

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

TUESDAY

9:00 A.M.

MARCH 25, 2014

PRESENT:

David Humke, Chairman*
Bonnie Weber, Vice Chairperson
Marsha Berkbigler, Commissioner
Vaughn Hartung, Commissioner
Kitty Jung, Commissioner

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

The Washoe County Board of Commissioners convened at 9:01 a.m. in joint session with the Washoe County Library Board of Trustees in the Caucus Room of the Washoe County Administration Complex, 1001 East Ninth Street, 2nd Floor, Room A205, Reno, Nevada. Also present were Library Board of Trustees Chairman Derek Wilson, and Library Board Trustees Mark Brant, Fred Lokken, Sara Sattler, and Alfred Stoess. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Boards conducted the following business:

14-233 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 Washoe County Library Board of Trustees and the Washoe County Commission as a whole.”

There was no response to the call for public comment.

14-234 AGENDA ITEM 4

Agenda Subject: “Acknowledge receipt of staff report on Library adaptations to reduced budgets, initiatives to meet 21st-century needs, and new or restored services that would require additional funding--Library. (All Commission Districts.)”

Arnie Maurins, Library Director, discussed the Library’s tactics to maintain services with a reduced budget. He noted page 1 of the staff report highlighted how they utilized staff more efficiently, used technology with limited staff, a summary of donations of time and money received, magazine subscriptions moved to an open-source automated system, which saved \$50,000 or more a year, redesign of their website,

recycled computers to provide additional access to patrons, use of Friends of Washoe County Library money to pay for an increased bandwidth, one-on-one assistance with mobile devices, improvements made to facilities, rearranged materials to provide more WI-FI space, and utilized pick-up lockers at the Downtown Library to allow patrons the ability to pick up books that had been on hold after hours. He noted they had supported the School District with a Striving Readers grant and expanded offerings in the form of digital books.

Mr. Maurins noted the most comments received from the public were to provide more access, which would require between \$300,000 and \$400,000 per branch (larger branches) to go from five days a week to seven days a week. He said they would like to purchase more books, lend out mobile devices, provide media labs or maker-spaces to create their own artifacts, and modify self-service check-out units to provide access to other County services. Internally they would like to get collection-management software, which would show how the different parts of the collection were used and would help them better allocate their funds. In the future, he said they would like to get a radio frequency identification-based inventory, which would help them handle materials, provide faster check-out/check-in, provide better security, and allow staff to spend their time providing better customer service.

Mr. Maurins noted the Capital Projects they were interested in were a new library in the North Valleys and to address the library needs of the downtown area. He said there were two large branches that were only three miles apart and in a lot of ways that configuration did not make sense.

9:03 a.m. Chairman Humke arrived.

Commissioner Hartung asked about the two branches being relatively close to each other in the downtown core. Mr. Maurins stated they were the Downtown Library on Center Street and the Sierra View Library in the Reno-Towne Mall. He said Sierra View opened in the late 1980's with the intent that it would be a temporary location. He said the landlord had been very generous with the lease by donating the last few years' rent. Commissioner Hartung asked if both of those libraries were well-used. Mr. Maurins replied they were. Commissioner Hartung said sometimes the close proximity did not make a big difference because they were well-used. He wondered what would happen if one of those two libraries was closed. Mr. Maurins stated the Trustees had discussed a couple of options; one being to find a third site, or to renovate the downtown building. Commissioner Hartung inquired if the County owned the downtown building. Mr. Maurins stated yes, but the land was leased from the City of Reno for \$1 per year. Commissioner Hartung asked if parking was an issue at the Downtown Library. Mr. Maurins stated parking was an issue as was the age of the building, which had asbestos. Commissioner Hartung said it would probably not be wise to tear it down, but to refurbish it. Mr. Maurins stated that according to the lease, if the building was no longer used as a library, it would revert to the City of Reno.

Commissioner Weber asked if we had the ability to use one of the libraries as a training facility for up and coming librarians. Mr. Maurins stated that was not something they had talked about, but they certainly could. He said they talked about designating one or more branches as public training facilities for patrons to learn mobile devices, computers, programs, etc. Mr. Maurins stated there were on-line programs for people who wanted to receive library degrees. Commissioner Weber stated the Downtown Library was a very nice facility.

Derek Wilson, Library Board Chairman, said he was a big fan of the Downtown Library and it would be difficult for him to see that displaced; on the other hand he knew parking was an issue, the building was old, and was not easily adaptable for a new or different use. He said Sierra View also had issues because it was a leased space and would be difficult to upgrade. He thought the County would benefit by starting with a brand new building at a brand new site, because there would be savings in operating a new facility. Commissioner Hartung stated it would cost \$15 to \$25 million to build a new library.

Trustee Lokken stated the Citizens Task Force a few years ago recognized the current fund they had since 1994 would sunset in August 2025, and they had to consider possibly going to the voters to seek an extension for a new expansion fund identifying projects like this. Also he was another one who believed firmly in a downtown urban library setting and in the future of downtown Reno as a living space. He said he had discussions with Reno Planning staff about the desire to keep a library downtown that would still meet the needs of its patrons.

Commissioner Jung stated while it was heartbreaking to think that the Downtown Library could go away, it was much like what the Board wrestled with regarding the aging schools to figure out whether to revitalize them or tear them down and build new. Essentially, the return on the investment was pretty good when you looked at how inefficient heating and air conditioning was at a library and the inefficient use of staff. She said libraries had changed dramatically and were no longer the quiet place to read or work; patrons were being encouraged to meet and hold conversations. She thought there was a solution to keep it in the core or maybe trade something with the City of Reno, because they would want that building. She thought they might dedicate a lot they owned to the County that could have a library built; however, realistically the County did not have the funding to even dream about building a new library.

