

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

TUESDAY

10:00 A.M.

FEBRUARY 24, 2015

PRESENT:

Marsha Berkbigler, Chair
Kitty Jung, Vice Chair
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner
Bob Lucey, Commissioner (via telephone)*

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

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

15-0152 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.”

Cathy Brandhorst spoke about matters of concern to herself.

Victor Bausell, owner of Sage Ridge Farms, talked about the County Code as it related to the use of hoop houses in food production. He said, due to the wind and humidity in Nevada, hoop houses were a necessity and should be considered agricultural tools rather than buildings. He explained hoop houses were different from greenhouses and did not have temperature controls, electricity, or mechanical services. He said he purchased a hoop house that was 768 square feet and the County told him he could not install it without an engineered set of drawings and a permit. He said other Counties did not have the same limitations and he looked forward to working with the Board to draft an amendment to the Code that made sense. He hoped the County would work toward helping farmers.

Debby Carmichael said she bought some property in the County eight years ago and after paying for electrical poles and the installation of a well, she was ready

to build a house there. She wondered why she was required to install a sprinkler system in the 1,800 square foot house she planned to build and complained about the expense.

Tony Coursey said he knew a number of people who wanted to build in the North Valleys, but refused to do so because of the sprinkler requirement. He said he learned houses with sprinkler systems had higher insurance costs due to the increased risk of flooding and he wondered if there was any way around the requirement.

Sam Dehne commented about the sprinkler requirement for new homes, medical marijuana, Tesla, the Economic Development Authority of Western Nevada (EDAWN) and the *Reno Gazette Journal (RGJ)*.

John Potash expressed his concern about recently proposed changes to Chapter 55 of the County Code regarding animal control. He described his extensive background in wildlife related organizations and said he had been involved in the wildlife and exotic animal community to help defend against discriminatory regulations. He said he agreed Chapter 55 was outdated and needed revisions, but he felt some of the proposed changes were overreaching, unreasonable, and based on fear and bias. He said he wanted to discuss his concerns with the Board in greater detail. He hoped they could work together to create a sound, reasonable and progressive Ordinance addressing the County's obligations to public safety and animal welfare while protecting the rights and freedoms of the community.

Bill Maggiora said it seemed to him the proposed animal Ordinance changes reflected the manage-to-extinction philosophy of the Animal Rights Movement. He said State law did not seem to support the changes the Animal Control Department was proposing to make.

Melanie Peck said she was the owner of a small business that catered to people who owned pet reptiles and amphibians. She thought the proposed animal Code changes would place an onerous burden on commercial breeders. She said it was government overreach to allow Animal Control Officers to revoke a breeder's license and she wanted to see the Code language amended to limit officers to writing citations unless animals were in imminent danger. She said proposed changes to the Code would also require the owners of some exotic animals to carry \$250,000 in insurance, which she thought was excessive. She said the County should support businesses that catered to animal lovers.

15-0153 AGENDA ITEM 4 – ANNOUNCEMENTS/REPORTS

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, said there was a request to remove Agenda Item 6M1, and Agenda Item 6K4 would be removed from the Consent Agenda because staff was seeking specific Board direction for that item. He said a Closed Session would be necessary and the Board would conduct the session during their lunch break. He noted the Board would be meeting concurrently with the Library Board of Trustees at 2:00 p.m. in the Caucus Room.

Mr. Slaughter talked about requests that were made by the Board during previous meetings. He stated the matter of “cooling off” periods for staff was being researched and the issue would come back to the Board sometime in March. He said the issue regarding the reimbursement of funds related to the Warm Springs Specific Plan Area would be reviewed at the March 10th meeting. He stated he was planning to bring the Emergency Medical Services (EMS) report to the Board at the March 24th meeting.

Mr. Slaughter thanked the television station KNPB for highlighting the County’s Senior Services Program on “A Conversation With” hosted by Brent Boynton. He stated the County’s 2015 Annual Financial Report was complete and available for review. He also announced Craig Betts accepted the position of Chief Information Officer for the County after a nationwide search.

Commissioner Jung reported her attendance at an Economic Development Authority of Western Nevada (EDAWN) Board meeting. She said there had been some discussion about refreshing the EDAWN Board with new members to invite new ideas. She said she attended Judge Cynthia Lu’s investiture and there was a great turnout to the event. She stated she watched the KNPB television program regarding Senior Services and was pleased at how well Kevin Schiller, Assistant County Manager, and Grady Tarbutton, Senior Services Director, conveyed everything the County did for seniors. She stated she would like an update to the Board regarding the issue of time sheets for salaried employees. She explained she knew there were salaried employees who wished to receive paid compensatory time and she wanted to know what the best practices were regarding the issue. She stated she also wanted an update on standards for employee appearance and dress expectations. She requested a discussion and presentation regarding the development of staff to work with the public on suggestions for Ordinance changes. She said she wanted an update and Board discussion about sprinkler system requirements for new houses and explained the appeal process, for those who spoke earlier in public comment, would involve the Board of Adjustment. She said the Board decided to wait until the new Executive Director of Animal Services provided input before implementing any changes to the animal control Ordinance. She reported the District Board of Health would be reviewing the Interlocal Agreement with the Regional Emergency Medical Services Authority (REMSA) at an upcoming meeting.

Commissioner Hartung said he thought the permit requirement for hoop houses was burdensome and he wanted the issue to come back to the Board for discussion. He asked for a monthly update on housing starts and building permits for the County as well as for the cities of Reno and Sparks. He said he wanted the Board to review the issue of sprinkler system requirements for houses and said he knew some

people who suffered significant damage to their home because their fire suppression system failed. He said he would like staff to give a presentation regarding off-highway vehicle (OHV) use in the storm water utilities and basins in the Spanish Springs area because vandals were costing taxpayers a lot of money. He stated he wanted to hear from Animal Control about the ability of an officer to revoke permits. He reported his attendance at Truckee Meadows Community College's (TMCC's) Heritage Black Tie Celebration and he talked about a recent meeting of the Regional Transportation Commission (RTC).

Commissioner Herman noted there was an item on the agenda for the reappointment of a member to the Animal Control Board and she had questions about that individual's experience with kennels and exotic animals. She said she was pleased that some work had been done on a road in Gerlach and knew the people who used that road were also happy about it. She stated she was glad the Board would be reviewing the issue regarding hoop house permits and she reported the Nevada Association of Counties (NACO) had been busy discussing legislative issues.

Commissioner Hartung talked about a new process for the detection of breast cancer called "Breast Enhanced Scintigraphy Testing" (BEST). He said there was a group in town that was looking for 150 women to test for free and he hoped the group would give a presentation to the Board about it.

Chair Berkgigler agreed with the other Commissioner's statements regarding the hoop house issue. She said she was concerned about the ability of Animal Control Officers to revoke breeding permits and she hoped to begin working with the new Director of Animal Services on Code changes. She said she was also concerned about the sprinkler requirements for homes.

15-0154 AGENDA ITEM 5 - PROCLAMATION

Agenda Subject: "Proclamation--Social Worker Month"

Commissioner Jung read and presented the Proclamation to several representatives of the Social Services Department.

Jean Marsh, Children's Services Division Director, said she appreciated the honor the Board bestowed upon them. She promised to read the Proclamation during activities that were scheduled to celebrate Social Worker Appreciation Month.

Dawn Costa, Social Worker III, introduced herself and stated she worked in the Senior Social Services Department.

Joti Bhakta, Social Services Supervisor, said she was grateful for the Proclamation.

Ken Retterath, Division Director of Social Services, added his thanks for all the hard work social workers did every day.

Alice LeDesma, Children's Services Division Director, thanked the Board on behalf of her staff.

On the call for public comment, Sam Dehne spoke about social work, Colonel Kazmierski, sprinkler requirements for houses, and performing musical concerts with his band.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 5 be adopted.

CONSENT ITEMS - 6A THROUGH 6M3

John Slaughter reminded the Board that Agenda Item 6M1 would be removed from the agenda entirely and that Agenda Item 6K4 would be pulled from the consent agenda to be acted upon separately. Based on Commissioner Herman's questions regarding Agenda Item 6C, it was also pulled from the consent agenda to be heard separately.

15-0155 AGENDA ITEM 6A

Agenda Subject: "Approve minutes for the Board of County Commissioners' January 9, 2015 meeting."

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6A be approved.

15-0156 AGENDA ITEM 6B

Agenda Subject: "Cancel March 17, 2015 County Commission meeting."

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6B be approved.

15-0157 AGENDA ITEM 6D - ASSESSOR

Agenda Subject: “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2011/2012, 2012/2013, 2013/2014, 2014/2015 secured tax roll and authorize Chairman to execute the changes described in Exhibit A and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease \$5,690.85]. (Parcels are in various Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6D be approved, authorized and directed.

15-0158 AGENDA ITEM 6E – DISTRICT ATTORNEY

Agenda Subject: “Approve payments totaling [\$6,925.06] to vendors for assistance of 31 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims, victim’s spouses and other eligible persons. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6E be approved.

15-0159 AGENDA ITEM 6F – HUMAN RESOURCES

Agenda Subject: “Approve a request to reclassify a vacant Office Support Specialist, pay grade H, to a Benefits Specialist, pay grade K (Human Resources) as evaluated by the Job Evaluation Committee. Net annual cost of this action is estimated at [\$13,202]. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6F be approved.

15-0160 AGENDA ITEM 6G - PURCHASING

Agenda Subject: “Approve Award of Invitation to Bid # 2919-15, Washoe County Sheriff’s Laundry Room Upgrade, to the only responsive, responsible bidder, Laundry Systems of Nevada, 1217 Gator Way, Sparks NV 89431. The value of this award for Washoe County is [\$111,765]. (All Commissions Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6G be approved.

15-0161 AGENDA ITEM 6H – RENO JUSTICE COURT

Agenda Subject: “Approve Reno Justice Court’s reorganization plan, which includes reclassifying eleven (11) positions for an [estimated annual cost of \$3,942]; direct Human Resources to make all necessary changes. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6H be approved and directed.

