

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

TUESDAY

10:00 A.M.

SEPTEMBER 22, 2015

PRESENT:

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

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

The Washoe County Board of Commissioners convened at 10:00 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:

15-0812 AGENDA ITEM 3 Public Comment.

The following individuals spoke regarding their opposition to the proposed medical marijuana establishment (MME) on Mount Rose Highway in the Galena Forest: Randy Kirner, Ken Cannata, Patricia Etheredge, Lew Lefcourt, Denice Rasmussen, John Etheredge, Arturo Oti M.D., Cheri Unland, Daryl Di Rocco, Meghan Di Rocco, Janet Jones, Bob Ackerman, Catherine Clark, Pam Campanaro, Pam LanKenau, Mary Mager, Evelyn Emery, Mike Liddiard, Ken Lutz, Tony Almaraz, Debbie Larson, Joan Shubinski, Kathy Dougherty, Bari Caine, Maria Coulson, Illona Mager, Gerard Mager, Tracy Pickett, Shelly Watson, Brian Rasmussen, Karen Mullen, Jimmy Pickett, Amy Kreitlein, Heather Ciesla, Dorothy Miles and David Jones. Handouts were received from Bob Ackerman, Gerard Mager and Brian Rasmussen, which were placed on file with the Clerk.

The above individuals' concerns included: The public not being consulted on the sites, the required impact analysis not being made available to the public, the site should be subject to the Special Use Permit process, public involvement should be required, there were many schools and churches in the neighborhood of the proposed site, children having to pass by the proposed MME on their way to school, MMEs did not belong in any neighborhood and placement should be considered, it was only a matter of time until the site became a recreational marijuana location, it would be an all cash business, there was no commercial infrastructure on the Mount Rose Highway to support the dispensary, the impacts of allowing marijuana sales in Colorado, people hanging around outside the MME to try to buy marijuana, the impact of people buying marijuana

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at the MME and driving on Mount Rose Highway, it might discourage people about relocating to the area, issues with how the ordinance was written, the impact to the traffic on the already dangerous Mount Rose Highway, having a school bus stop located on the same corner as the dispensary, increased crime and general bad behavior in the area, the dispensary being more appropriate near hospitals, the negative impact on property values, medical marijuana should be regulated and obtained from a pharmacy, high school athletes regularly run in the neighborhood, being sold in candy and cookie form, high school kids loitering outside the establishment during their lunch breaks, no protection in the laws already in place, the process was done behind closed doors with no public comment, other businesses could serve the community better, the need to protect children from outside influences, and the moral standard this set when trying to grow a community.

Tim Stoffel spoke about the introduction of additional regulations pertaining to exotic animals. He thought there was no justification for the changes because there had not been any incidents involving any exotic animals in the area. He thought the current regulations were sufficient.

Sam Dehne spoke regarding MMEs and the *Reno Gazette-Journal*.

Jeff Church commented about an incident that occurred at a previous meeting and claimed there had been a lack of security and a violation of the Open Meeting Law. A handout was placed on file with the Clerk.

Jim Galloway spoke about his concerns regarding the proposed sign ordinance. He recommended the Board only submit changes that could be easily amended if they were not effective. Mr. Galloway presented a handout, which was placed on file with the Clerk.

Garth Elliott spoke about the fiscal impacts of labor costs and said he thought the cost of living increase should be less than what was proposed because the County had not yet recovered from the economic downfall.

Steve Pelzer thanked Commissioner Lucey for his continued efforts regarding the MME issues. He said good things were happening in Reno because more people were moving there.

15-0813 **AGENDA ITEM 4** Announcements/Reports.

Commissioner Lucey announced he received information from Hugh Hempel, the owner of the medical marijuana establishment (MME) proposed for the Mount Rose Highway location, stating he cancelled the pending lease with the owner of the property. He said Mr. Hempel would work with staff to find a new location for the MME.

County Manager John Slaughter stated there was a correction to Agenda Item 5F1. He noted the fiscal impact dollar amount changed from \$35,744 to \$36,377.

Commissioner Herman spoke about the flood damage in Lemmon Valley and said there was still more debris that needed to be removed and culverts that needed to be filled.