Chairman Humke stated page 3 of the staff report mentioned what it would take to go from five to seven days a week. He wondered if the Trustees could nominate a library in the south and the north to place in the budget. Mr. Maurins stated if they were able to do two libraries, they would certainly look at strategic locations. Chairman Humke said he liked that recommendation because that would give them something right now. He knew there would be many opinions as to how that should happen and where. He asked if Sierra View had the greatest foot traffic. Mr. Maurins stated he thought the Downtown Library had the greatest foot traffic.

Commissioner Hartung asked if there was a metric regarding how many people actually drove to the Downtown Library or used some other form of transportation. Mr. Maurins stated that had not been formally tracked, but could be done by customer surveys. Commissioner Hartung stated those surveys could be done for the Sierra View Library as well, just to see what the community did, which would help with determining where a new building would work. He said probably the majority of the users in the downtown core were not necessarily driving, because it was difficult, but they could drive somewhere and then walk to the Library.

Mr. Maurins stated if they received more General Fund dollars, their top priority would be to help the Expansion Fund. Commissioner Berkbigler stated if the budget could come up with the funds to have the libraries open seven days a week, the preference would be to quit drawing down from the Expansion Fund rather than opening a library for seven days. Mr. Maurins stated his preference would be to use any new money they got to absorb Expansion Fund spending. He said they moved over 3/4 of a million dollars out of the General Fund into the Expansion Fund, and his top priority would be to move some of that money back.

Commissioner Weber asked the County Manager to find out how much money was left in the WC-1 Fund. Mr. Maurins stated he believed that money had been spent, but he had not seen an audit. He said the last pot of money in there was used to expand the meeting room at the Verdi Library. Commissioner Weber stated projects for Parks were still being submitted, but she noted there had not been any projects submitted by the Library. She said it would be interesting to find out what was there. Mr. Maurins stated the two major library projects were for the South Valleys and the Spanish Springs Libraries.

There was no response to the call for public comment.

On motion by Commissioner Hartung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 4 be accepted.

14-235 AGENDA ITEM 5

Agenda Subject: “Discussion and possible direction to staff regarding County policy on owned versus leased Facilities--Library. (All Commission Districts.)”

Chairman Humke stated he had gone to a lot of the libraries that were in shopping centers, and he believed that was a great model and was good for business. He said that assisted the anchor tenant with foot traffic, and he wondered how the libraries felt about it. Arnie Maurins, Library Director, stated it would depend on how old the facility was and what the infrastructure looked like. He said the library at the North Valleys was a blessing because they would not have anything there without that shopping center. He said the bad thing was the facility could not be expanded.

John Slaughter, County Manager, clarified that this discussion and possible direction regarding County policies for owned and leased facilities was for libraries only and not other County facilities.

Mr. Maurins stated the staff report provided a brief history of the Sierra View Library and the North Valleys Library, which were both in leased buildings. He said four years ago when they were looking at nearly \$500,000 in budget reductions, it was recommended that the two leased branches be closed, but the Trustees voted down that recommendation. Subsequently, the landlords at both locations made concessions with respect to the rent. Since then, the lease money had moved out of their budget. He said in December he met with Commissioner Weber and two Trustees to talk about the possible location for a new North Valleys Library, including having it at the North Valleys Regional Park.

Mr. Maurins next discussed issues with the leased facilities, both general and specific to the location. The two leased spaces were old and had technology and infrastructure issues, there was no public restroom at Sierra View Library, and the wiring was susceptible to water damage. He said the question was how much to spend knowing that we could be told to move with just a few months notice.

Mr. Maurins stated they would be putting together a Facilities Plan later this year, which he would talk about during their budget presentation. Part of that Plan would address how the branches should be configured to improve service and could involve consolidating branches, refurbishing existing needs, supplementing existing buildings and recommending locations for future libraries. Specifically, that Plan would address recommending a site for the North Valleys Library and how to best meet the needs of the greater downtown area.

Mr. Maurins stated the Board of Trustees would like clarification from the Commissioners regarding the County's position on owned facilities versus leased facilities. He outlined the four questions that were contained within the staff report.

Commissioner Hartung said he leased a lot of buildings in his life and the beauty of leasing a building was that he was not tied to that facility. He said when a building no longer met his needs, he would move on, so there was a real benefit to leasing versus owning a building. Maybe the model in the future would be to reduce the size of the buildings and to put more leased facilities throughout the community in shopping centers and places where patrons could access them instead of having large facilities. He noted it was really hard to get in and out of the Spanish Springs Library and the hours were not conducive to the community's needs.

Commissioner Jung stated she felt this discussion was premature, because the Board of County Commissioner (BCC) had never discussed what the policy was at the County level. During the retraction of the budget, the Board policy in 2007 was to get out of leasing arrangements and consolidate departments back into County-owned

buildings. She thought the BCC could not really advise the Trustees at this time on the philosophy of leasing versus owning.

Commissioner Weber stated she had been an advocate of getting out of the North Valleys Shopping Center. She thought it was a good location, but even at the reduced rate, the County was spending \$54,000 a year for a library. She said there was a great facility at the North Valleys Regional Park and a bus went by it. She said there was an acre in Golden Valley that had a Community Center that they had talked about expanding; it had restrooms, a kitchen area, and offices.

Commissioner Berkbigler said she was also concerned about making policy when it could be questioned by the next BCC. She asked if there was a building at the North Valleys Regional Park. Commissioner Weber stated the building was there, but there would have to be some work done to it. She noted there was a Community Center in Cold Springs that was going to get some new computers and it could be used as a training center also.

Derek Wilson, Library Board of Trustees Chairman, said he was sensitive to the argument about smaller, more nimble branches. He thought the appeal should be acknowledged of a more campus-type library. He felt there was a big difference between going to the library in South Valleys versus going to the North Valleys library.