15-0162 AGENDA ITEM 6I – INCLINE CONSTABLE/INCLINE JUSTICE COURT

Agenda Subject: “Approve the reorganization of the Incline Justice Court and Incline Constable’s office to include the deletion of a Bailiff Supervisor position (No. 60017125 – Position No. 70008150), pay grade J160; the reclassification of a full-time Supervising Clerk I position (No. 60001260 – Position No. 70000360) pay grade J150 to a Judge’s Administrative Assistant position (No. 60001138 – Position No. 70000360), pay grade K444, funded to 32 hours; and the creation of a Deputy Clerk I position (No. 60001205 – Position No. TBD), pay grade J100; and direct the Departments of Human Resources and Comptroller to make all necessary adjustments effective February 24, 2015, which includes a reduction of \$24,692 to the Salaries and Benefits budget of Incline Justice Court and increase of \$24,692 to be redirected to the Salaries and Benefits budget of the Incline Constable’s Office. (All Commission Districts.)”

Chair Berkbigler acknowledged the presence of Judge Tiras for this item and said she appreciated his attendance.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6I be approved and directed.

15-0163 AGENDA ITEM 6J - TREASURER

Agenda Subject: “Acknowledge Receipt of the Report of Sale- January 22, 2015 Delinquent Special Assessment Sale [Sale Proceeds \$0.00]. (Commission Districts 5.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6J be acknowledged.

15-0164 AGENDA ITEM 6K1 – COMMUNITY SERVICES

Agenda Subject: “Approve an Agreement between Washoe County and Frederic Apcar Productions for the Wagon Wheel Country Music Festival to be held at Rancho San Rafael Regional Park on October 3-4, 2015, with options for renewal in 2016 and 2017. (Commission District 3.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6K1 be approved.

15-0165 AGENDA ITEM 6K2 – COMMUNITY SERVICES

Agenda Subject: “Approve a Cooperative Agreement between Washoe County and the Nevada Department of Transportation through December 31, 2016 for Phase II of the Safe Routes to School Improvement Project. (Commission Districts 2 and 5.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6K2 be approved. The Agreement for same is attached hereto and made a part of the minutes thereof.

15-0166 AGENDA ITEM 6K3

Agenda Subject: “Approve Funding Agreement State Question-1 Truckee River Land Acquisition-Hoss Parcel Project (APN 084-212-05) [\$29,500-State Question 1 Truckee River Bond Funds] between Washoe County and The Nature Conservancy. (Commission District 4.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6K3 be approved.

15-0167 AGENDA ITEM 6L1 - HEALTH

Agenda Subject: “Approve and execute the Permit for Disinterment of Human Remains (Rylee Nicole Murray) as allowed under NRS 451.050, Subsection 2. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6L1 be approved and executed.

15-0168 AGENDA ITEM 6L2 - HEALTH

Agenda Subject: “Approve amendments totaling an increase of [\$2,351] in both revenue and expense to the FY15 CDC Epidemiology and Laboratory Capacity (ELC) Federal Grant Program, IO 10984; and if approved direct the Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6L2 be approved and directed.

15-0169 AGENDA ITEM 6M2 - SHERIFF

Agenda Subject: “Accept a donation [\$416.03] from Henry Schein 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 appropriate budget adjustments. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung thanked Henry Shein for his donation.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6M2 be accepted and authorized.

15-0170 AGENDA ITEM 6M3 – SOCIAL SERVICES

Agenda Subject: “Accept cash donations in the amount of [\$102,300] from the congregation of Grace Church through their Year- End Giving campaign for the benefit of the Kids Cottages, Washoe County Social Services’ emergency shelter for abused and/or neglected children, and direct Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung thanked Grace Church. She explained the donation was made to benefit an emergency shelter used for abused and neglected children. She commended social workers for their devotion to bettering the lives of others.

Alice LeDesma, Children’s Services Division Director, stated the donation was an incredible gift. She explained that after providing a tour of the Kids Cottage facilities to members of Grace Church the program was selected for the Church’s year-end giving project. She said a large check was presented to the Social Services Department to refurbish Kids Cottage and make it more home-like and inviting. She stated some people in the Church even volunteered and offered support to some of the children and their families.

Dan Frank, Lead Pastor of Grace Church, said the Church members felt very strongly about children at risk in the County. He said he was thrilled with the level of sacrifice the congregation made and excited about the future.

Chair Berkbigler said the Board really appreciated the gift made to the Kids Cottage and she thanked Grace Church for their donation.

Karen Durst, Grace Church staff member, said she and the entire congregation were moved by the Kids Cottage program, which was why they gave so sacrificially.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6M3 be accepted and directed.

15-0171 AGENDA ITEM 6C – ANIMAL SERVICES

Agenda Subject: “Approve the reappointment of Elaine Carrick, representative from a society for the prevention of cruelty to animals, to the Animal Control Board for an additional 4-year term. (All Commission Districts.)”

Shyanne Schull, Director of Regional Animal Services, said she hoped to clarify Commissioner Herman’s questions regarding the appointment of Elaine Carrick to the Animal Control Board. She explained there were seven seats on the Board, which included one representative from each of the five Commission Districts, one representative from the Society for the Prevention of Cruelty to Animals, and one representative from the exotic animal community. She said Ms. Carrick would be filling the seat for the Society for the Prevention of Cruelty to Animals.

Commissioner Herman said she questioned the appointment because she received some complaints from other applicants regarding Ms. Carrick’s lack of exotic animal and kennel experience. She thanked Ms. Schull for the explanation.

Commissioner Jung said she knew Ms. Carrick as a wonderful advocate for the prevention of cruelty to animals.

On the call for public comment, Cathy Brandhorst spoke about cruelty to animals and the Animal Control Board.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered Elaine Carrick be reappointed to the Animal Control Board for an additional 4-year term.

15-0172 AGENDA ITEM 6K4 – COMMUNITY SERVICES / CLERK

Agenda Subject: “Request by the Community Services Department through the Washoe County Clerk pursuant to WCC 2.030 for the Board of County Commissioners to initiate proceedings to amend Washoe County Code Chapter 25 (Business License Ordinance) to remove bond requirements for traveling merchants, peddlers, and solicitors; to exempt certain government agencies from obtaining a Washoe County business license for their administrative functions; to consolidate all fees into the master business license fee schedule; to consolidate all definitions into a single code section; to incorporate NRS provisions as appropriate; to enable administrative and civil enforcement of business license regulations; to incorporate certain State of Nevada licensing and permitting requirements; to modify work card, registration card, and criminal history inquiry regulations in concert with the Washoe County Sheriff’s Office; to clarify and consolidate regulations for outdoor events; to divide the current medical marijuana establishment regulations into various sections to make the code easier to understand; to incorporate policy direction provided by the Washoe County Board of County Commissioners at initiation on February 24, 2015; to amend Washoe

County Code Chapter 110 (Development Code) to clarify which temporary events require a business license and to remove duplicate regulations pertinent to outdoor entertainment events; and, to provide for other matters properly related thereto; and, to direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance, pursuant to Washoe County Code Sections 2.030 and 2.040. (All Commission Districts.)”

Bob Webb, Community Services Department Planning Manager, said staff proposed some changes to the business license Ordinance and he needed policy direction from the Board. He said the first question was whether or not Chapter 25 of the County Code should be amended to require transient lodging properties to obtain business licenses. He said staff’s recommendation was not to require business licenses for those properties.

Chair Berkbigler stated it appeared the Board was in favor of staff’s recommendation.

Mr. Webb explained the second question was whether Chapter 25 of the County Code should be amended to waive business license fees for non-profit businesses and other charities. He said the County currently required all businesses to apply for business licenses, but the cities of Reno and Sparks exempted non-profit organizations. He added that both cities required non-profit businesses to obtain tax exempt activity licenses to facilitate inspections. He said staff’s recommendation was to allow exemptions for non-profit entities, to use the qualifying definition in the Sparks City Code, and to require non-profit organizations to obtain no-fee licenses so they would be subject to inspections. He said staff also recommended the County continue to require non-profit organizations to pay the \$1,000 fee for outdoor events, but waive the \$350 daily event fee.

Commissioner Jung asked if there was a way to verify whether a non-profit organization was contributing to society. She said she understood non-profit entities were allowed exemptions because they offered social services which were not provided by the government, but she was concerned about the fairness to taxpayers if that was not the case. She asked if the non-profit entities had to demonstrate their contributions.

Mr. Webb said staff’s recommendation was to mirror the Sparks model, which required non-profit organizations to provide a current copy of their non-profit status letter they received from the Internal Revenue Service (IRS); however, he would be happy to look into the issue if the Board desired him to do so.

Commissioner Jung wondered what the best practice was across the Country. She thought the County could require non-profit companies to provide proof they provided a significant contribution to the public. She also said the fees for outdoor entertainment events should cover all related government expenses.

Mr. Webb said the proposal did not include increasing any fees and that currently only a portion of government costs were recovered for outdoor events. He explained smaller outdoor events were charged \$300 and had to be approved by the Board of Adjustment, while larger events were charged \$1,000 and had to be approved by the Board of County Commissioners. He stated neither fee was sufficient to cover staff expenditures. He said if so directed, he could incorporate language into the proposed changes which would require additional special event fees for the purpose of cost recovery.

Commissioner Jung mentioned some outdoor events were also considered by the Regional Parks and Open Space Commission. Mr. Webb explained only events that were held on property managed by the Parks Department, such as the Great Reno Balloon Race, went before the Parks Commission for approval. He said such events were not subject to the provisions in the business license Code, so the Parks Commission had a duty to ensure those events met park Code standards.

Commissioner Jung said she thought non-profit businesses should have to demonstrate they were benefitting the community to have business license fees waived. She said she did not want to use the Sparks City Code to determine qualifications and instead wanted to utilize whatever the best practice was throughout the Country.

Commissioner Hartung agreed with Commissioner Jung. He said there were lots of businesses that claimed to be non-profit and yet placed a burden on taxpayers. He said he would like to see different language in the proposal and thought it would be a good idea to look at best practices nationwide.

Chair Berkbigler said it appeared the Board wanted further investigation and discussion in regards to the second question.

Commissioner Jung said she knew the Sheriff's Office was reimbursed for expenses incurred while assisting non-profit organizations, such as the Reno-Tahoe Open (RTO) and Burning Man, so she did not think the Board was acting any differently than any other governing body.

