

BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA

TUESDAY

10:00 A.M.

AUGUST 11, 2015

PRESENT:

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

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

The Washoe County Board of Commissioners convened at 10:01 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:

15-0688 AGENDA ITEM 3 Public Comment

Cathy Brandhorst spoke about matters of concern to herself.

Garth Elliott encouraged the Board to reinstate the Sun Valley Citizen Advisory Board (CAB). He stated the CAB would need some nurturing since most Sun Valley residents were not aware of the benefits of having a CAB. He was upset with the City of Sparks regarding feral cat zoning and wanted the Board to pressure them not to make it illegal for residents to care for feral cats.

Carol Burns pleaded for the reestablishment of the Sun Valley CAB. She provided the dollar amount of real and personal taxes paid by the approximately 19,850 residents in the area. She said residents of Sun Valley were unable to plead their case for the reestablishment of the CAB because they were too old, sick or working. She mentioned issues affecting Sun Valley including the planning of a road that could require the removal of homes and the possible closing of a post office.

Sam Dehne spoke about matters of concern to himself.

Katherine Snedigar believed the Board was acting like a corporation and not a governmental entity. She was upset with the County's enforcement of the Development Code in Palomino Valley. She felt the County did not have the authority to tell her what she could do on or with her property.

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15-0689 **AGENDA ITEM 5** Appearance: Congressman Mark Amodei (NV-2).
Presentation of federal updates.

Congressman Mark Amodei provided a federal legislative update to the Board that included information about various appropriation bills. He stated the House's Interior Appropriations Bill contained full funding for the Payment in Lieu of Taxes (PILT) program. He believed it should not affect the County's budget.

Congressman Amodei mentioned a public lands bill, which was scheduled to be approved, that would transfer small U.S. Forest Service parcels to private ownership through a transparent public sales process. He mentioned the parcels west of the Carson Range would be included. He spoke of the Nevada Native Nations Land Act which would transfer Bureau of Land Management (BLM) land to the Pyramid Lake Tribe and briefly discussed the impact of the Burning Man event to western Nevada.

Commissioner Hartung stated the County had worked with Senator Dean Heller's office with regards to the disposal of BLM lands; such as parcels in the East Truckee Canyon to private industry for economic development, and he hoped for assistance with that action. He applauded Congressman Amodei's efforts in regards to his work with Sage Grouse.

Congressman Amodei stated some of the land in the East Truckee Canyon identified for disposal to private industry or entities belonged to the Bureau of Reclamation. He mentioned a recently introduced bill would free up smaller parcels of land of 160 acres or less through a transparent administrative process. He said the process had to be completed in no more than 18 months to exercise traditional planning and zoning jurisdiction without having to pass a Federal Lands Act. He believed it was important for the County to have control over adjacent lands held by the federal government.

Congressman Amodei spoke about the Clean Water Act in regards to "waters of the U.S." and the Highway Trust Fund. He felt the gas tax at the federal level should be indexed at existing rates which would fund the Highway Trust Fund for 10 years. He stated the expansion of surface transportation equaled commercial activity which increased the tax base and tax flow that funded the government. He discussed Interstate 11, a proposed Interstate Highway, which when completed would enhance travel and commerce through Nevada. He said the completion of Interstate 11 would require lands in and around Yucca Mountain to be transferred.

Chair Berkbigler stated Interstate 11 would be great for economic development.

Commissioner Jung noted there had been a movement in northern Nevada in conjunction with the Reno-Sparks Indian Colony to create a Native Nations College and asked for funding assistance. She also asked Congressman Amodei what was being done at the federal level in regards to the drought. She encouraged Congressman Amodei to look at the Drug Enforcement Agency's (DEA) heavy-handedness towards marijuana laws.

Congressman Amodei said he was pleased with the working relationship with the Reno-Sparks Indian Colony. He stated he was working with the Desert Research Institute (DRI)

to use drones as a way to gather better data on our climate. He spoke about the importance of the State's jurisdiction over ground water and water meters. In the absence of new water sources, he believed management of water sources was important. He mentioned communities in southern Nevada raised rates on water usage and saved water through conservation programs.

Congressman Amodei described his experience with his fellow Congressmen in regards to their opinion on drugs and controlled substances. He stated he would provide County staff with testimony from the former head of the DEA in regards to controlled substances, which included DEA statistics related the increase in property damage, personal injury and death among the younger demographic of drug users.