Trustee Brant stated he did not like to see things done partially. He dealt with the maintenance of buildings for the last 25 years, and he agreed the libraries should be centralized, campus-type centers, and easily accessible. He said sometimes refurbishing a building looked like a good idea on paper, but once a project like that got started, it could end up costing more money than building a new facility.

John Slaughter, County Manager, said he believed the 2007 County Policy regarding leased space was anchored on the ability to move into existing County owned space. He thought the four questions posed on page 3 of the staff report was a good starting point for discussion.

Chairman Humke stated 2007 provided for a changed economy; however, none of the rules were the same now as they were then. He said the County would love to establish a philosophy. Commissioner Berkbigler stated it was important for the County to come up with some kind of philosophy, otherwise that would leave the Library Board sort of stuck.

Commissioner Hartung stated the BCC had to have some firm numbers regarding the costs to lease a space versus the costs to own a space. Although it seemed as if it might be better up front to own, that did not allow us to be nimble, to grow, and to make changes in terms of the infrastructure that was required.

Chairman Humke stated he agreed and thought this item should be placed on a BCC agenda. Commissioner Berkbigler said the BCC should direct the Library

Board to look at what leasing buildings versus owning them would mean to their operation. Commissioner Weber said there needed to be a conversation about the libraries and then one about the other County buildings.

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

14-236 AGENDA ITEM 6

Agenda Subject: “Acknowledge receipt of staff report on the status of the Library Expansion Fund--Library. (All Commission Districts.)”

Arnie Maurins, Library Director, stated their goal was to reduce spending out of the Expansion Fund, because that funding would run out in 2025. He noted they had moved 17 positions out of that Fund; however, personnel costs were the biggest use of that Fund. He said the Library Board wanted to go on record in supporting a ballot measure for a new source of dedicated, supplemental funding for library services. The Trustees wished to engage the Board of County Commissioners (BCC) in a discussion about the viability and logistics of a ballot measure.

Trustee Lokken stated he was very concerned about using the Expansion Fund the way they had been, but it kept the libraries open during the recession. He thought it was a disservice to the voters. He said they would like to see the libraries open seven days a week and that was what the Expansion Fund was about. Chairman Humke complimented Trustee Lokken stating maybe that money should be replaced to keep faith with the voters. Commissioner Berkbigler asked if the ballot measure would be on this year’s ballot. Mr. Maurins stated it would not be, but down the road a few years; possibly closer to the year 2025.

Commissioner Weber thanked the Library Board for a job well done through all the trials and tribulations they had gone through.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried it was ordered that Agenda Item 6 be accepted.

On motion by Chairman Wilson, seconded by Trustee Lokken, which motion duly carried, the Library Board was adjourned.

10:08 a.m. The Library Board of Trustees adjourned and the Board of County Commissioners recessed.

10:10 a.m. The Board reconvened with all members present in the Washoe County Commission Chambers located on the 1st Floor of Building A at 1001 E. 9th Street, Reno, for the remainder of the County Commission Agenda.

Chairman Humke stated Robert McGowan, retired Washoe County Assessor, passed away over the weekend. He read aloud the comments made by Senator Harry Reid on the floor of the Nevada Senate. He requested everyone observe a moment of silence to remember Mr. McGowan.

14-237 AGENDA ITEM 9 – 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 Washoe County Commission as a whole.”

Dr. Richard Simmonds said he was active in animal issues throughout the State, but today he was here to express his own opinion. He stated he recently re-reviewed the February 25, 2014 meeting activities as they related to Regional Animal Services. He said he heard Kevin Schiller, Assistant County Manager, state the Technical Advisory Team met three times, but he was unaware that they met publically. He asked to be informed if they met publically in the future. He commended the job Barry Brode, Regional Animal Services Director, was doing managing Regional Animals Services. He advised he supported it becoming a separate department under the County’s structure. A copy of his remarks was placed on file with the Clerk.

Ardena Perry said she continued to receive concerns from people about continuing to move forward with looking at Regional Animal Services. She stated the partnership with the Nevada Humane Society had not been really successful, because it was about the two organizations having totally different missions. She said she received 40 e-mails in the past week from rescue people who could not pull animals from Animal Services because they had to go through a partner agency. She said there was a need to reevaluate the one point of flow, so the rescue community could access the animals to get them put into homes. A copy of her remarks was placed on file with the Clerk.

Christopher Corbett said the People Against the National Defense Authorization Act (PANDA) achieved a victory in Middleton, Idaho, and he read aloud the Middleton resolution passed on March 18, 2014.

Sam Dehne spoke about attending local government meetings, new jobs coming into town, the *Reno Gazette-Journal* (RGJ), and the upcoming mayoral race.

14-238 AGENDA ITEM 10 – ANNOUNCEMENTS

Agenda Subject: “Commissioners’/Manager’s Announcements, Requests for Information, Topics for Future Agendas, Statements Relating to Items Not on the Agenda 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 he received a letter from Nevada State Senator Debbie Smith thanking the County’s staff for working with the Washoe County School District (WSCD) and herself on the School and Community Safety Forum held on February 25, 2014. She stated the way County staff stepped in to collaborate to provide the best setting possible was impressive, and the success of the event spoke for itself. She requested her appreciation be conveyed to everyone who helped serve the community in such a positive way. Mr. Slaughter said he forwarded Senator Smith’s letter to everyone involved in the process.

Mr. Slaughter said he received an e-mail from Susan Kehoe, Glenn Duncan STEM Academy Principal, stating the Glen Duncan garden cleanup event was a huge success. She said the students worked alongside County employees to pull weeds, move rocks, and clean out beds. She stated Bill Carlos, May Center Horticulturist, explained the many aspects of gardening to the students. She said the cleanup would allow the teachers and students to begin spring planting, which would enhance teaching the students about the plants and their life cycles in the classrooms. She thanked Washoe County for its commitment and support. Mr. Slaughter displayed several photos of the event, which were placed on file with the Clerk. He said Mr. Carlos, several other staff members, and Commissioner Jung participated in the cleanup. He noted Glenn Duncan was one of the County’s five “Partners in Education” schools.