Mr. Webb said staff was also seeking direction as to whether or not the business license Code should be amended to exempt General Improvement Districts (GIDs) from special event regulations, which was the third question listed in the staff report. He said the Sun Valley GID requested an exemption for outdoor events held on the recreational facilities they managed. He said the proposed changes would affect two GIDs, specifically in Sun Valley and Incline Village, because they both owned recreational facilities. He stated they would still be required to obtain other permits and approvals for things like law enforcement protection or food permits for outdoor vendors, but staff's recommendation was to allow the exemption to GIDs for special event licenses.

Chair Berkbigler said, as the representative for Incline Village, she supported the idea. She asked for comments from the other Commissioners and seeing none, stated the Board was clearly in support of the first and third questions regarding the proposed amendments to the business license Code.

Mr. Webb said he would come back to the Board for further discussion on question number two with best practice definitions.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 6K4 be approved with the exception of staff's recommendation for question number two, and with a request to bring question number two back with updated language for review by the Board.

BLOCK VOTE – AGENDA ITEMS 8, 9, AND 10

15-0173 AGENDA ITEM 8 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to adopt a Resolution to sponsor an amendment to the 2012 Truckee Meadows Regional Plan, pursuant to NRS278.0272(7), to amend the Electrical Utility Corridors South map to include two new substations and new utility corridors on assessor’s parcel number 084-110-29 to support the expanding operations for Apple Inc. (Commission District 4.)”

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried with Commissioner Lucey absent, it was ordered that Agenda Item 8 be adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

15-0174 AGENDA ITEM 9 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to approve an Agreement for Professional Consulting Services between Washoe County and Poggemeyer Design Group, Inc., to provide project management services for the Washoe County Medical Examiners Facility Project [\$182,990]. (All Commission Districts.)”

There was no public comment on this item.

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

15-0175 AGENDA ITEM 10 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to approve Amendment No. 1 to the Agreement for Professional Consulting Services between Washoe County and VanWoert Bigotti Architects to include specialty forensic consultant services for the Washoe County Medical Examiner’s Facility Project [\$167,835.00]. (All Commission Districts.)”

There was no public comment on this item.

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

11:27 a.m. The Board convened as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

12:49 p.m. The Board adjourned as the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

15-0176 AGENDA ITEM 11 – MANAGEMENT SERVICES

Agenda Subject: “Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues as may be deemed by the Chair or the Board to be of critical significance to Washoe County. (All Commission Districts.)”

John Slaughter, County Manager, provided a handout to the Board, which was placed on file with the Clerk. He said staff continued to work diligently at the Legislature in Carson City and explained the handout included a list of some of the bills that were of interest to the County. He said there were concerns about Senate Bill 70 (SB70), which would require the Clerk to present completed minutes to the Board by the next meeting. He said the requirement would be problematic because in some months there were numerous back-to-back meetings and it would be practically impossible to comply with that mandate. He said he wanted to also draw the Board’s attention to three collective bargaining bills, which were being considered by both the Assembly and the Senate. He said SB158, SB168 and Assembly Bill 182 (AB182) were all related to collective bargaining issues and it was staff’s observation that there were some issues within those bills that were either a benefit to the County or could be difficult. He said the recommendation was for the Board to take a neutral position and allow staff to address specific issues during the legislative hearings. He said if the Board chose that position, staff would present information regarding procedural or fiscal impacts and allow the Legislature to make decisions based on the information they received.

Chair Berkbigler said it was a great idea and it appeared the Board agreed with the recommendation.

Mr. Slaughter said there were two other bills he wanted to bring to the Board's attention and the first one was AB94 regarding sample ballots by email. He said the language had been reviewed by staff and he recommended the Board support the bill. Commissioner Hartung stated he championed the bill and would appreciate the Board's support as well. He said the bill was intended to allow voters the ability to elect to receive sample ballots by email, which was the first step in creating a new system for the County. Chair Berkbigler stated her support.

On motion by Commissioner Hartung, seconded by Commissioner Herman, which motion duly carried with Commissioner Lucey absent, the Board declared their support of AB94.

Mr. Slaughter commented there had been quite a bit of discussion about AB185 in the media. He said the bill would make changes related to fire services in the County. He thought the language in the bill was fairly simple and said it stated the closest unit would be required to respond to a fire or emergency call regardless of location. He said automatic aid had been an issue for years and he knew the Board recognized the value of that model.

Commissioner Hartung said, while he would like to see an automatic aid agreement with the City of Reno, he thought neutrality was the best way to go on the issue. Chair Berkbigler agreed with Commissioner Hartung, but said she did not think it was the State Legislature's job to dictate to municipal governments how they handled emergency services.

Mr. Slaughter said he would continue to bring forward legislation that staff had questions about. He stated the Monday Memo, which was sent out from the Manager's Office, contained a thorough update and review of staff's efforts in Carson City. He said if any other issues came up staff would contact the Board's liaison, Chair Berkbigler.

Mr. Slaughter stated the Board would be conducting a closed session for the purpose of discussing labor negotiations during its lunch recess and would reconvene at 2:00 p.m. in the Caucus Room for an open and concurrent meeting with the Library Board of Trustees. He said, since the rest of the agenda was concluded, the final public comment would be heard after the concurrent meeting in the Caucus Room.

Later in the meeting (after Agenda Item 18) Commissioner Hartung requested to reopen this Agenda Item. He said, since Mr. Slaughter found the Government Services Tax (GST) was restricted for road related projects, he thought the Board might want to direct Mr. Slaughter and the legislative team to see if they could find a way to allow the County some flexibility so the money could be used for Parks and Libraries.

Paul Lipparelli, Legal Counsel, said there were some restrictions on the use of the GST proceeds, but if General Fund money was being spent on road projects that the GST money could be directed toward, then the money in the General Fund could be freed up and directed toward other things, which would not require legislative action.

There was no public comment on this item.

15-0177 AGENDA ITEM 19

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.”

1:03 p.m. On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Commissioner Lucey absent, it was ordered that the meeting recess to a 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.

2:00 p.m.* The Board reconvened with all members present and Commissioner Lucey participating by telephone in the Washoe County Commission Caucus Room located on the 2nd Floor of Building A at 1001 E. 9th Street, Reno, for the concurrent meeting with the Washoe County Library Board of Trustees.

15-0178 AGENDA ITEM 14

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 and Board of Trustees 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 and Board of Trustees as a whole.”

Cathy Brandhorst expressed concerns about security and the fees for the use of computers in the libraries.

15-0179 AGENDA ITEM 15 - LIBRARY

Agenda Subject: “Presentation, discussion and possible direction to staff regarding the Washoe County Library System Facility Master Plan. (All Commission Districts.)”

Arnie Maurins, Library Director, introduced Todd Lankenau, Managing Partner of Collaborative Design Studio. Mr. Lankenau conducted a PowerPoint

presentation and reviewed the Library System Facility Master Plan. He reviewed the process utilized to develop the Plan including data analysis, questionnaires and interviews. He said as a result of that process, system recommendations were determined and included increasing library hours, improving technology, outsourcing some library functions, selectively downsizing audio books, CDs and DVDs, the addition of after-hours pick-up and drop-off lock boxes, and radio frequency (RFID) tagging.

Commissioner Hartung asked if the lock boxes could be accessed from the outside or if they would require the need for special foyers to house them. Mr. Lankenau said they were weatherproof lockers that could be mounted outside.

Mr. Lankenau said the plan included recommendations for things that would have to be done to building infrastructure to accommodate growth. The recommendations included options for rearranging things to fit more books into existing space, renovating library interiors to create additional space, and constructing new libraries. He said, based on those recommendations, some optional approaches were created for new construction and financing. He said one major recommendation was to close both the Verdi and Duncan/Traner libraries because they were very small and underutilized. He thought the money could be better spent elsewhere and said the goal was not only to right-size libraries, but also to minimize operational costs. He stated another recommendation was to build new libraries in downtown Reno. He said the existing downtown library would be difficult to renovate due to asbestos and lighting issues.

Mr. Lankenau talked about the North Valleys Library, which he said was undersized, and said the Sierra View Library was in a very undesirable location. He thought the advantage of the Sierra View Library was that there was plenty of parking, but the fact that it was located inside a shopping mall turned a lot of people away. Commissioner Jung stated she thought the Sierra View Library was popular and well used. Mr. Lankenau replied the Library had quite a bit of circulation, but the consultant did not feel it was an appropriate location.

Robert Rothe stated he was the owner of the property that housed the Sierra View Library. He said he appreciated the Library being there and was committed to his donation, which was covering the rent for the space.

Mr. Lankenau said the Sparks Library was too small and forecasts predicted the area would need a library space twice the size of the existing building. He said options included creating one larger library or creating an additional smaller library so there would be two of them. He said the area had changed significantly and it was approaching a size that might benefit from having two libraries. He talked about possible locations and stated that a key consideration would be to note where the bus lines ran.

Commissioner Hartung thought in the future there would be some connectivity between the west and east sides of the valley. Mr. Lankenau agreed with Commissioner Hartung and said the influx of people, due to new companies like Tesla

coming into the region was something to consider, but there was no way to know where the incoming populations were going to land.

Mr. Lankenau said another option to consider was the consolidation of the Downtown and Sierra View libraries into one large main library. He said every urban center he could think of had a main downtown library.

Commissioner Hartung said it seemed to him the question was whether to have larger libraries that required more space or smaller libraries that were integrated into the communities. He thought it would be good to find more people, like Mr. Rothe, who understood that libraries were a positive addition to shopping centers. Mr. Lankenau added he thought creating more small libraries might result in higher operational costs.

Derek Wilson, Library Board Trustee, said the Library Board had discussed the idea of creating an impressive central library before. He said the issue was really about size and library space per capita. He said the issue of quality needed to be addressed, but he thought the primary need was for more space.

Commissioner Lucey said he knew the South Valleys Library was also used as a meeting center. He said he would lean toward quality over quantity because, with new developments coming in to the area, he thought the libraries could be used more as community centers.

Mr. Lankenau reviewed the recommended locations for new libraries and talked about the potential for expansion in some of the existing libraries. He said the Sierra View Library currently had 23,130 square feet of space and projections indicated it would need 50,000 square feet by the year 2035. Mr. Rothe commented that he could accommodate that need and said the Library Board just had to let him know when they needed it.