Commissioner Hartung asked Congressman Amodei for federal assistance to fund cloud seeding to help boost the snowpack. Commissioner Hartung mentioned higher cloud seeding through the use of drones could help substantially.

Congressman Amodei thanked the Board and stated he would like to continue to have conversations in this context with the County.

15-0690 AGENDA ITEM 4 Commissioners'/Manager's announcements.

John Slaughter, County Manager, announced Agenda Item 6F4 required a correction, Agenda Item 11 was to be removed, Agenda Item 17 would be continued until the August 25th Board meeting, and Agenda Item 18 did not have to be addressed at a certain time.

Mr. Slaughter said staff was recently involved with Standard and Poor's (S&P) and Moody's rating services. The rating services reviewed the County's general obligation bond ratings, and the County had retained its high double-A bond rating from S&P and double-A2 rating from Moody's. He thanked the finance team for their work and the Board for its ongoing policies noted by the rating services.

Mr. Slaughter read an email from James Clark addressed to Chair Berkbigler and Commissioner Hartung recognizing Brenda Mathers, Assistant Chief Deputy Treasurer, for her work. Mr. Clark wrote, "If the BCC is ever going to award an employee the medal of honor for pleasant and efficient constituent service I would nominate Brenda Mathers."

Commissioner Lucey announced he and County staff recently attended the Center for Court Innovation conference in New York. The conference addressed the integration of social services into the justice system, which created a community court. Under the program, the majority of the smaller level misdemeanor crimes had been commuted into community-based sentences. New York had great success with this program and it experienced financial savings. He mentioned the success of the County's Crossroads program and applauded the level of efficiency within the County's departments. He noted the County should continue to look at integrating other proven programs into its own.

Commissioner Jung suggested a future agenda item dealing with the dangers Social Services employees could face when dealing with irate citizens. She recognized a former

County employee who received national attention for a book he had written about the Basque Country. She noted October 16th was National Feral Cat Day and there would be an event held in conjunction with the Nevada Humane Society. She mentioned she would be attending the following functions in the month of August: Western Nevada Development District's monthly meeting, the County Family Picnic, an event at the Sun Valley Community Center, the Reno-Tahoe Senior Games at the Evelyn Mount Northeast Community Center, and the Reno Gay Pride Festival at Wingfield Park.

Commissioner Hartung mentioned he attended the Barrett-Jackson car auction, the Barracuda Championship, and Hot August Nights events. He hoped next year the events would not take place at the same time since it was difficult for the County to gauge the financial impact of the individual events. Commissioner Lucey stated the events would not occur simultaneously next year.

Chair Berkbigler announced the 19th Annual Lake Tahoe Summit hosted by Senator Dean Heller would occur on August 24th.

Commissioner Herman felt proud the Board would be voting to reestablish the Sun Valley Citizen Advisory Board (CAB). She reviewed the responsibility of the CAB and concluded that training for new CAB members would be beneficial. She stated she would be available to speak to Sun Valley residents on August 15th. She added the Open Space and Regional Parks Commission was happy with the additions made to the parks. She noted the senior center in Cold Springs had yet to receive wireless internet after two-and-a-half years, and wanted staff to ensure it would be installed. She mentioned the inability of the Monte Cristo Ranch property owners to utilize their properties in full because the roads in the area were not of a specific grade for fire apparatuses. She wanted an answer as to what could be done for those property owners.

Commissioner Hartung wanted to have a conversation as to how outlying communities were worked into the County's flood control project. He stated residents in those areas pay into the flood control project through taxes but were not seeing the same kind of benefits as residents in the core of the County. He said he would be participating in a community gathering at the Sparks Senior Citizens Center on August 13th.

Later in the meeting the following comments were made: Commission Herman thanked Kevin Schiller, Assistant County Manager, for the work he had done by connecting Lemmon Valley residents affected by the flooding with the Children's Cabinet and Social Services for aid.

Commissioner Hartung inquired about canceling the Board's meeting on September 15th since members of the Board had been invited to participate in the Washoe County School District's Principal-for-a-Day event. Mr. Slaughter noted the September 15th meeting would be the last one the Truckee Meadows Fire Protection District (TMFPD) would have prior to the October 1st deadline for the Automatic Aid Agreement; however, he said staff may be able to reschedule the TMFPD meeting.