Commissioner Hartung mentioned he and Commissioner Jung attended the opening of Garlock Printing & Converting Corporation, which was a wonderful plant and was one of two in the nation used to print on plastic. He stated they injected millions into the facility and an expansion was already planned. He said the plant meant 200 jobs, and he was thrilled to attend those kinds of openings.

Later in the meeting, Commissioner Jung said a group representing Northern Nevada attended the Northern Nevada Shared Federal Framework meeting held in Washington D.C. She said the group was comprised of representatives from Washoe, Douglas, and Storey Counties and the Cities of Reno and Sparks. She stated the group was formed in response to a challenge from the area’s congressional representatives that everyone should know each other’s top three priorities when looking for federal funding and support.

Commissioner Jung stated the group met with the Association for Unmanned Vehicles Systems International, because Nevada was chosen as a test site for unmanned aerial vehicles, and the Association gave the group a lot of insight as to what the group should do. She said the group also learned about some different loan programs available through the Department of Energy. She stated there was a meeting with Senate Majority Leader Harry Reid where she lobbied him regarding Northern Nevada being one of the areas being considered by Tesla Motors. She said she brought up the intangibles Northern Nevada brought to the table that none of the other three states had. She stated

she provided him with a fact sheet about the owner of Tesla Motors, Elon Musk, and his ties to Northern Nevada, and how he made decisions based on his social consciousness. She said Senator Reid made a phone call to Mr. Musk, and she hoped he would find Nevada a perfect fit for his battery manufacturing plant.

Commissioner Weber thanked Commissioner Jung for sharing her comments with Senator Reid, which led him to make a second call to Mr. Musk. She said besides the counties and the cities, there were also representatives present from the University of Nevada, Reno, economic development, the airport, the Reno Sparks Convention and Visitors Authority (RSCVA), and the Regional Transportation Commission (RTC). She stated the Shared Federal Framework meeting was the first opportunity for everyone to represent the region, and Senator Reid stated this was what they needed to hear in Washington, D.C.

14-239 AGENDA ITEM 11 – PROCLAMATION

Agenda Subject: “Proclamation--March 31, 2014 as César Chávez Day. Requested by Commissioner Jung.”

Commissioner Jung read and presented the Proclamation to Andrew Barbano, Nevada César Chávez Committee Chair, and Ramon Chávez, who was César Chávez’s nephew. Ramon Chávez thanked the Commission for the honor, which he and the family appreciated. Mr. Barbano thanked the Board for the Proclamation. He discussed several events being held locally and around the State, including the movie premiere of “César Chávez: American Hero.” He stated he and the César Chávez Foundation in California were trying to find information on Mr. Chávez’s activities in Nevada in 1960’s before he became nationally known.

Mr. Barbano spoke fondly in remembrance of his dear friend, Bob McGowan.

There was no response to the call for public comment.

On motion by Commissioner Berkgigler, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 11 be adopted.

14-240 AGENDA ITEM 12 – PROCLAMATION

Agenda Subject: “Proclamation--March 2014 as American Red Cross Month.”

Commissioner Humke read and presented the Proclamation to Clara Andriola, American Red Cross Regional Chief Executive Officer. Ms. Andriola thanked the Commissioners for this opportunity and for their support. She said the Red Cross was currently helping with the relief efforts due to the mudslide in Washington by providing two shelters and serving meals. She stated many people should be comforted by knowing the Red Cross provided support anytime and anywhere.

Ms. Andriola said on March 26, 2014, there would be a celebration of over 26 community heroes at the Atlantis Hotel and Casino. She stated the Red Cross would welcome the Commissioner's participation in celebrating those heroes' heroic acts.

Members of the Red Cross introduced themselves and stated how long they had been associated with the Red Cross.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 12 be adopted.

14-241 AGENDA ITEM 13 – PROCLAMATION

Agenda Subject: “Proclamation--April 2014 as National County Government Month. Requested by Commissioner Weber.”

Commissioner Weber asked the County employees present to come to the podium. After they were assembled, she noted people often did not know what their counties did. She felt there needed to be an initiative about what counties did, and she hoped the Community Relations department would work with her to get the word out. She read the Proclamation and stated the Proclamation thanked the County's employees for everything they did every day.

In response to the call for public comment, Sam Dehne said local government was created to protect the citizens and to ensure everything was done properly. He felt it was good to honor Washoe County's employees with a Proclamation.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 13 be adopted.

14-242 AGENDA ITEM 14 – PROCLAMATION

Agenda Subject: “Proclamation--April 2014 as Fair Housing Month.”

Commissioner Berkbigler read and presented the Proclamation to Roberto Ortiz, Silver State Fair Housing Council Director of Programs, and Gabrielle Enfield, Washoe County Grants Administrator. Mr. Ortiz said on behalf of the Council's Board and staff, he thanked the Commissioners for their continuing efforts to further fair housing in Washoe County. He stated the belief was fair housing helped break down barriers and helped people relate to each other as neighbors and individuals.

In response to the call for public comment, Cathy Brandhorst discussed her opinion of fair housing and people trespassing.

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

14-243 AGENDA ITEM 15 – MANAGER

Agenda Subject: “Resolution--Supporting services for Veterans and the Governor’s Program for the development of local veterans commissions--Manager. (All Commission Districts.)”

Kevin Schiller, Assistant County Manager, said the Governor’s Office started an initiative around local governments and commissions to support veterans. He stated he had been very involved in that initiative because veterans crossed all of the service areas that Social Services addressed.

Commissioner Hartung said we were here today because of what the nation’s veterans sacrificed. He read and presented the resolution to Caleb Cage, Governor’s Office Director of Military and Veterans Policy. Mr. Cage thanked the Commission for leading the way for veterans’ services at the community level in Washoe County.