Mr. Laneknau explained the options that were listed in the PowerPoint presentation and said costs ranged from \$149 million to \$196 million. Mr. Maurins passed out some handouts, which were placed on file with the Clerk. Mr. Lankenau said the handouts were meant to provide a graphical representation of the County's shortfall. He spoke about the library size projection graphs and explained some of the details depicted in them. He said it would make sense to get rid of libraries that were going to start costing the County money, such as the one in the North Valleys, which was on a lease with a rate that had recently been increased.

Chair Berkbigler wondered if the Senior Center Library would be open to the patrons of the Duncan/Traner Library if that branch was closed. Mr. Lankenau did not think that would be palatable because the groups of people using those two libraries were very different. Chair Berkbigler said the people who used the Duncan/Traner Library were generally those who did not have access to computers and tended to have transportation issues, so she was concerned about closing that branch.

Mr. Lankenau talked about the library size projection graph for “Option 4”, which was based on the proposal for closing of the Sierra View Library. He said it showed the main library would be the Downtown Library, but in order to accommodate projections it would need an additional 100,000 square feet and another 400 parking spaces. He suggested the consideration of an alternative site at the location of the old Park Lane Mall, which he said had enough space, was along bus routes, and had plenty of surface parking. He said there some other possible options for downtown, but accommodating parking downtown could be difficult and he was trying to avoid building a parking structure. Commissioner Jung said there was parking all around the current Downtown Library so she did not understand why people thought that was a big issue. Mr. Wilson thought the fact there was not any on-site parking was limiting the Library’s appeal. Commissioner Berkbigler said she thought the homeless population near the library was a more significant deterrent than the lack of parking.

Mr. Lankenau talked about the library location analysis graph, which he said was meant to show the service range of each library. He noted the intersection of Plumb Lane and Virginia Avenue, the site of the old Park Lane Mall, fell half way between the two radii extending out from the Downtown Library and Sierra View Library. He said he was not sure that was the best location for a new main library because of the distance some people would have to travel to it.

Commissioner Hartung said he thought he heard the owners of the old Park Lane Mall site wanted \$20 million dollars for the property. Mr. Lankenau said the property belonged to a bay area developer and he thought it would have to be developed for mixed-use with restaurants, offices and perhaps even residential units in order to get a return on the investment. He said a wise developer would plant a library right there because it would increase the property value tremendously. Commissioner Hartung said it was a well-known fact that places of worship, libraries and schools made great communities and that was what people looked for. Mr. Lankenau said an alternative argument could be made for putting a main library somewhere downtown where there was a denser population. Commissioner Lucey said a lot of his constituents used both the Downtown Library and the Sierra View Library, but he knew some of them were using the South Valleys Library just because it was new.

Commissioner Jung asked Mr. Maurins how much money was currently in the Library budget to be utilized for expansion and Mr. Maurins replied there was none. Commissioner Jung asked if the purpose of the planning report was to create a vision for the future and Mr. Maurins said it was just good planning. Commissioner Jung said the bottom line was there was no money for the project and she explained she wanted to make that point because she had received some complaints. She thought there had been a lack of sensitivity to the citizen who was willing to give the County free space for a library. She was concerned the County was not being a good partner and was not doing enough to drive business to the community rooms at the Sierra View Library. She said she made it very clear to Mr. Rothe that the County could do a better job with public/private relationships and she thought the discussion was an exercise in futility because she could not see where the money was going to come from.

Commissioner Lucey commended Commissioner Jung for her statements and said he agreed with her. He stated public/private alliances needed to be strengthened, so he would push for that and for continuing to look at plans for independent and stand-alone libraries.

Chair Berkgigler stated she would be completely opposed to closing the Sierra View Library. She said she had never been in that library when it was not busy and she knew it served a good purpose. She thought the consultant might not approve of the concept of walking through a mall to get to a library, but she did not see any evidence to show citizens felt that way. She said if the Library Board was considering building a new library, she would recommend putting it in the North Valleys because of the growth in that area.

Commissioner Hartung wondered if it might be a good idea to put an advisory question on the next ballot to ask the citizens if they would approve of using the General Service Tax (GST) fund, which generated about \$10 million per year, specifically for the purpose of funding the libraries. He said libraries made good communities and he thought a good case could be made for that use of the money.

Commissioner Jung said she thought the Board could make that decision and enact it without putting it to a vote. She said she was not sure they should give all the money to the libraries, but thought maybe they could use the money for both parks and libraries.

Commissioner Hartung agreed with Commissioner Jung. He said he received a lot of complaints about library hours and he thought it was important to get the libraries opened up so people had access when they needed them. He thought the Board should have some discussion about the potential use of the GST money during one of its regular meetings.

Mr. Maurins said he appreciated and understood what Commissioner Jung said about public/private partnerships. He said the Library Board had to consider what made sense throughout the County and not just for one location. He asked Mr. Lankenau to describe another option, which was previously presented to the Library Board, regarding the potential for a lease-to-buy arrangement with a developer.

Mr. Lankenau said one of the things he had suggested was a public/private partnership wherein the County could engage a development team to construct a library, or series of libraries, and then lease it back to the Library with a buyout at the end of a period of time. He said it was a good way to finance the library expansion that could be spread out to meet the County's needs in a metered way.

Commissioner Hartung stated the utilization of the GST money would allow the County to obtain a bond because it was a dedicated source of funding. John Slaughter, County Manager, said the GST fund was revenue that amounted to about \$3.3 million dollars per year, but it was restricted for use in road related projects. He said

using that money for roads freed up County money to be used for other things. Commissioner Jung said she wanted a presentation about the GST Fund because that explanation was completely different than what was presented to the Board in 2009.

Paul Lipparelli, Legal Counsel, stated the public had not been notified that either of the Boards would be discussing specific revenue sources and suggested they consider bringing that topic back for discussion at a future meeting. Commissioner Hartung said it would be good to give staff the time to do the research.

On the call for public comment, Scottie Wallace, library employee, said external lockers had been installed at the Downtown Library and customers had the ability to pick up their items anytime around the clock.

Mr. Wilson said if Mr. Rothe felt like he was not adequately included in the discussion he would be happy to talk with him anytime. He said he was in favor of public/private partnerships and would be delighted if a commercial property owner came to him to talk about a combined building project. He said the Library Board wanted the consultant to look at things objectively and without any preconceptions. He stated the suggestion to close the Sierra View Library came as a surprise to the Library Board as well as to the Friends of the Library, but he thought it was always understood that the expansion plan would be contingent upon economic realities. He said the Library Board considered the North Valleys a priority as far as building a new library and he did not foresee the Sierra View Library closing anytime soon. He stated he agreed with the process to obtain the report because he liked long range planning and preferred to have a document that showed the Library Board was paying attention and looking toward the future.

Chair Berkbigler said she agreed with that statement and she believed in being proactive rather than reactive. She said planning ahead was great because if the County was somehow endowed with extra money and had to make a decision, they would have some plans to consider.

Commissioner Hartung thought perhaps a public/private partnership could be attained with a company like Amazon to create a digital library. He said Amazon would soon be a major employer in the North Valleys so that might be a discussion that could be had at some point in the future.

There was no action taken on this item.

15-0180 AGENDA ITEM 16 - LIBRARY

Agenda Subject: “Discussion and possible direction to staff regarding the Washoe County Library System’s Strategic Plan for FY 2015/16 – FY 2019/20. (All Commission Districts.)”

Arnie Maurins, Library Director, said the Library was required to have a five-year strategic plan and the staff report was intended to obtain feedback to aid in putting together the final draft of the plan. He said the current vision was for all residents in the County to benefit from the Library's support of literacy and self-education. He said to make progress toward that vision the Library needed to communicate so people understood the benefit of library services. He said the plan also needed to take into account the County's strategic objectives and goals. He stated there were two million people visiting the libraries via the branches and the website so they touched a lot of people. He said he laid out the plan with three primary strategic objectives, which were to deliver great service that met individual and community needs, to raise awareness of the positive difference libraries made, and to improve the library's organizational health.

Commissioner Jung suggested the Library work toward finding ways to incentivize newer employees so they would stay within the library system. Mr. Maurins replied that was included in the workforce development goal.

On the call for public comment, Kelly Rush, General Manager of America Matters Media, said she represented the community radio network which was based at the Reno Town Mall. She said they worked closely with the Sierra View Library and were working to transform the mall into a community town hall. She said radio programs could be developed to inform the community about the benefits of the library system and how public/private relationships were coming together for the benefit of all. She said this was one more argument for keeping the Sierra View Library open.

Eddie Floyd said he hosted an international talk show for America Matters Media and he had just over 1.4 million listeners. He said Robert Rothe, the owner of the mall, had offered his help to start a weekly radio show about Washoe County. He said it did not make any sense to him that anyone would want to close the Sierra View Library at the mall.

Commissioner Hartung said he thought some salient points were being made with respect to outreach and if people knew the statistics they would be appalled at how the library system had been gutted. He thought public outreach would be an important part of bringing the library system back to a usable level and that there should be more discussion about the current state of the libraries and how the County was going to make itself more attractive to newcomers.

Nancy Leuenhagen, Communications Manager, said she had talked with Mr. Floyd about placing some guests on his show. She said she also discussed outreach efforts with Jennifer Oliver, Library Development Officer, and Mr. Maurins.

Robert Rothe said he knew Mr. Floyd had a number of exciting ideas that would promote community involvement and they were working together to support some activities in the Reno Town Mall to bring people in. He said a lot of effort had been put into the public/private relationship and he was dedicated to supporting the library. He said he wanted to point out the Reno Town Mall had free parking, security, extremely

low facility costs for the Library, and room for expansion. He said the Sierra View Library was one of the busiest branches and he thought the convenience of the location spoke for itself.

Sara Sattler, Chair of the Library Board of Trustees, stated the Library Board was surprised to hear the results of the Facility Master Plan report. She said the Library Board was focused on the need in the North Valleys and very much appreciated the Sierra View Library.

Commissioner Lucey hoped the Library Board would continue to strive to create a more positive public perception based on the fact that libraries were important to communities. He thought the Library Board should make that a primary focus in its strategic plan.

There was no action taken on this item.

15-0181 AGENDA ITEM 17 - LIBRARY

Agenda Subject: “Discussion and possible direction to staff regarding the Washoe County Library System’s FY 2015/16 budget requests. (All Commission Districts.)”