Commissioner Hartung said he worked with the DUI Task Force to get impaired drivers off the roads. He stated there was a program called 24/7, which required alcohol, and drug offenders to participate in a rehabilitation program and to check in with the counselors multiple times daily. Next, he stated a constituent complained that Senate Bill (SB) 177, which referred to minors in possession of nicotine and nicotine products, had not been enforced since it was enacted in 2013. He asked staff to review the County's obligation under SB 177. Lastly, he received an update from the Regional Transportation Commission (RTC) regarding the road expansion project at McCarran Boulevard and Pyramid Way in Sparks. He said the project would be a huge improvement because it would alleviate traffic congestion at that intersection.

Commissioner Jung requested a safety analysis for the Mount Rose corridor. Next, she wanted the security processes for meetings in the Commission Chambers to be reviewed and asked that recommendations for improvements be brought back to the Board. She thought there should be an approval process for people wanting to use props during a meeting. She asked for an update from legal Counsel or a policy review regarding clapping during meetings. Lastly, she said she would attend the Northern Nevada Transitional Housing Project ribbon cutting event, the Economic Development of Western Nevada (EDAWN) luncheon, the District Board of Health Meeting, the Regional Emergency Medical Services Authority (REMSA) Board meeting, and the Poverty Simulation Workshop at the Food Bank of Northern Nevada.

CONSENT ITEMS (5A THROUGH 5H4).

15-0814 5A Approve minutes of the regular Washoe County Board of Commissioners meetings of August 25, 2015, and September 8, 2015.

15-0815 5B Approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered for the 2012/2013, 2013/2014, 2014/2015 and 2015/2016 secured and unsecured tax rolls and authorize Chairman to execute the changes described in Exhibit A and Exhibit B and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease \$21,662.15]. Assessor. (Parcels are in various Commission Districts.)

15-0816 5C Accept a Sub-grant Award from the State of Nevada Division of Child and Family Services in the amount of [\$12,000; no County match required] to support child care to non-school aged children of parents residing at the Family Shelter from October 1, 2015 through September

30, 2016; authorize the Department to execute the Sub-Grant Award and direct the Comptroller's Office to make the necessary budget adjustments. Social Services. (All Commission Districts.)

- 15-0817** **5D1** Approve renewal of the Veterinary Clinical Affiliation Agreement between Truckee Meadows Community College and the County of Washoe on behalf of Regional Animal Services for the placement of veterinary technician students at the Regional Animal Services veterinary facility. (All Commission Districts.)
- 15-0818** **5D2** Approve the low cost vaccination program and free pet assistance for senior's program by Washoe County Regional Animal Services to provide low cost pet vaccination services to the general public and free pet assistance to seniors. (All Commission Districts.)
- 15-0819** **5E1** Approve an Interlocal Agreement between the Washoe County Health District and Washoe County for ambient air monitoring stations on various Washoe County properties. (All Commission Districts.)
- 15-0820** **5E2** Approve an Easement Purchase and Sale Agreement and Easement Deed between Washoe County and Truckee Meadows Water Authority for permanent Public Utility Easements totaling 11,400 square feet on APN 019-140-12, commonly known as Washoe Golf Course, [at the appraised value of \$8,217]; and if approved, authorize Comptroller's Office to make the necessary adjustments. (Commission District 1.)
- 15-0821** **5F1** Approve reclassification requests of five Lead Animal Control Officers, pay grade J, to a new classification of Animal Services Field Supervisor, pay grade K, two Animal Services Kennel Assistants, pay grade F, to a new classification of Animal Services Kennel Supervisor, pay grade H, an Animal Services Supervisor, pay grade L, to Program Coordinator, pay grade L, an Office Support Specialist, pay grade H, to Office Assistant II, pay grade E (Regional Animal Services); a Fiscal Compliance Officer, pay grade N, to a new classification of Fiscal Cost Allocation Officer, pay grade Q (Social Services); a Technology Systems Administrator Specialist, pay grade O, to Technology Systems Administrator II, pay grade LM (Technology Services); an E-Government Information Officer, pay grade N, to a Media and Communications Specialist, pay grade N (Manager's Office), as evaluated by the Job Evaluation Committee; and elimination of unused or obsolete job classifications as listed in Exhibit 1. [Net Annual cost is estimated at \$35,744]. (All Commission Districts.)
- 15-0822** **5F2** Approve additional pays for Assistant Alternative Sentencing Officers, Assistant Alternative Sentencing Officer Supervisor and Chief Alternative Sentencing Officer July 1, 2015 to include a \$250/quarter

uniform allowance, \$125/quarter safety equipment allowance, one time only \$525 towards the purchase of a weapon, and a five percent (5%) Field Training Officer differential while assigned duties specifically related to a Field Training and Evaluation Program. [FY 15/16 fiscal impact is estimated at \$23,045]. (All Commission Districts.)

