requested and approved in advance by submitting an LVMPD Project Change Request form to LVMPD.
7. Grant revenue and expenditure records must be maintained and made available to the LVMPD for audit.
8. Subgrantees shall comply with the audit requirements of the Single Audit Act Amendment of 1986 and OMB Circular A-133, which is incorporated into this agreement by reference, to include the required submission of the most recent annual independent audit, as prescribed in sections 310 and 315 and section 320, paragraph f.
9. Subgrantees that are institutions of higher education, hospitals or other non-profit organizations shall comply with the audit requirements of OMB Circular A-110, Attachment F.
10. Required documentation for the performance of internal audits must be provided to LVMPD within 30 days of request. Grant closeout is contingent upon LVMPD audit and resolution of any discrepancies

11. The subgrantee agency is required to submit quarterly financial and project activity reports to LVMPD. Due dates for those reports are as follows:

**December 15** - (for reporting period September 1- November 30)  
**March 15** - (for reporting period December 1 to February 28)  
**June 15** - (for reporting period March 1 to May 31)  
**September 15** - (for reporting period June 1 to August 31)

The reports should be completed in accordance with the following format and standards:

12. **Project Activity Report** – A narrative status report describing program accomplishments with respect to meeting stated objectives and completing the projects approved in the allocation of funding. The subgrantee activities should be reported for the quarter and for the cumulative period from the grant award date. Report can be done in a memo format.
13. **Quarterly Financial Reports** – Complete and submit a Quarterly Financial Report form for all expenditures funded by the grant. This request will be accompanied by copies of paid invoices and other documentation required by LVMPD to substantiate the request for reimbursement.
14. **Project Change Request** – Grant expenditures are authorized only for purchases and activities approved by DOJ under the grant application process. Any change in the project scope, needs to be submitted to LVMPD for submittal to DOJ for approval.
15. Funds granted are to be expended for the purpose set forth in the grant award and in accordance with all applicable laws, regulations, policies, and procedures of the State of Nevada and the applicable federal granting agency.
16. No expenditures will be eligible for compensation if occurring after the term of the interlocal contract.
17. If this grant funds any form of written or visual material that identifies employees of LVMPD, prior approval must be obtained from the LVMPD before publishing or finalization.
18. The subgrantee assures the fiscal accountability of the funds received from the LVMPD will be managed and accounted for by the jurisdiction’s chief comptroller and internal control and authority to ensure compliance with LVMPD documentation, record keeping, accounting, and reporting guidelines will reside with that individual.
19. The subgrantee shall neither assign, transfer nor delegate any rights, obligations or duties under this interlocal contract without prior approval of LVMPD.
20. To the extent permitted by law, the subgrantee will indemnify, save and hold LVMPD and its agents and employees harmless from any and all claims, causes of action or liability arising from the performance of this agreement by subgrantee or its agents or employees.
23. Subrecipient shall comply with the investigative standards detailed in the Internet Crimes Against Children Operational and Investigative Standards.



OMB APPROVAL  
NUMBER 1121-0140

EXPIRES 03/31/2016

## STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

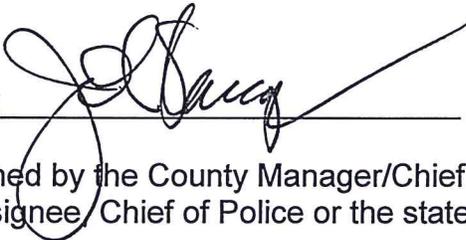
1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. It will give the awarding agency or the Government Accountability Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).
5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321)
6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

7. If a governmental entity:

- a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
- b. it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

As the duly authorized representative of the subrecipient, I hereby certify that the subrecipient will comply with the above assurances and certifications.

NAME: John Slaughter TITLE: County Manager

SIGNATURE:  DATE: 1/13/15

\* Must be signed by the County Manager/Chief Financial Officer, the Tribal Chairman/designee, Chief of Police or the state agency director as appropriate

**U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
OFFICE OF THE CHIEF FINANCIAL OFFICER**

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER  
RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance on Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements:

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Have not within a two-year period preceding this application been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at [Ojpcompliancereporting@usdoj.gov](mailto:Ojpcompliancereporting@usdoj.gov), and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

(d) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and

(e) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. FEDERAL TAXES

A. If the applicant is a corporation, the applicant certifies that either (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to OJP at [Ojpcompliancereporting@usdoj.gov](mailto:Ojpcompliancereporting@usdoj.gov), and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME: John Slaughter TITLE: County Manager

SIGNATURE:  DATE: 1/13/15

\* Must be signed by the County Manager/Chief Financial Officer, the Tribal Chairman/designee, Chief of Police or the state agency director as appropriate