Mr. Maurins, Library Director, read from the staff report which highlighted the Library’s financial situation and provided some context for the fiscal year 2015-16 budget requests. He provided specific information about the status of the current budget which resulted in reduced staff, reduced hours of operation, and fewer new materials. He talked about the Expansion Fund, the top capital project priority to build a new library in the North Valleys, and safety concerns in the Sparks and Sierra View Libraries. He said the primary objectives for the Library’s budget increase requests included improving services and customer satisfaction as well as reducing expenditures in the Expansion Fund.

Mr. Maurins pointed out the specific budget requests outlined in the staff report. The requests included increasing hours of operation, the addition of a security guard at the Sparks and Sierra View Libraries, moving the expense of a Shift Librarian III from the Expansion Fund to the General Fund, and a budget increase to fund public-use technology and more books and other materials.

Commissioner Jung asked if there had been any efforts made to reach out to the Sheriff’s Department to see if they might be interested in placing a community resource center in the Reno Town Mall and provide security for the Library. Commissioner Hartung thought the Sheriff’s Office had an existing substation on Grant Drive, which was just behind the Library. Commissioner Jung thought it would be a good idea to see if there was any interest because Deputies had arresting powers, which would be a good deterrent. Mr. Maurins said he would look into it.

Mr. Maurins talked about a request to increase funding for the Capital Improvement Plan (CIP) to fund a new North Valleys library. Chair Berkbigler wondered if he considered approaching any of the major developers in the area to see if there was any interest in a public/private partnership. She thought developers understood libraries were beneficial and said it would be worthwhile to look into it. Derek Wilson, Library Board Trustee, said there had been some discussion about casting a wider net in terms of seeking donations and the Library Board would be happy to look into that. Commissioner Hartung said he understood libraries were important to healthy communities and he thought the Board of Commissioners could make a cogent argument for the utilization of the Government Service Tax (GST) for much needed funding.

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

15-0182 AGENDA ITEM 18 - LIBRARY

Agenda Subject: “Appearance: Friends of Washoe County Library Board: President Dan Erwine; Vice-President Sunny Solomon; Recorder Mary Jones, Washoe County Library: Sierra View Managing Librarian John Crockett. Presentation on Sierra View Library’s Activities and Programs and Friends of Washoe County Library Booksales; and acknowledge receipt of reports on Sierra View Library’s Activities and Programs and Friends of Washoe County Library Booksales. (Commission Districts 1, 2, and 3.)”

Dan Erwine, President of the Friends of the Library, extended gratitude to Robert Rothe for generously supporting the organization by donating rent-free space in the Sierra View Library. He said, because of Mr. Rothe’s donation, the “Friends” were able to increase their donation to the library system by \$60,000 to \$70,000. He spoke about the organization’s participation in the America Matters and Senior Spectrums Programs and said they were working hard to increase membership.

Sunny Solomon, Vice President of the Friends of the Library, said the non-profit organization started in 1981 and the first financial donation to the library system amounted to \$4,000. She stated the 2014 donation was \$140,000. She explained the money came from membership donations, book sales, the Second Century Endowment Council, “Art in the Garden” (a part of Reno’s Artown event), Amazon Online and the Second Hand Prose bookstore within the Northwest Library. She said libraries were the last bastion for democratic citizenry to meet and that bookstores could not offer what libraries could.

Mary Jones, Friends of the Library Board Director, provided some specific information about the amount of money which was donated to the library system. She said the Friends of the Library received a notice that their sub-lease would no longer be rent free as of July 5, 2015. She said she calculated how much the rent would be for the first year and determined it would decrease the amount the organization could give to the library system from \$140,000 to \$23,931. She asked the Board of County Commissioners (BCC) to consider waiving the rent. Commissioner Hartung asked who the landlord was

and Ms. Jones replied it was the County. Commissioner Jung said the BCC would definitely have to take care of that issue.

John Crockett, Sierra View Managing Librarian, talked about activities and operations at Sierra View Library. He talked about a demographic census and market analysis which indicated most of the Library's users were young middle to low income families. He said this information helped the Library align their services to better serve their patrons. He said the Library was instituting a program called First Grade Outreach and bringing back the Story Time Program. He stated the Library also offered basic computer classes, financial and estate planning classes, and free tax preparation assistance. He said the Sierra View Library was one of the busiest in the system, but there was a significant problem with the restrooms in the facility and he was hoping to see some improvements made to them.

Commissioner Jung said she thought the mall owner had recently spent \$30,000 on bathroom renovations and asked if the Library had its own staff restroom. Mr. Crockett replied it was true the bathrooms were remodeled with new tile and sinks, but the cosmetic improvements did not address ventilation and plumbing issues. He said there was a staff bathroom in the Library, but it had been closed since the year 2000 due to the same types of issues. Commissioner Jung stated the Board should take a look at funding a bathroom for staff because she thought they needed a safe and secure bathroom.

Chair Berkbigler suggested Mr. Crockett consider inviting the Commissioners to read to the kids during Story Time.

Mr. Maurins asked Commissioner Jung if the information provided during the meeting satisfied her request for more information about what was going on at the Sierra View Library. Commissioner Jung replied it did and suggested a continued effort to drive people into the Sierra View Library and the Reno Town Mall.

Mr. Crockett said the Library would be happy to collaborate with other agencies and neighboring businesses whenever there was an event going on at the Library.

On the call for public comment, Keith Judson, Friends of the Library Treasurer, extended his heartfelt thanks to Mr. Rothe for providing rent-free space. He echoed Ms. Jones' earlier comments about the notice regarding the cessation of free rent. He said it would not make sense to continue efforts to raise money for the library if they had to pay rent and he hoped the BCC would take action to waive the rent prior to July 1st.

Marcus Clark, of NAI Alliance, stated work was still being done to fix some of the issues in the bathrooms and he asked Mr. Crockett to continue to communicate with him about the problems so they could be addressed.

Alfred Stoess, Vice Chair of the Library Board of Trustees, urged the BCC to do everything they could to improve the Library's financial situation so they could add more staff and extend hours.

Chair Berkgigler said the BCC was very interested in seeing what they could do to accommodate the libraries because they understood their importance. She asked Mr. Maurins to come back to the BCC with his assessment as to whether the Verdi Library needed to close or not. She said if it needed to close she hoped the Verdi staff could be reassigned to other locations. She said she would hate to see the Duncan/Traner Library close because she did not think the people in that area would have access to other libraries, so she wanted Mr. Maurins to report back to the BCC about that as well.

There was no action on this item.

4:05 p.m. The Concurrent meeting with the Washoe County Library Board of Trustees was adjourned and the Board of County Commissioners recessed.

4:20 p.m. The Board reconvened for the remainder of the County Commission agenda.

Commissioner Hartung requested reopening Agenda Item 11. Please see the Agenda Item 11 above for discussion details.

15-0183 AGENDA ITEM 21

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 matters of concern to herself.

* * * * *

4:25 p.m. There being no further business to discuss, on motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, the meeting was adjourned.

MARSHA BERKBIGLER, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Cathy Smith, Deputy County Clerk*

COOPERATIVE AGREEMENT

This Agreement is made and entered into this ____ day of _____, _____, by and between the STATE OF NEVADA, acting by and through its Department of Transportation, hereinafter called the DEPARTMENT, and Washoe County, acting by and through its Department of Community Services, 1001 E. Ninth Street, Reno, NV 89512, hereinafter called the COUNTY.

WITNESSETH:

WHEREAS, a Cooperative Agreement is defined as an agreement between two or more public agencies for the "joint exercise of powers, privileges and authority;" and

WHEREAS, pursuant to the provisions contained in Chapter 408 of the Nevada Revised Statutes, the Director of the DEPARTMENT may enter into agreements necessary to carry out the provisions of the Chapter; and

WHEREAS, NRS 277.110 authorizes any two or more public agencies to enter into agreements for joint or cooperative action; and

WHEREAS, the parties to this Agreement are public agencies and authorized to enter into agreement in accordance with NRS 277.080 to 277.110; and

WHEREAS, the purpose of this Agreement is to address each party's responsibilities concerning the design, advertise, award, construction management, maintenance, and funding for pedestrian improvements, including sidewalk, curb and gutter, handicap ramps at various Washoe County school locations as outlined in the project scope attached hereto and incorporated herein as Attachment A hereinafter called the PROJECT; and

WHEREAS, the design, advertise, award, construction management services to be provided by the DEPARTMENT, will be of benefit to the COUNTY and to the people of the State of Nevada; and

WHEREAS, the PROJECT has been approved for Federal Safe Routes to School (SRTS) funds; and

WHEREAS, the COUNTY is a sub-recipient of federal transportation funds C.F.D.A. (Code of Federal Domestic Assistance) Number 20.205 will be used for reporting purposes; and

WHEREAS, the parties hereto are willing and able to perform the services described herein;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, it is agreed as follows:

ARTICLE I - COUNTY AGREES

1. To require those utility companies having franchise agreements with the COUNTY, when permitted under the terms of the franchise agreement, to relocate their facilities if necessary or otherwise accommodate the PROJECT at no cost to the PROJECT, the DEPARTMENT or the COUNTY.

15-0165

2. To provide documentation evidencing the COUNTY's ownership of the property the improvements will be constructed on.

3. To grant the DEPARTMENT permission to work within the COUNTY's right-of-way for the purpose of constructing the PROJECT.

4. To grant the DEPARTMENT permission to design and administer the PROJECT using NDOT Standard Plans and Standard Specifications for Road and Bridge Construction.

5. To retain maintenance responsibilities including utility costs for the pedestrian improvements that are within the COUNTY right-of-way as part of the PROJECT, upon completion and the DEPARTMENT's final written acceptance of the PROJECT.

6. To complete the review of all change orders submitted by the DEPARTMENT within five (5) working days after service of such change orders. In the event the COUNTY does not provide the DEPARTMENT with the COUNTY's written response to the DEPARTMENT's change orders within five (5) working days following the DEPARTMENT's service of such change orders, the DEPARTMENT will proceed with change orders so as to not delay the PROJECT. No response from the COUNTY within this time frame will constitute the COUNTY's consent and acceptance for the DEPARTMENT to proceed.