Commission Jung suggested the schools participating in the Principal-for-a-Day event come to the Board meeting in the morning and for the Commissioners to go to the schools in the afternoon. Commissioner Herman concurred with Commission Jung.

Commissioner Jung mentioned Reno City Councilman Oscar Delgado and herself each donated \$500 from their discretionary or campaign funds to purchase 100 backpacks for Traner Middle School. To be eligible for a backpack, a child had to obtain a library card. She felt the County should work more with the Washoe County Library Board of Trustees.

Mr. Slaughter stated he would be meeting with the Washoe County Library Director to schedule a joint meeting in the fall.

Commissioner Hartung and Commission Jung suggested adding an additional Commissioners' announcements section at the end of the Board's meetings. Commissioner Jung requested the additional section be placed after the last call for public comment. Chair Berkgigler asked Paul Lipparelli, Legal Counsel, to look into Commissioner Jung's request and report back to the Board.

CONSENT ITEMS 6A THROUGH 6F4

- 15-0691** **6A** Approve minutes of the regular Washoe County Board of Commissioners meetings of July 14, 2015 and July 21, 2015.
- 15-0692** **6B** Approve the professional services agreement for facility planning and space programming for the Second Judicial District Court between the Second Judicial District Court and the National Center for State Courts in the amount of [\$116,000], from August 2015 to January 2016. District Court. (All Commission Districts.)
- 15-0693** **6C** Approve acceptance of a continuation grant [\$43,392; no County match] from the Annie E. Casey Foundation to support activities related to the replication of the Juvenile Detention Alternatives Initiative (JDAI); retroactive from July 1, 2015, and if approved, direct the Comptroller's Office to make the necessary budget adjustments. Juvenile Services. (All Commission Districts.)
- 15-0694** **6D** Acknowledge Receipt of Status Report of Commissary Fund submitted by the Washoe County Sheriff's Office Commissary Committee for fiscal year 14/15. Sheriff. (All Commission Districts.)
- 15-0695** **6E1** Approve a Water Rights Deed transferring 6.06 acre-feet of water rights from Washoe County to Brien B. Walters. (Commission District 2.)
- 15-0696** **6E2** Authorize the Community Services Department Director to modify the previously approved Agreement between Washoe County and Frederic Aparc Productions, to hold a multi-day country music genre event with food and lifestyle components at Rancho San Rafael Regional Park, October 3-4, 2015.

These modifications would be limited to date changes of the event. (Commission District 3.)

- 15-0697** **6E3** Adopt a Resolution accepting real property (currently APN(s) 148-122-11, 148-122-12, totaling 1.1-acres) for use as a non-motorized public trail corridor within the Galena Canyon Subdivision; and approve a Grant of Easement for Water facilities between Washoe County and Truckee Meadows Water Authority (currently APN(s)148-122-11, 148-122-12, 148-282-03, 148-301-03, 148-302-01 and 148-303-03); and direct the Clerk's Office to record the Resolution and Grant of Easement. (Commission District 2.)

Dave Solero, Community Services Director, in response to Commissioner Lucey's inquiry, clarified the easements at the lower portion of Galena were for trailheads and trails.

- 15-0698** **6E4** Reject all bids for the STMWRF Utility Operations Building Project. (Commission District 2.)

- 15-0699** **6F1** Approve retroactive to July 1, 2015 Grant Program Contracts FY 2015-2016 for grants in the following amounts: Access to Healthcare Network [\$31,500]; Incline Village Community Hospital Foundation [\$27,000], authorize the County Manager or his designee to sign the contracts, and approve Resolutions necessary for same. (All Commission Districts.)

- 15-0700** **6F2** Approval of a net zero budget adjustment in order to accommodate services and supplies expenditures, including food purchases and travel, within the Manager's Office, Emergency Management program approved budget for fiscal year 2015-2016 (net \$0); and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)

- 15-0701** **6F3** Appoint one individual representing Washoe County from the business sector to the Western Nevada Development District Board for a term of two (2) years [No fiscal impact]. (All Commission Districts.)

Chair Berkbigler recommended Jenifer Rose for the position.