- 15-0823** 5F3 Approve a 3% Cost of Living Adjustment in base wage effective July 1, 2015, an increase in weekly compensation for employees on scheduled crime consultation duty from \$750/\$800 to \$1,000/\$1,250, and weekly standby pay from \$300 to \$500 for Team Chiefs/designees for the Confidential Attorneys commensurate with the recently negotiated agreement with the Washoe County Public Attorneys Association (WCPAA). [FY 15/16 fiscal impact is estimated at \$86,877]. (All Commission Districts.)
- 15-0824** 5F4 Approve the Collective Bargaining Agreements with the Washoe County Nurses' Association (WCNA) for the Non-Supervisory and Supervisory bargaining units for the period July 1, 2015 through June 30, 2016; ratify same: a 3% Cost of Living Adjustment in base wage effective July 1, 2015; and modified language to the Duration of Agreement. [FY 15/16 fiscal impact is estimated at \$71,531]. (All Commission Districts.)
- 15-0825** 5G1 Approve Amendment #1 Sub-Grant Agreement between Washoe County and Northern Nevada Food Bank to extend the term to December 31, 2015. (All Commission Districts.)
- 15-0826** 5G2 Accept a 2015 Nevada State Emergency Response Commission, Hazardous Materials Emergency Preparedness Training grant [\$8,580, no County match required], retroactive for the period of August 27, 2015 through October 30, 2015 and if accepted, direct Comptroller's Office to the appropriate budget adjustments. (All Commission Districts.)
- 15-0827** 5H1 Approve acceptance of reimbursement costs [up to \$30,000, no match required] for overtime and other expenses incurred by deputies assigned to work with the U.S. Immigration and Customs Enforcement Homeland Security Investigations (ICE-HSI) Regional Gang Unit. Funds are available retroactively for the period of 09/01/2015 – 09/01/2016. If approved, direct the Comptroller's Office to make the necessary budget adjustments and authorize the Sheriff to execute the Agreement Between Federal Law Enforcement Agency Participating in the Treasury Forfeiture Fund and State or Local Law Enforcement Agency for the Reimbursement of Expenses in Joint Operations. (All Commission Districts.)
- 15-0828** 5H2 Approve the Joining Forces 2016 grant from the Nevada Office of Traffic Safety (OTS) to cover overtime costs related to conducting Traffic Enforcement Checkpoints and events and for limited travel expenses,

[\$123,100, no cash match required, 25% in-kind match required] for the grant term of 10/1/15 through 9/30/16 and if approved, direct Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)

15-0829 **5H3** Approve Joining Forces 2015 supplemental grant funds from the Nevada Office of Traffic Safety (OTS) to cover overtime costs related to conducting Traffic Enforcement Checkpoints and events, [\$12,397.17, no cash match required, 25% in-kind match required]. Grant term is retroactive to 10/1/14 through 9/30/15 and if approved, direct Comptroller's Office to make the necessary budget adjustments. (All Commission Districts.)

15-0830 **5H4** Authorize three (3) unfunded Communication Specialist Trainee positions to be utilized for the training of specialists for attrition preparation and planning; and if approved, authorize Human Resources to make the necessary adjustments. (All Commission Districts.)

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

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Consent Agenda Items 5A through 5H4 be approved with the corrected impact dollar amount of \$36,377 for Agenda Item 5F1. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5H4 are attached hereto and made a part of the minutes thereof.

15-0831 **AGENDA ITEM 8** Appearance: Sparks City Councilman Ron Smith Kristopher Dahir. Presentation regarding the Nevada Veterans Memorial. (All Commission Districts.) Requested by Commissioner Hartung.