7. The COUNTY shall coordinate with the Washoe County School District to complete the FHWA "Parent – Walking and Biking to School Survey" (Survey) and "Student Arrival and Departure Tally Sheet" (Tally Sheet) for the pedestrian improvements located at the following schools: Virginia Palmer Elementary, Lemmon Valley Elementary, Elizabeth Lenz Elementary, Nancy Gomes Elementary, and Brown Elementary. Data is to be collected by using both the Survey and Tally Sheet prior to PROJECT initiation and at the end of each semester for the duration of the project. The COUNTY shall email a copy of the data collected for the Survey and Tally Sheet to Tim Rowe, DEPARTMENT Safe Routes to School Coordinator, at trowe@dot.state.nv.us so they may be forwarded to the FHWA for processing. The Survey and Tally Sheet are available at www.walknevada.com.

ARTICLE II - DEPARTMENT AGREES

1. To establish a Project identification Number to track all PROJECT costs.

2. To obligate federal funding under SRTS for a maximum amount of Seven Hundred Twenty Thousand Six Hundred Forty-One and No/100 dollars (\$720,641.00).

3. To be responsible for one hundred percent (100%) of all costs exceeding the obligated federal funds for the PROJECT. The DEPARTMENT agrees the COUNTY is not responsible for any costs exceeding the obligated federal funds.

4. To design, advertise, award and administer the construction of the PROJECT.

5. To design and administer the contract using NDOT Standard Plans and Standard Specifications for Road and Bridge Construction that match or most closely match the COUNTY's Standard Details for Public Works Construction.

6. To provide the COUNTY three (3) copies of the preliminary plans and specifications for review and comment, and to invite the COUNTY to the specification review meeting to address said comments.

7. To allow the COUNTY to observe, review, and inspect PROJECT construction work with the understanding that all items of concern are to be reported to the DEPARTMENT's Resident Engineer and not to the Contractor.

8. To allow the COUNTY to review and comment on the DEPARTMENT's PROJECT change orders which involve features or items related to the PROJECT for which the COUNTY assumes a maintenance responsibility.

9. To coordinate and provide liaisons for the relocation or adjustments of utilities in accordance with state and federal regulations including, but not limited to NAC (Nevada Administrative Code) Chapter 408 and 23 CFR Part 645.

10. To acquire right of way as needed for the construction of the PROJECT.

11. To ensure that applicable right-of-way laws and regulations are met on this PROJECT and to document those actions in accordance with the DEPARTMENT's administrative requirements.

12. To perform the completion of the NEPA documentation in conformance with 23 CFR Part 771 and the acquisition of environmental permits and clearances.

ARTICLE III - IT IS MUTUALLY AGREED

1. The term of this Agreement shall be from the date first written above through and including December 31, 2016, or until construction of all improvements contemplated herein have been completed and accepted by the DEPARTMENT, whichever occurs first, save and except the responsibility for maintenance as specified herein.

2. The TOTAL ESTIMATED PROJECT COSTS are Seven Hundred Twenty Thousand Six Hundred Forty-One and No/100 dollars (\$720,641.00). The Parties acknowledge and agree that the TOTAL ESTIMATED PROJECT COSTS set forth herein are only estimates.

3. The following is a summary of TOTAL ESTIMATED PROJECT COSTS and available funds:

TOTAL ESTIMATED PROJECT COSTS:

DEPARTMENT Construction Engineering Costs:	\$70,000.00
DEPARTMENT Right-of-Way Costs:	\$15,000.00
Construction Costs:	\$635,641.00

TOTAL ESTIMATED PROJECT COSTS: \$720,641.00

AVAILABLE FUNDING SOURCES:

Federal Safe Routes to School (SRTS) Funds:	\$720,641.00
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TOTAL PROJECT FUNDING: \$720,641.00

4. If the total PROJECT costs are less than the obligated funding amount, then the remaining funds will be returned to the Safe Routes to School program.

5. This Agreement shall not become effective until and unless approved by appropriate official action of the governing body of each party.

6. The COUNTY, on behalf of itself, its spouses, heirs, executors, administrators, successors, subrogates, servants, insurers, attorneys, independent representatives, personal representatives, agents, and assigns, does hereby waive, release, and forever discharge the State of Nevada, the DEPARTMENT, and each and every of their departments, divisions, agencies, officers, directors, agents, contractors, and employees, from any and all claims, demands, liens, liability, actions, causes of action, and suits for damages, at law and in equity, in any way connected with or arising from the DEPARTMENT's provision of services and work performed following termination of this Agreement, and/or following the expiration date of this Agreement, as it may be amended from time to time through written amendment signed by the parties hereto and approved by appropriate official action of the DEPARTMENT's governing body, prior to such expiration date.

7. Neither the State of Nevada, the DEPARTMENT, nor any of their departments, divisions, agencies, officers, directors, agents, contractors, and employees, shall have authority to extend this Agreement beyond the expiration date set forth within this Agreement, unless such extension is set forth within a written amendment signed by the parties hereto and approved by appropriate official action of the DEPARTMENT's governing body prior to such expiration date. The COUNTY shall not rely upon any oral or written representations expressed extrinsic to a written amendment signed by the parties hereto and approved by appropriate official action of the DEPARTMENT's governing body prior to such expiration date, purporting to alter or amend this Agreement, including but not limited representations relating to the extension of the Agreement's expiration date.

8. This Agreement may be terminated by either party prior to the date set forth above, provided that a termination shall not be effective until thirty (30) days after a party has served written notice upon the other party. This Agreement may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Agreement shall be terminated immediately if for any reason Federal and/or State Legislature funding ability to satisfy this Agreement is withdrawn, limited, or impaired.

9. All notices or other communications required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile or electronic mail with simultaneous regular mail, or mailed certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth below:

FOR DEPARTMENT: Rudy Malfabon, P.E., Director
Attn.: Mike Bratzler, Senior Designer
Nevada Department of Transportation
Roadway Design Division
1263 South Stewart Street
Carson City, NV 89712
Phone: (775) 888-7653
Fax: (775) 888-7401
Email: rbratzler@dot.state.nv.us

FOR COUNTY: David Solaro, Arch., P.E.
Attn: Clara Lawson, P.E.
Washoe County Community Services
PO Box 11130
1001 E. Ninth Street

Reno, NV 89512
Phone: (775) 328-3603
Fax: (775) 328-3699
Email: clawson@washoecounty.us

10. The DEPARTMENT will award the total contract in accordance with its rules and procedures under the Standard Specifications for Road and Bridge Construction to the lowest responsive and responsible bidder. The DEPARTMENT has the right to reject any and all bid proposals determined not to be in the best interest of the State.

11. Construction engineering costs will be the actual construction engineering costs incurred by the DEPARTMENT during the construction of the PROJECT.

12. Should this Agreement be terminated by the COUNTY prior to completion of the PROJECT, the COUNTY will reimburse the DEPARTMENT for all improvement costs incurred up to the point of Agreement termination, and all costs incurred by the DEPARTMENT because of the Agreement termination.

13. Neither party shall be deemed to be in violation of this Agreement if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including without limitations, earthquakes, floods, winds or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of the Agreement after the intervening cause ceases.

14. To the fullest extent of NRS Chapter 41 liability limitations, each party shall indemnify, hold harmless and defend, not excluding the other's right to participate, the other from and against all liability, claims, actions, damages, losses, and expenses, including but not limited to reasonable attorneys' fees and costs, caused by the negligence, errors, omissions, recklessness or intentional misconduct of its own officers, employees and agents. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described herein. This indemnification obligation is conditioned upon the performance of the duty of the party seeking indemnification (indemnified party), to serve the other party (indemnifying party) with written notice of actual or pending claim, within thirty (30) days of the indemnified party's notice of actual or pending claim or cause of action. The indemnifying party shall not be liable for reimbursement of any attorney's fees and costs incurred by the indemnified party due to said party exercising its right to participate with legal counsel.

15. The parties do not waive and intend to assert available NRS Chapter 41 liability limitations in all cases. Agreement liability of both parties shall not be subject to punitive damages. Actual damages for any DEPARTMENT breach shall never exceed the amount of funds which have been appropriated for payment under this Agreement, but not yet paid, for the fiscal year budget in existence at the time of the breach.

16. Failure to declare a breach or the actual waiver of any particular breach of the Agreement or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.

17. An alteration ordered by either party which substantially changes the services provided for by the expressed intent of this Agreement will be considered extra work, and shall be specified in an Amendment which will set forth the nature and scope thereof. The method of payment for extra work shall be specified at the time the amendment is written.

18. This Agreement and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the exclusive jurisdiction of the Nevada state district courts for enforcement of this Agreement.

19. The illegality or invalidity of any provision or portion of this Agreement shall not affect the validity of the remainder of the Agreement and this Agreement shall be construed as if such provision did not exist. The unenforceability of such provision shall not be held to render any other provision or provisions of this Agreement unenforceable.

20. Except as otherwise expressly provided within this Agreement, all or any property presently owned by either party shall remain in such ownership upon termination of this Agreement, and there shall be no transfer of property between the parties during the course of this Agreement.

21. It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of any part of the Agreement to create in the public or any member thereof a third party beneficiary status hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

22. Each party agrees to keep and maintain under generally accepted accounting principles full, true and complete records and documents pertaining to this Agreement and present, at any reasonable time, such information for inspection, examination, review, audit and copying at any office where such records and documentation is maintained. Such records and documentation shall be maintained for three (3) years after final payment is made.

23. The parties are associated with each other only for the purposes and to the extent set forth in this Agreement. Each party is and shall be a public agency separate and distinct from the other party and shall have the right to supervise, manage, operate, control and direct performance of the details incident to its duties under this Agreement. Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.

24. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Agreement without the prior written consent of the other party.

25. The parties hereto represent and warrant that the person executing this Agreement on behalf of each party has full power and authority to enter into this Agreement and that the parties are authorized by law to engage in the cooperative action set forth herein.

26. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is confidential by law or a common law balancing of interests.

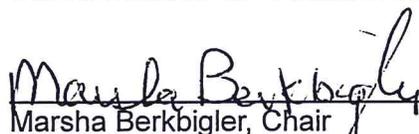
27. Each party shall keep confidential all information, in whatever form, produced, prepared, observed or received by that party to the extent that such information is confidential by law or otherwise required to be kept confidential by this Agreement.

28. This Agreement shall not become effective until and unless approved by appropriate official action of the governing body of each party.