Chairman Humke said there had been discussion on starting a Community Council regarding veterans in each community, and Commissioner Jung, Reno Councilmember Oscar Degado, and Sparks Councilmember Ron Smith took that idea and started such a council here.

In response to the call for public comment, Cathy Brandhorst discussed veterans and firearms.

On motion by Commissioner Hartung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 15 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

14-244 AGENDA ITEM 16 – MANAGER

Agenda Subject: “State of the County Report--Manager.”

John Slaughter, County Manager, said this year he decided to do the State of the County Report during the Board’s regular meeting instead of having a special meeting. He stated the written report was available online and at various locations in the community, including library branches. He said the report was a review of the County over the past year. He stated there were several areas of stability: The County’s dedicated and hardworking employees, the management team, and the citizens. He stated everything possible should be done to continue the legacy of being accessible, accountable, and responsible to the citizens of Washoe County.

Mr. Slaughter said page three of the report requested our citizens, our neighbors, and our friends to get involved in the community by volunteering or by serving on one of the Boards or Commissions. He advised last year Washoe County had over 6,800 volunteers performing 62,000 hours of service, which had a calculated value of over \$1 million. He noted those volunteers would be honored during the April 8, 2014 meeting.

Mr. Slaughter discussed some of the County's 2013 accomplishments, collaboration activities, budget message, challenges and opportunities, looking ahead for 2014, strategic objectives, and the Manager's focus areas. He thanked the Board for the opportunity to work with them, County management, and staff as everyone continued through this year of transition, which would take the County to a new and exciting chapter. He concluded his report by showing a video looking back at the past year. Copies of the written report, the PowerPoint presentation, and the video were placed on file with the Clerk.

Chairman Humke said seeing those pictures made him proud to be a part of the effort to serve the residents of Washoe County. Commissioner Jung stated Mr. Slaughter was a class act, and he always treated everyone with dignity and respect. Commissioner Hartung echoed Commissioner Jung's sentiments and said the Board made the right choice. Commissioner Weber said the Manager and the Assistant County Manager did a great job, and she commended the Community Relations staff for doing such a great job with the video, which touched on every aspect of the County. She noted she liked having the presentation of the State of County Report during a regular Board meeting. Commissioner Berkbigler thanked Mr. Slaughter and his wonderful team for the support they gave to the Board.

Mr. Slaughter thanked the Community Relations team for putting together the video.

Commissioner Hartung felt the public did not realize how many moving parts there were in the County. He said the employees all worked tirelessly to ensure the County worked in a seamless manner, and he was thrilled to be a part of the team.

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

11:45 a.m. The Board of County Commissioners adjourned and convened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD).

12:34 p.m. The Board of Fire Commissioners adjourned and reconvened as the Board of County Commissioners with all members present.

CONSENT AGENDA – ITEMS 17A THROUGH 17G(2)

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

14-245 AGENDA ITEM 17A

Agenda Subject: “Cancel April 15, 2014 County Commission meeting.”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17A be approved.

14-246 AGENDA ITEM 17B – HUMAN RESOURCES

Agenda Subject: “Approve reclassification requests for a vacant Outreach Specialist II, pay grade L, to a Juvenile Probation Officer II, pay grade N (Juvenile Services), a Department Systems Support Analyst, pay grade N, to a Department Systems Support Supervisor, pay grade O (Assessor’s Office), a Senior Financial Analyst, pay grade P, to a Fiscal Manager, Sheriff’s Office, pay grade R (Sheriff), and an Office Assistant II, pay grade E, to an Office Support Specialist, pay grade H (Sheriff). [Net annual impact estimated at \$39,793]--Human Resources. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17B be approved.

14-247 AGENDA ITEM 17C – MANAGER

Agenda Subject: “Accept Community Facilities Grant from the U.S. Department of Agriculture Rural Development [\$7,550, County cash match of \$2,517] for equipment and furniture for the Gerlach Fire Station expansion; grant period March 25, 2014 through July 27, 2014; and if accepted, authorize Chairman to execute grant documents; and approve transfer from General Fund (Community Support-Special Purpose Awards - IO 60229), to the Capital Improvement Fund for the construction of the fire station expansion; and direct Finance to make the appropriate budget adjustments--Manager. (Commission District 5.)”

Commissioner Weber said the agenda item did not use the word “Volunteer” when mentioning the Gerlach Fire Station, and she would like to have that correction made so it stated, “Gerlach Volunteer Fire Station.”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17C be accepted, authorized, approved, and directed.

14-248 AGENDA ITEM 17D – SOCIAL SERVICES

Agenda Subject: “Accept grant [\$45,561 in FY2014, no County match] in additional CHAFEE program funds from the State Division of Child and Family Services (DCFS) to assist youth in making the transition from foster care to economic self-sufficiency. Authorize food and travel so that the youth and staff may attend the annual statewide Independent Living Program (ILP) conference, the annual Daniel Memorial Conference and the Ropes Program; and, further authorize the Department to expend the grant revenue and direct Finance to make the appropriate budget adjustments--Social Services. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17D be accepted, authorized, and directed.

14-249 AGENDA ITEM 17E(1) – COMMUNITY SERVICES

Agenda Subject: “Accept Community Development Block Grant (CDBG) program income received by Washoe County through the repayment of CDBG housing rehabilitation projects [\$29,230.24]; and approve the use of these funds to support the Heppner Well Abandonment and Community Water Service Connection grant. (Commission District 5.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17E(1) be accepted and approved.

14-250 AGENDA ITEM 17E(2) – COMMUNITY SERVICES

Agenda Subject: “Acknowledge receipt of the unaudited Financial Report for Washoe County Community Services Department Water Resources Fund for the six months ended December 31, 2013. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17E(2) be acknowledged.