Kristopher Dahir, Vice Chairman Nevada Veterans Memorial gave a PowerPoint presentation about the Nevada Veterans Memorial. He stated the memorial was designed to preserve and honor the legacy of fallen soldiers. He said the memorial would be located on the corner of Greg Street and the new Veterans Memorial Bridge in Sparks. He remarked it would honor 838 Gold Star Veterans from Nevada who gave their lives serving the Country and said it would honor any future fallen soldiers. He said money was raised for the building fund by selling "forever" bricks, which would be placed within the memorial. He noted the bricks would sell for \$100, \$250 and \$500 and would depict the name of a donor, an honoree or a company. He also noted a benefit dinner would be hosted on September 25th and the proceeds would go to the building fund as well. He stated the memorial was designed to represent Nevada with 17 trees representing the number of counties, six benches representing the Branches of the Military and three flags representing the United States, the State of Nevada and the Nevada Veterans Memorial. He shared the bricks would be placed at a 36-degree angle, the granite bands would be 36 inches wide and the commemorative brick plazas would be 36 feet long, all representing Nevada as the 36th state. He encouraged the Board to view

the plans, purchase benefit dinner tickets, purchase “forever” bricks or to donate by visiting the website at www.nevadaveteransmemorial.org.

Chair Berkgigler and Commissioner Hartung congratulated Mr. Dahir on the Nevada Veteran’s Memorial Project.

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

15-0832 **AGENDA ITEM 7** Appearance: Thor Dyson, Nevada Department of Transportation (NDOT). Presentation regarding Debris Removal Program. (All Commission Districts.) Requested by Commissioner Jung.

Thor Dyson, District Engineer Nevada Department of Transportation (NDOT) conducted a PowerPoint presentation about the Debris Removal Program. He stated trash and debris were big concerns in Washoe County. He said between March of 2014 and March of 2015, his crews picked up 3,227 cubic yards of trash and debris. He noted that being shorthanded meant there were many overtime hours spent picking up garbage. He explained he had two different crews. The maintenance crew primarily worked on the roads and the specialty crew worked on snow plowing in the fall and winter; and weed spraying and abatement in the spring and summer. He noted both crews assisted with debris removal but the specialty crews did the majority of the trash and debris clean up. He said he sometimes utilized prisoners who were in the “honor” camp to assist with clean-up work. He commented that homeless camps were an issue because the Nevada Revised Statute stated a 72-hour notice had to be posted before clean-up could take place. The crew requested law enforcement officers to be present during the clean-up to reduce bodily risk to the workers. He said there were many hazards involved with the clean-up of a homeless camp including hypodermic needles, fecal matter and other hazardous materials. Besides trash, he stated his crews dealt with graffiti abatement. They worked closely with the cities and the County to keep graffiti under control. He commented from March of 2014 to March of 2015, his department spent \$25,000 for graffiti removal. He stated areas of concern could be reported to any of the following numbers, NDOT Debris Removal Program at 775-834-8300, NDOT Headquarters at 775-888-7000 or Reno Direct at 775-334-4636.

Commissioner Hartung thanked Mr. Dyson for his presentation and acknowledged the difficult responsibility garbage removal was. He asked Mr. Dyson whether Highway 447 going towards Gerlach was his responsibility and if so, was his team responsible for clean up after Burning Man. Mr. Dyson replied it was within his area of responsibility and after the first few years of Burning Man, the garbage was colossal along the 72-mile stretch from Wadsworth to Gerlach. He said he talked to the people from Burning Man, who were very helpful, and sent out waves of people to pick up the garbage over the entire stretch of highway. He said that every year he videotaped the road before, during and after Burning Man to ensure they did their due diligence. Commissioner Hartung stated that was not what was communicated to him, but he was glad it was not an issue. Mr. Dyson said there were some issues with abandoned vehicles

this year and if they were determined to be a safety hazard, they were towed away immediately.

Commissioner Jung asked whether there was a regular clean-up schedule. Mr. Dyson replied there was not a regular schedule because there was not a specified clean-up crew to perform regular work. He stated he had to pull from the existing road crews and he even picked up garbage himself when needed. Commissioner Jung commented that the area next to the I-80 westbound off-ramp close to the County offices was always debris-filled. She stated she had seen the area being cleaned, but it did not take long to be debris-filled again. She wondered whether enforcement could assist with keeping sites clear. She stated another chronic area was I-580 northbound at the Clearacre exit where both sides were constantly debris-filled. She asked how closely crews worked with the Nevada Highway Patrol (NHP) and other enforcement agencies. Mr. Dyson replied the NHP was shorthanded also, but if they saw a truck with garbage flying out of it, they would issue a citation for littering. He stated littering was a community problem. Commissioner Jung encouraged residents to contact legislators to request additional jobs to help with litter and trash enforcement. She stated she would contact the Sheriff's Office to inquire if any special clean-ups could be organized.