29. This Agreement constitutes the entire agreement of the parties and such is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Agreement specifically displays a mutual intent to amend a particular part of this Agreement, general conflicts in language between any such attachment and this Agreement shall be construed consistent with the terms of this Agreement. Unless otherwise expressly authorized by the terms of this Agreement, no modification or amendment to this Agreement shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto and approved by the Attorney General.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

Washoe County, acting by and through its
DEPARTMENT OF COMMUNITY SERVICES



Marsha Berkgigler, Chair
Washoe County Commission

State of Nevada, acting by and through its
DEPARTMENT OF TRANSPORTATION

Director

Approved as to Legality & Form:

Deputy Attorney General

**Attachment A - Scope of Work
WASHOE COUNTY SRTS PROJECT**

1. Virginia Palmer Elementary
2. Lemmon Valley Elementary
3. Elizabeth Lenz Elementary
4. Nancy Gomes Elementary
5. Brown Elementary

Virginia Palmer Elementary School

Scope of Work: Extend sidewalks on 9th Street. Complete crosswalk striping at 9th and Klondike. Extend 12" CMP and cover with backfill at the mid-block crossing on Klondike. Install access gate and stairway through the playground on Klondike.

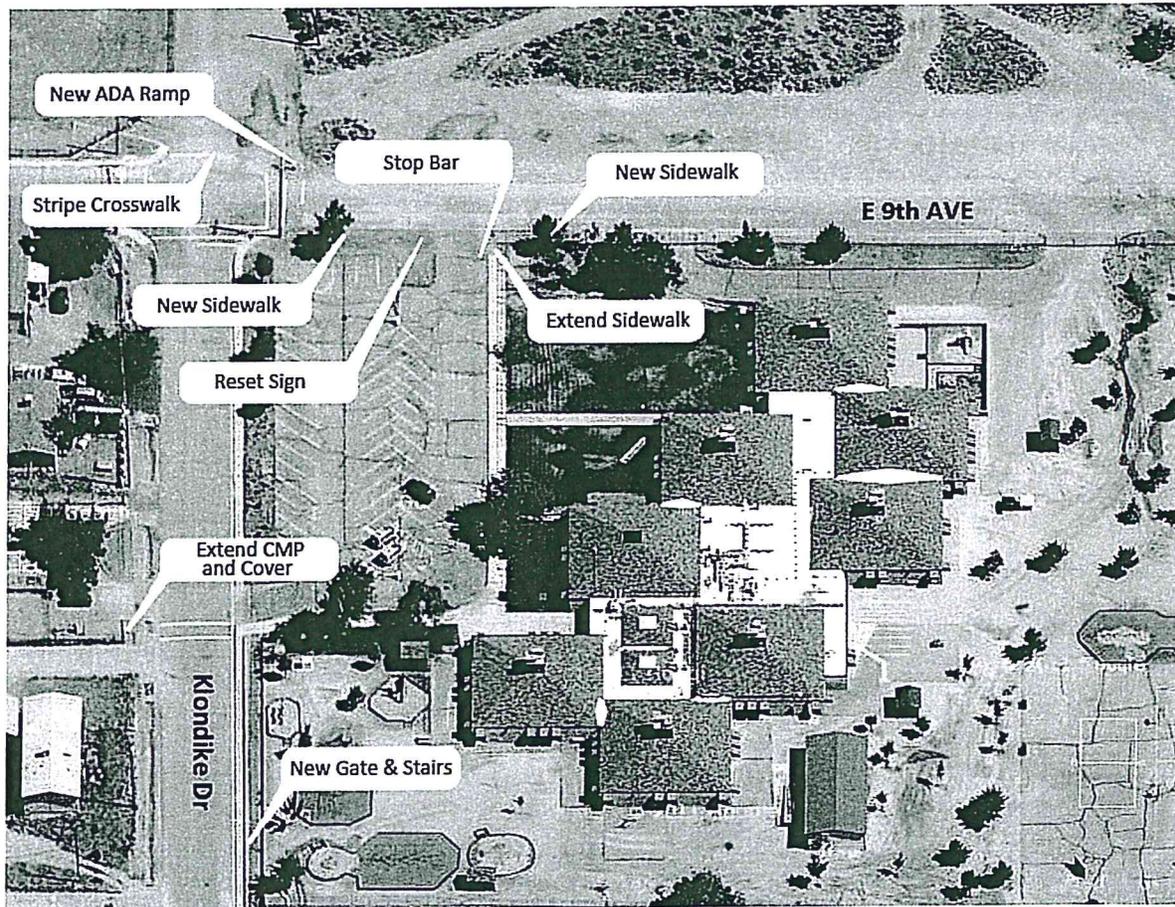


Figure 1

Lemmon Valley Elementary School

Scope of Work: Construct a paved pedestrian path to the west of the school along the north side of Patrician Dr. from the south parking lot to Lemmon Valley Blvd. Install a Pedestrian Traffic Signal at the intersection of Patrician Dr. and Lemmon Valley Blvd.

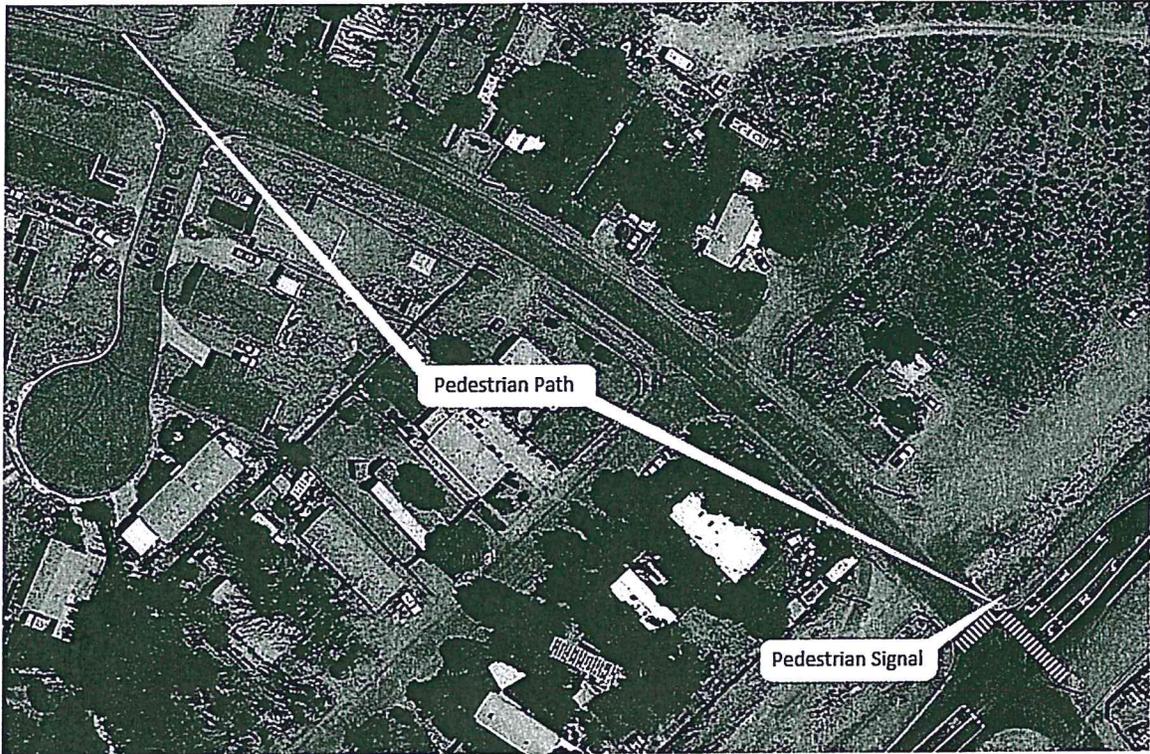


Figure 2

Elizabeth Lenz Elementary School

Scope of Work: Construct sidewalk with curb and gutter along Homeland Dr from Broili Dr to Edmands Dr. Extend the existing sidewalk in front of the school to the proposed new sidewalk on Homeland Dr. Construct new sidewalk with curb and gutter along Edmands Dr from Homeland Dr to Caribou Rd. Construct a new retaining wall to allow for the new sidewalk.

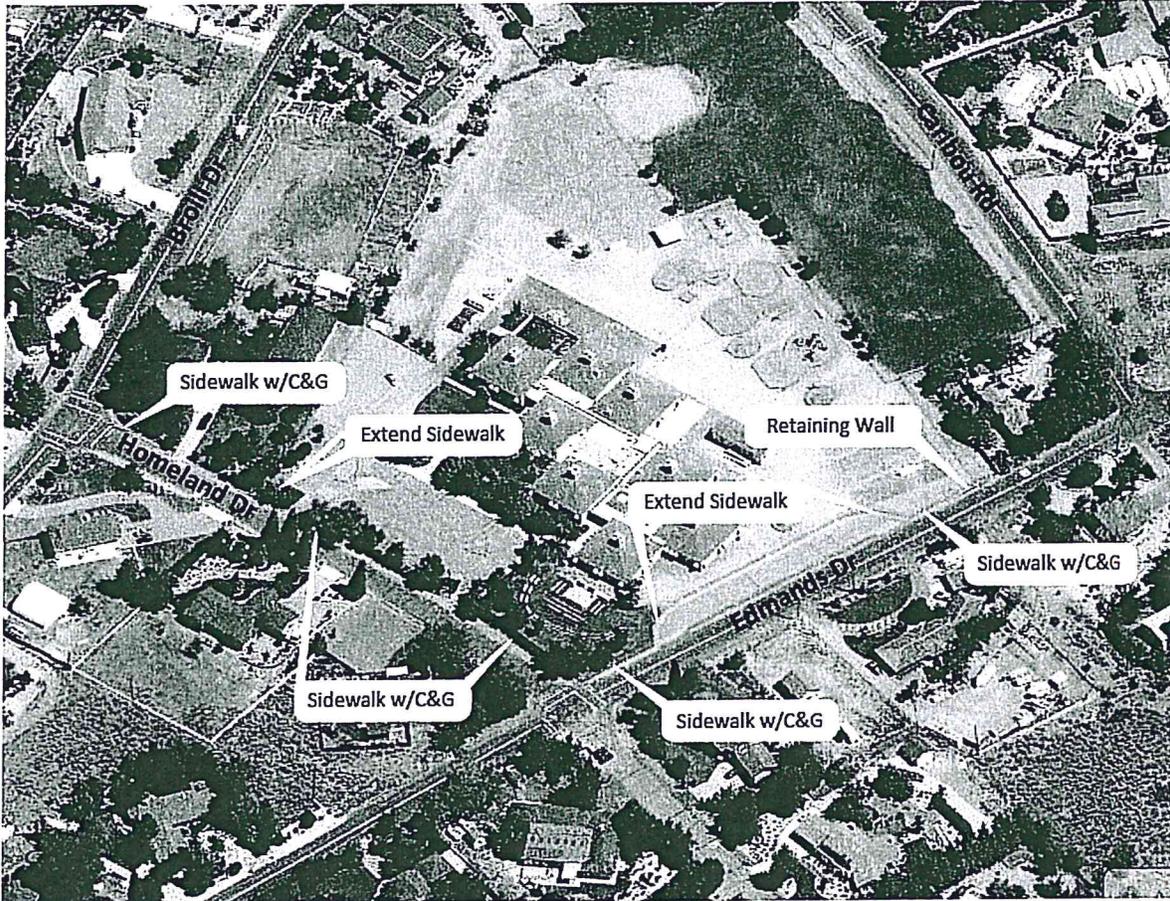


Figure 3

Nancy Gomes Elementary School

Scope of Work: Construct sidewalk with curb and gutter on Limkin St. from Fantail St. to Egret Lane. Construct a 'bulb out' radius return around south east corner including ADA ramp. Remove portable precast barrier rail.