14-251 AGENDA ITEM 17E(3) – COMMUNITY SERVICES

Agenda Subject: “Acknowledge receipt of the Washoe County Water and Sanitary Sewer Financial Assistance Program Status Report as of December 31, 2013. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17E(3) be acknowledged.

14-252 AGENDA ITEM 17E(4) – COMMUNITY SERVICES

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; and authorize Finance to make the appropriate budget adjustments. (Commission District 4.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17E(4) be approved and authorized.

14-253 AGENDA ITEM 17E(5) – COMMUNITY SERVICES

Agenda Subject: “Approve an Agreement regarding November 2002 State Question 1: Parks and Open Space Bond Issue – Truckee River Wadsworth Tile Drain Wetland Project [\$56,127-State Question 1 Truckee River Bond Funds] between Washoe County and Pyramid Lake Paiute Tribe; and authorize Finance to make the appropriate budget adjustments. (Commission District 5.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17E(5) be approved and authorized.

14-254 AGENDA ITEM 17F(1) – DISTRICT ATTORNEY

Agenda Subject: “Approve payments [\$6,868] to vendors for assistance of 29 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, victims’ spouses and other eligible persons. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17F(1) be approved and authorized.

14-255 AGENDA ITEM 17F(2) – DISTRICT ATTORNEY

Agenda Subject: “Accept renewed funding for a Deputy District Attorney for the provision of continuing prosecutor services related to the High Intensity Drug Trafficking Areas (HIDTA) Task Force [\$80,000] from the Office of National Drug Control Policy award to Nevada HIDTA for the period April 1, 2014 through March 31, 2015, with remaining \$20,000 position cost covered by District Attorney General Fund budget; and direct Finance to make the necessary budget adjustments. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkgigler, which motion duly carried, it was ordered that Agenda Item 17F(2) be accepted and directed.

14-256 AGENDA ITEM 17G(1) – DONATIONS

Agenda Subject: “Accept donation [\$10,000] for the District Attorney’s Office Child Advocacy Center remodel, equipment, and operations from the Robert S. & Dorothy J. Keyser Foundation; and authorize Finance to make appropriate budget adjustments--District Attorney. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung thanked the Robert S. & Dorothy J. Keyser Foundation for the donation to the Advocacy Center remodel, equipment, and operations.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 17G(1) be accepted and authorized.

14-257 AGENDA ITEM 17G(2) – DONATIONS

Agenda Subject: “Accept donation [\$2,545.71] from Henry Schein to the County of Washoe on behalf of the Washoe County Sheriff’s Office to purchase equipment for the K9 Unit; and authorize Finance to make appropriate budget adjustments--Sheriff. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung thanked Henry Schein for the donation to purchase equipment for the Sheriff’s K9 unit.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered that Agenda Item 17G(2) be accepted and authorized.

14-258 AGENDA ITEM 17F(3) – DISTRICT ATTORNEY

Agenda Subject: “Approve request by the Washoe County District Attorney through the Washoe County Clerk pursuant to Washoe County Code 2.030 to initiate proceedings to amend Washoe County Code (Chapter 5) to remove the requirement that a member of a citizen advisory board (CAB) must take a leave of absence during any period of time the CAB member is a candidate for election or applicant for appointment to the board of county commissioners--Manager. (All Commission Districts) Requested by Commissioner Hartung.”

Commissioner Weber felt the Code should continue to require the Citizen Advisory Board (CAB) members to take a leave of absence if they were running for political office. She stated removing this requirement could create a conflict, because they could have something in front of them at the CAB that they would be voting on as a Commissioner.

Commissioner Hartung felt if this Code was called into question in the courts, it would probably be found to be in violation of a person’s constitutional rights. He said people were asked to serve, but the Citizen Advisory Board (CAB) members were not allowed to stay in their positions while running for political office, which the Commissioners were allowed to do. He stated this was put into the County’s Code in 1991, but it was discriminatory and should be removed.

Commissioner Weber stated she assumed that members of the Planning Commission and the Board of Adjustment had to step down also. She requested other boards be looked at and possibly added. She stated if someone was on one of those

Boards and was running for County Commissioner, there was the possibility of having to vote on items that would be coming before the Commission.

Commissioner Hartung said he served on the Planning Commission and that question never came up. He stated that would create a double standard and the Commissioners should also step down while rerunning for their office. He said even though it was an appointed position, it was a position of service. He believed this Code would be called into question at some point and might be decided by the Courts. He felt in those situations where a CAB member was voting on something they might see later, it would be incumbent upon the District Attorney (DA) to advise them of that issue. He said the same standard could be applied to any of the General Improvement Districts, the Assembly, and across the board. He believed this was very thin ice and was discriminatory.

Paul Lipparelli, Legal Counsel, said this item would start the process of drafting the Code amendment for the CAB's if approved. He stated if the Commissioners wanted to include other boards, doing that would require a future agenda item. He said the only notice the public had was this item applied to the CAB's.

Chairman Humke felt the distinction was the CAB's were advisory boards and not a policy board, which differed from the Planning Commission and some of the other boards and commissions. He believed that might be a good discussion to have.

Commissioner Weber said she agreed with Commissioner Hartung, even though she had initially not seen it in that way, and she appreciated him bringing this to the Board. She stated she could ask separately for staff look at the other boards.

In response to the call for public comment, Allayne Donnelly-Everett read her comments regarding why she opposed the changes to the Code. A copy of her comments was placed on file with the Clerk.

Commissioner Weber thanked Ms. Donnelly-Everett for her comments and hoped the Board would take her comments into consideration.