- 15-0702** **6F4** Approve a request for sponsorship of the 2015 Great Reno Balloon Race which will be held at Rancho San Rafael Regional Park September 8-14, 2015. Washoe County would waive park facility rental and use fees [\$6,000] in consideration of Washoe County being recognized as a Major Sponsor; and authorize the County Manager to sign the 2015 Agreement. (Commission District 3.)

John Slaughter, County Manager, indicated a correction was needed to Consent Item 6F4 which authorized the County Manager to sign the 2015 Agreement. He stated it should read "the Chair" to sign the 2015 Agreement.

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

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that the Consent Agenda Items 6A through 6F4 be approved and that Jenifer Rose be appointed to represent Washoe County from the business sector to the Western Nevada Development District for a term of two years. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 6A through 6F4 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – AGENDA ITEMS 8, 9, 10, 15 and 16

15-0703 **AGENDA ITEM 8** Recommendation to accept a FHWA Recreational Trails Program Grant, administered through Nevada State Parks for the Sun Valley Regional Park Enhancement Project [award amount of \$140,270 with a required match of \$39,658 in indirect costs and volunteer labor] with a term to December 31, 2017; and authorize the Community Services Department Director to sign the grant agreement and all associated documents on behalf of the County; and direct the Comptroller's Office to make the appropriate budget adjustments. Community Services. (Commission District 5.)

Dave Solero, Community Services Director, in response to Commissioner Hartung's inquiry, clarified the course being built was for disc golf.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 8 be accepted, authorized and directed.

15-0704 **AGENDA ITEM 9** Recommendation to approve grant agreement between William N. Pennington Foundation and Washoe County for park infrastructure improvements totaling [\$314,000; no match required]; authorize the Community Services Department Director to sign the grant agreement, reports, and any subsequent documents related to the grant on behalf of the County; and direct the Comptroller's Office to make the appropriate budget adjustments. Community Services. (All Commission Districts.)

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

15-0705 **AGENDA ITEM 10** Recommendation to approve an Agreement for Professional Consulting Services between Washoe County and NewFields Companies LLC., for a six month term, to provide inspection and material testing services during construction of the Huffaker Hills Effluent Storage Reservoir – Phase 2 Liner Expansion Project [\$183,199]. Community Services. (Commission District 2.)

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

15-0706 **AGENDA ITEM 15** Recommendation to approve activating the Sun Valley Citizen Advisory Board for current fiscal year 2015-2016. [Fiscal Impact \$2,475.]. Manager. (Commission Districts 3 and 5.)

Carol Burns thanked the Board for reestablishing the Citizen Advisory Board (CAB). She requested various departments participate more with the CAB to provide information on ongoing projects or issues.

Katherine Snedigar expressed her discontent with the Board and criticized the County for not properly maintaining the ditches in Lemmon Valley. She noted the importance of the CAB and reiterated her comments that the Board had overreached its authority.

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 15 be approved.

15-0707 **AGENDA ITEM 16** Recommendation to (1) Approve a resolution to sponsor an amendment of the 2012 Truckee Meadows Regional Plan, pursuant to NRS 278.0272(7), to amend the Electrical Utility Corridors South map to include the following: (A) a 585 acre solar array field and a new substation in the area of eastern Washoe County north of the Tracy Power plant to the north of I-80 on Assessor's Parcel Number 84-110-26; and (B) a new utility corridor for overhead transmission lines which cross over Assessor's Parcel Numbers 84-110-26, 84-110-24, 84-110-27 and connect to the NV Energy switching yard on Assessor's Parcel Number 84-110-29, all in support of the construction of a project of regional significance known as the Turquoise Solar LLC solar energy project pursuant to the related and pending special use permit application in SW15-002; and (2) If approved, authorize the Chair to execute the resolution sponsoring the proposed amendment. Community Services. (Commission District 4.)

On motion by Commissioner Jung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 16 be approved and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

15-0708 **AGENDA ITEM 7** Department presentation by Michael Clark, Washoe County Assessor. Assessor. (All Commission Districts.)

Michael Clark, Washoe County Assessor, stated the Assessor's Office was tasked with discovering, mapping, and valuing property throughout the County. Their duties included checking public records, surveying and measuring properties, capturing pictometry images (aerial views) of the County and managing a list of properties. He mentioned staffing was down 25 people from its height during the County's economic boom. His main concern for the department was attrition. He stated 40 percent of staff and 80 percent of management staff were scheduled to retire in the next five years. The pending loss of current staff would result in the

loss of institutional knowledge. He remarked on the importance of succession planning. He said he was proud of his staff and introduced Joshua Wilson, Chief Deputy Assessor, to conduct the presentation. A copy of the presentation was placed on file with the Clerk.