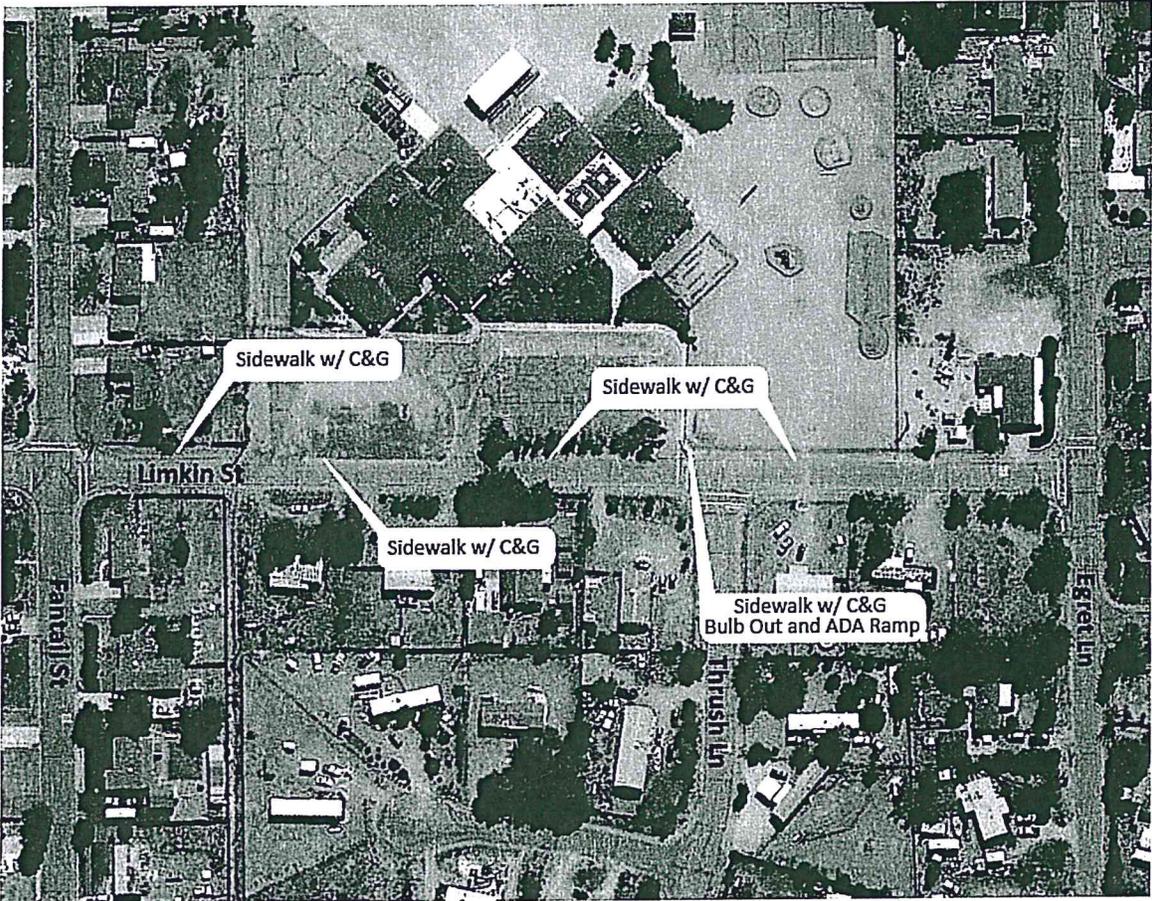


Figure 4

Brown Elementary School

Scope of Work: Construct a connecting five foot wide sidewalk along Western Skies Dr and eliminate the red no parking zone.

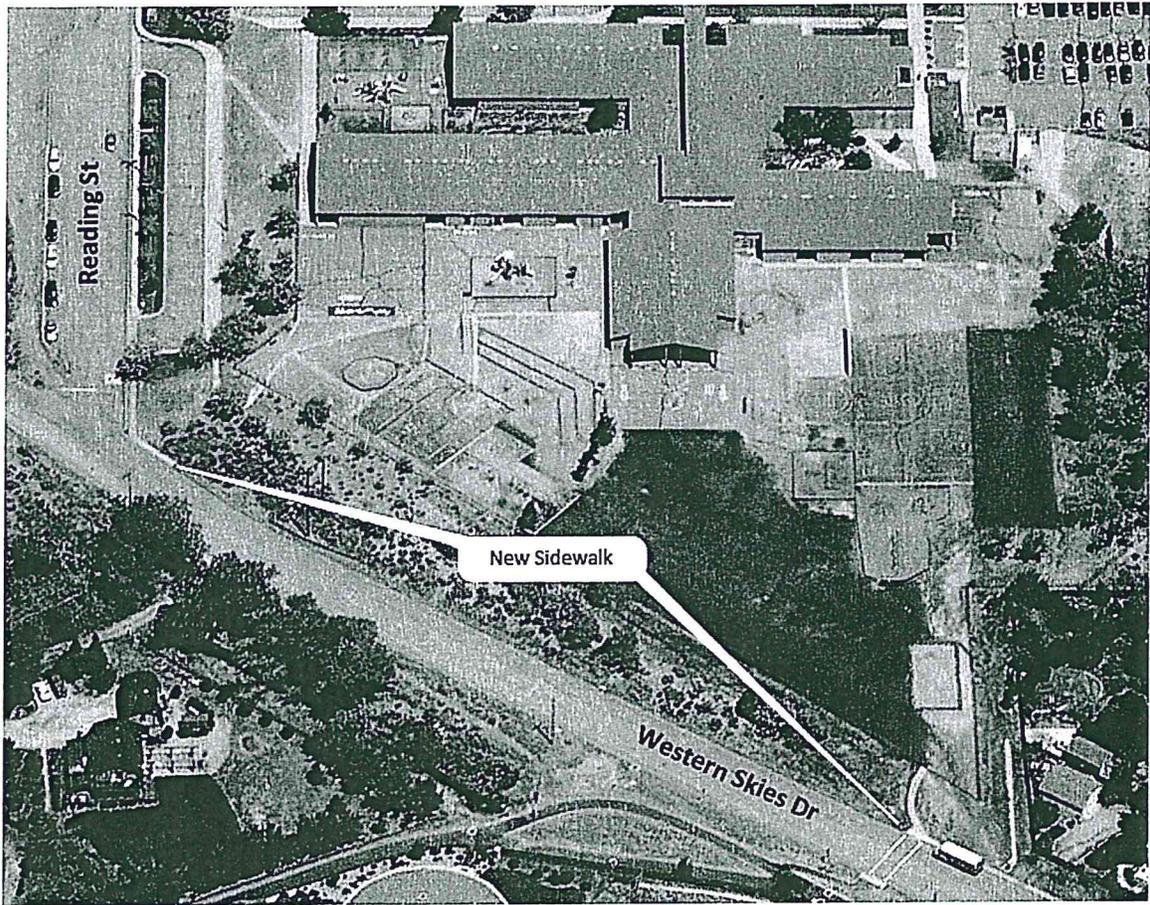


Figure 5



WASHOE COUNTY COMMISSION

1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520
(775) 328-2005

**RESOLUTION
TO SPONSOR AN AMENDMENT TO THE 2012 TRUCKEE MEADOWS REGIONAL PLAN,
PURSUANT TO NRS278.0272(7), TO AMEND THE ELECTRICAL UTILITY CORRIDORS SOUTH
MAP TO INCLUDE TWO NEW SUBSTATIONS AND NEW UTILITY CORRIDORS ON ASSESSOR'S
PARCEL NUMBER 084-110-29**

(SW15-001 – APPLE INC.)

WHEREAS,

- A. The Regional Plan requires that all transmission lines of 60kV or greater and all electrical substations shall be located within a utility corridor as identified on the *Utility Corridors South* map; and
- B. The addition of two new substations and utility corridors are necessary to support the expansion of operations for Apple Inc.; and
- C. A modification of the utility corridor and addition of substations requires an amendment of the 2012 Truckee Meadows Regional Plan; and
- D. A special use permit for the proposed substations and utility (transmission) lines was heard and approved by the Washoe County Planning Commission at their February 3, 2015 meeting.

NOW THEREFORE BE IT RESOLVED,

That this Board of County Commissioners does hereby sponsor the amendment of the Utility Corridors South map, a part of the 2012 Truckee Meadows Regional Plan for the addition of two new substations and new utility corridors to support the expansion of operations for Apple Inc. as provided in the map, and documents attached hereto.

ADOPTED on February 24, 2015, to be effective only as stated above.

WASHOE COUNTY BOARD OF COMMISSIONERS

By: *Maurea Berkholder*
Chair,
Washoe County Commission

ATTEST:

Jaime Sollera, Deputy Clerk
701: Nancy Parent, County Clerk

15-0173

EXHIBIT A FOR RESOLUTION PROPOSED ELECTRICAL UTILITY CORRIDORS SOUTH MAP