Commissioner Jung asked the DA to look into the best practices. She said CAB's were very different than a Planning Commission or a Board of Adjustment in that the CAB was as close as someone could get to an issue without undue influence. She stated she did not disagree with what Commissioner Hartung was trying to do in spirit, but there needed to be some sort of analyses done of that. She said if a CAB member had declared their candidacy, then they should recuse themselves if they did not believe they could objectively handle a discussion or a vote. She stated this had to be weighed in a way that spoke to those points, because the reason for the CAB's was to take the noise out of the process. She stated the DA might come back and confirm it was a First Amendment Right.

Commissioner Hartung reminded the Commissioners of how frustrated they were with the double standards with the Open Meeting Law and the Legislature. He said a candidate had to fill out Contribution and Expense reports when they filed, and he believed they would be transparent about those kinds of issues. He said an advisory board like a CAB only made recommendations and did not make binding decisions.

On motion by Commissioner Hartung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 17F(3) be approved.

BLOCK VOTE

The following agenda items were consolidated and voted on in a block vote: 19, 21, 22, 23, 24, 26, 28, and 29.

In response to the call for public comment, Cathy Brandhorst discussed issues of concern to herself.

14-259 AGENDA ITEM 19 – TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

Agenda Subject: “Recommendation to approve an Interlocal Agreement between Washoe County on behalf of the Washoe County Sheriff’s Office and the Truckee Meadows Fire Protection District for dispatch services [not to exceed \$525,000] for fiscal year 2014/2015. (All Commission Districts.)”

The discussion for this item occurred during Agenda Item 6 of the Truckee Meadows Fire Protection District and the Sierra Fire Protection District meeting.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 19 be approved and directed. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

14-260 AGENDA ITEM 21 – MANAGER

Agenda Subject: “Recommendation to approve a budget adjustment to transfer funds [\$100,000] from Nonprofit Grants, to a new cost center, Community Special Projects within the approved Manager’s Office – Community Support FY2013-14 budget; and direct Finance to make the appropriate budget adjustments. Community Special Projects will focus on identified community needs that are within the mission and goals of one or more County departments--Manager. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 21 be approved and directed.

14-261 AGENDA ITEM 22 – PURCHASING

Agenda Subject: “Recommendation to award Invitation to Bid No. 2881-14 for Water and Wastewater Treatment Chemicals, on behalf of the Water Resources Division of the Washoe County Community Services Department and on a requirements basis, to the lowest responsible, responsive bidders, Sierra Chemical Co., 2302 Larkin Circle, Sparks, NV 89431, and Thatcher Company of California, 8625 Unsworth, Sacramento, CA 95828 [estimated annual amount \$270,000]; and authorize the Purchasing and Contracts Manager to execute the necessary purchase orders over the award period commencing on the date of Bid award through December 31, 2016, with the provision for two, one-year extensions at the County’s option--Purchasing. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 22 be awarded, authorized, and executed.

14-262 AGENDA ITEM 23 – TECHNOLOGY SERVICES

Agenda Subject: “Recommendation to acknowledge the status and progress of the Regional License and Permit Executive Committee towards contracting for a regional license and permit program to replace the Permits Plus program--Technology Services. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 23 be acknowledged.

14-263 AGENDA ITEM 24 – SOCIAL SERVICES

Agenda Subject: “Recommendation to approve Amendment #1 to Subgrant Agreement between Washoe County and the Children’s Cabinet dated December 19, 2013 to increase funding in support of services provided, up to \$173,216 for a new total [not to exceed \$1,423,216] for case management and supportive services related to the grant award from the U.S. Department of Health and Human Services’ Initiative to Reduce Long-Term Foster Care--Social Services. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 24 be approved.

14-264 AGENDA ITEM 26 – SOCIAL SERVICES

Agenda Subject: “Recommendation to approve Sixth Amendment to Agreement for Child Protection Facility Operator at the Kids Cottages, between the County of Washoe and Core Dynamics, LLC (formerly Adams and Associates, Inc.) which provides for a 90 day extension of the current contract [approximately \$300,000 per month] for the operation of the Child Protection Shelter Facility, extending the expiration to June 30, 2014 with one 90 day renewal option--Social Services. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 26 be approved.

14-265 AGENDA ITEM 28 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to accept Medusahead Reduction and Vegetation Subgrant award from the Nevada Division of Forestry [\$205,809 - matching funds of \$205,809 funded through in-kind and indirect costs] for the period of April 1, 2014 through September 30, 2017; and if accepted, authorize the Director of the Community Services Department to execute the Funding Agreement and all associated grant related documents; and direct Finance to make the necessary budget adjustments--Community Services. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 28 be accepted, authorized, executed, and directed.

14-266 AGENDA ITEM 29 – COMMUNITY SERVICES

Agenda Subject: “Acknowledge the status and progress updates for the Fundamental Review Program Phase I, Phase II and departmental projects. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 29 be acknowledged.

14-267 AGENDA ITEM 36 – CLOSED SESSION

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

1:08 p.m. On motion by Commissioner Weber, 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.

2:40 p.m. The Board reconvened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD) and the Sierra Fire Protection District (SFPD) to hear the remainder of the agenda.

2:43 p.m. The Board adjourned as the Board of Fire Commissioners and reconvened as the Board of County Commissioners.

14-268 AGENDA ITEM 20 – COMMUNITY SERVICES

Agenda Subject: “Appearance: Robert Little, Noxious Weed Program Regulatory Coordinator and Jamie Greer, Noxious Weed Program Grants & Outreach Coordinator Nevada Department of Agriculture. Presentation regarding noxious weeds in Washoe County--Community Services. (All Commission Districts.)”

Jamie Greer, Nevada Department of Agriculture Noxious Weed Program Grants & Outreach Coordinator, reviewed the PowerPoint presentation that covered what a noxious weed was, the biggest noxious weed concerns for Washoe County, current noxious weed efforts in Washoe County, local noxious weed control partners, noxious weed statutes, county responsibilities per the statutes, and future directions.