Joshua Wilson, Chief Deputy Assessor, spoke on the Assessor's Office strategic planning which included their mission and vision. He noted the most essential role of the Office was to provide funding to the County and said the office was customer service focused. The presentation highlighted the following topics: Purpose of Assessor's Office, Assessor's Office Overview, Accomplishments for Fiscal Year (FY) 2014-15, New Single Family Residences Trends, FY 2015-16 Goals, and Emerging Issues and Concerns. During the New Single Family Residences presentation, Mr. Wilson went through a median sales price graph which displayed the fluctuation in median sales prices from 2002 through 2015. While he discussed the Office's concerns, he pointed out an anticipated 15 percent staff turnover during FY 2015-16.

Commissioner Hartung discussed the differences he saw in the previous real estate market, when prices were driven up by buyers outside the area, and the current one, which he believed was driven by local buyers and sellers trying to capitalize on the housing demand. Mr. Wilson said there were a lot of variables but he believed the demand was not based on individuals flipping homes for profit. He saw a real housing demand being created and did not expect an eventual overcorrection of the real estate market.

Commissioner Lucey felt the presentation was a welcomed addition to the Board meeting. He stated the Assessor's Office was not comprised of just tax collectors; it also provided a significant amount of data. He expressed concern that the County's funding, based on the property tax assessments, had been fixed at a 3 percent cap even though property values were increasing at a higher rate. He believed there were errors in the numbers and asked the Assessor's Office to work with the Board in correcting them. He stressed the importance for the County to have that revenue and funding source available.

Mr. Wilson had not characterized the tax cap as an error. He stated the tax cap had been put in place to provide a level of predictability for tax payers and to avoid issues like the one faced by Incline Village residents. He believed the existing property tax cap could be changed to better serve the County, but suggested the Board review the 2005-2009 revenue trends when revenue growth was near 10 percent. He said if housing starts were around 3,000 to 5,000 homes per year, revenue would not be locked in at 3 percent.

Commissioner Lucey wanted to convey the importance of working together to maximize efficiency in regards to funding and minimize the effect on the citizens.

Commissioner Jung agreed with Commissioner Lucey. She felt the Nevada Legislature created a problem with the property tax cap by placing a ceiling for taxation but not a basement. She stated County-wide succession planning was critical. She praised Mr. Clark for making his election opponent his Chief Deputy.

Mr. Clark reiterated the importance of succession and mentioned how staffing had paralleled housing starts. He invited the Commissioners to tour the Assessor's Office. He added

his office planned to keep up with technology, and he wanted to keep the transition within the department smooth by putting Mr. Wilson in the number two position.

15-0709 **AGENDA ITEM 19** 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.

12:38 p.m. On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

2:02 p.m. The Board reconvened with all members present.

15-0710 **AGENDA ITEM 12** Discussion and possible action to approve a second extension of existing Collective Bargaining Agreements beyond the current August 14, 2015 extension date. Human Resources. (All Commission Districts.)

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 12 be approved with an extension through September 11, 2015.

15-0711 **AGENDA ITEM 13** Recommendation to approve a 3% Cost of Living Increase to base wages for Unclassified Management, Non-Represented Confidential employees, District Court employees, Justice Courts employees (excluding Justices of the Peace), and Juvenile Services employees effective July 1, 2015. The Fiscal Year 2015/2016 impact including PERS and Medicare is estimated at approximately \$1,255,911. Human Resources. (All Commission Districts.)

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

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

15-0712 **AGENDA ITEM 14** Discussion and possible approval of the Truckee Meadows Regional Planning Agency payment of \$205,162, paid in quarterly installments, as Washoe County's share in annual funding for the Truckee Meadows Regional Planning Agency to cover the fiscal year from July 1, 2015, through June 30, 2016. Manager. (All Commission Districts.)

Commissioner Lucey stated it was not the Board's intention to shut down or dismantle the Truckee Meadows Regional Planning Agency. He was disappointed that the agency had not provided answers to the Board's questions. He said he would try a different approach to obtain the required answers.