Commissioner Lucey thanked Mr. Dyson for his presentation. He stated he and Commissioner Hartung sat on the Regional Transportation Commission (RTC) and that funding and staffing shortages were constantly an issue. He agreed with Commissioner Jung about contacting the legislators because there were fights over funding between northern and southern Nevada. He said the majority of funding was going to Clark County and the rest of the State's funding was split between the remaining counties. He noted the funding did not grow much from year to year and Clark County was constantly asking for more.

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

BLOCK VOTE (9, 10, 11, 12, 13, 14, 15 and 16)

15-0833 AGENDA ITEM 9 Recommendation to approve the Collective Bargaining Agreements with the Washoe County Employees Association (WCEA) for the Non-Supervisory and Supervisory bargaining units for the period July 1, 2015 through June 30, 2016; ratify same: a 3% Cost of Living Adjustment in base wage effective July 1, 2015; updated language regarding job classification, pay grades and out of class assignments; and modified language to the Terms of Agreement. [FY15/16 fiscal impact is estimated at \$3,312,981]. Human Resources. (All Commission Districts.)

There was no public comment on this item.

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

15-0834 **AGENDA ITEM 10** Recommendation to approve the Collective Bargaining Agreement with the Washoe County Sheriff's Deputies Association (WCSDA) for the period of July 1, 2015 through June 30, 2016; ratify same: a 2.5% Cost of Living Adjustment in base wage effective July 1, 2015; add weekend holiday pay provisions with a flat rate compensation of \$250 for eligible holidays; increase ballistic vest allowance from a not to exceed amount of \$800 to \$1,100; other non-monetary language modifications; and if approved, authorize Chair to execute Collective Bargaining Agreement upon completion. [FY 15/16 fiscal impact is estimated at \$1,184,959]. Human Resources. (All Commission Districts.)

There was no public comment on this item.

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

15-0835 **AGENDA ITEM 11** Recommendation to approve a 2.5% Cost of Living Adjustment for the Confidential Undersheriff, Chief Deputy Sheriffs, and Supervisory Deputies effective July 1, 2015. [FY 15/16 fiscal year impact is estimated at \$269,418]. Human Resources. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 11 be approved.

15-0836 **AGENDA ITEM 12** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the installation of a new roofing system for the 1 S. Sierra Roof Replacement Project [staff recommends D & D Roofing and Sheet Metal, Inc. in the amount of \$294,750]; and if awarded, approve the purchase of roofing materials for the 1 S. Sierra Roof Replacement Project from Garland, DBS [in the amount of \$293,434.94] utilizing Cobb County Georgia Bid No. 14-5903 pursuant to the joinder provision of NRS 332.195; and direct Comptroller's Office to make the necessary budget adjustments. Community Services. (Commission District 3.)

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 12 be awarded, approved and directed.

15-0837 **AGENDA ITEM 13** Recommendation to award a bid and approve the Agreement to the lowest, responsive, responsible bidder for the North Valleys Regional Park Playground Rehabilitation project [staff recommends Garden Shop Nursery, Landscape Division in the amount of \$209,995]; and if approved, direct Comptroller's Office to make the appropriate budget adjustments. Community Services. (Commission District 5.)

There was no public comment on this item.

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

15-0838 **AGENDA ITEM 14** Recommendation to approve an Interlocal Agreement for the Construction and Management of Stormwater Facilities for the Protection of the Highland Canal between Washoe County, City of Reno and Truckee Meadows Water Authority. Community Services. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 14 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

15-0839 **AGENDA ITEM 15** Recommendation to approve an Agreement Regarding November 2002 State Question 1: Parks and Open Space Bond Issue – Truckee River- Truckee River Management Plan-One Truckee River Initiative Phases I, II and III-Project Funding [\$175,000-State Question 1 Truckee River Bond Funds] between Washoe County and Nevada Land Trust; and authorize Comptroller's Office to make the appropriate budget adjustments. Community Services. (Commission Districts 2 and 3.)

There was no public comment on this item.

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

15-0840 **AGENDA ITEM 16** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Sun Valley – West Second Avenue Sidewalk Project, [staff recommends Spanish Springs Construction, Inc. in the amount of \$396,444]. Community Services. (Commission District 3.)