During her presentation, Ms. Greer noted lately there had been pressure from some of the stakeholders to enforce the statutes for the bigger areas of concern. She acknowledged the statutes constituted a kind of unfunded mandate. She stated this was the start of an attempt to open this discussion by going to every county to discuss the statutes and the exiting problems, so a way to work together to address those problems could be found. She stated there were state funds that could be used for abatement even though the State could not do the actual abatement. She said she would leave the draft Memorandum of Understanding (MOU) for the County to review. She stated the MOU would let the County do abatements using State funds, but the County would still have to put a lien on the property if one was required. She said Douglas County accepted the MOU so it could be used in 2014. She said the State also wanted the Commissioners to consider creating a Weed District under Nevada Revised Statue (NRS) 555.202, or even a program dedicated to eradicating weeds. She stated Cheryl Surface, Park Planner, was passionate about removing weeds, but she had a lot of other duties. She said that situation

was why they were approaching the counties about having more of a role in weed abatement, because local efforts made for more effective control. She stated they were aware the counties did not have a lot of money to dedicate to weed abatement, but they were hoping to get the counties behind the effort before going to ask the Legislature for more money to be given to the counties.

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

14-269 AGENDA ITEM 25 – SOCIAL SERVICES

Agenda Subject: “Recommendation to approve Veterans Service Office Agreement between Washoe County and Veteran Resource Centers of America response to Request for Proposal (RFP) #2886-14 for community-based Veterans services to the lowest responsible, responsive proposer, meeting specification, Veterans Resource Centers of America, [up to \$189,894 annually] on behalf of Washoe County Department of Social Services to be effective upon execution through June 30, 2015 with up to two, one-year extensions at Washoe County's option--Social Services. (All Commission Districts.)”

Ken Retterath, Social Services Interim Director, said the County’s veterans were an underserved population. He said oftentimes they could not get the benefits they deserved due to the red tape and the bureaucracy they encountered. He stated this item would create two Veterans Service Officer positions and a half-time support position. He said those Officers would help the veterans cut through the red tape to get their financial, medical, or other benefits. He stated the Officers would also do community outreach to achieve as much penetration as possible. He said this was a priority of Commissioner Jung’s and had been worked on for quite some time, and he was happy to bring this before the Board today.

Commissioner Jung said she took a tour of the Veterans Resource Centers of America location. She stated also in the works was having them at the Senior Center in Sun Valley approximately twice a month. She requested that information go into the newsletter, because Sun Valley had the largest concentration of veterans per capita. She said there was a plan to go to Gerlach and other places, and this was just the beginning. Mr. Retterath said the organization was very willing to work with the County.

Chairman Humke asked if the case workers worked predominately with the Veterans Administration, the Veterans Hospital, or other medical providers. Mr. Retterath said they would be helping the veterans through the system wherever they needed benefits. He stated the individuals were veterans who were trained and certified to work with veterans. Chairman Humke asked if there was anything special about how they would work with the younger veterans. Mr. Retterath said it was anticipated they would work across the spectrum.

Commissioner Weber asked for a presentation down the road on what those individuals were doing and how things were going. Mr. Retterath said by contract

those individuals should be up and running in 45 days, so three to four months down the road they could come and do a presentation to the Board.

There was no response to the call for public comment.

On motion by Commissioner Jung, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 25 be approved and executed.

14-270 AGENDA ITEM 27 – DISTRICT ATTORNEY

Agenda Subject: “Introduction and first reading of an Ordinance amending Chapter 25 of the Washoe County Code (business licenses, permits and regulations) by amending the definition of transient lodging to apply to the rental of one or more units, and providing for other matters properly relating thereto; and finding whether a business impact statement under Chapter 237 of NRS is required--District Attorney. (All Commission Districts.)”

Nancy Parent, Chief Deputy Clerk, read the title for Bill No. 1707.

Chairman Humke said this was brought about by various constituents from the Lake area and now it was ready to be introduced.

There was no response to the call for public comment.

Bill No. 1707, entitled, "AN ORDINANCE AMENDING CHAPTER 25 OF THE WASHOE COUNTY CODE (BUSINESS LICENSES, PERMITS AND REGULATIONS) BY AMENDING THE DEFINITION OF TRANSIENT LODGING TO APPLY TO THE RENTAL OF ONE OR MORE UNITS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO," was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed. A finding was made that a business impact statement under Chapter 237 of Nevada Revised Statutes was not required for the reasons stated in the staff report.

14-271 AGENDA ITEM 30 – COMMUNITY SERVICES

Agenda Subject: “Introduction and first reading of an Ordinance amending the Washoe County Code at Chapter 25 (Business Licenses, Permits and Regulations), Chapter 53 (Miscellaneous Crimes), and Chapter 110 (Development Code) to provide for limited exemption of certain acts from criminal prosecution and for the licensing and land use authorization required to operate medical marijuana establishments (including dispensaries, cultivation facilities, testing laboratories, and production facilities) which are registered and permitted by the State of Nevada under NRS Chapter 453A, and providing for matters properly related thereto; and, if supported, set the public hearing for second reading and possible adoption of the Ordinance--Community Services. (All Commission Districts.)”

Kevin Schiller, Assistant County Manager, said the Board was last provided with an update on the medical marijuana process on March 11, 2014. He stated this introduction would get the ordinance moving forward, while at the same time there would be ongoing discussions about the fees and policies.

Bill Whitney, Planning and Development Director, reviewed the PowerPoint presentation, which included previous Board actions, background, proposed County Code and Development Code amendments, examples of medical marijuana establishments, and the proposed motion.

Mr. Whitney noted page 12 of the ordinance contained enabling language regarding the fees that could be established, which would be considered later by the Board. He said because this ordinance did not impose new fees, a business impact statement was not required.

Commissioner Berkgigler said regarding page 6 of the ordinance, subsection 4, item 5b, she recalled the County had to issue the certification first. She stated she wanted to make sure the language was clear, so there would not be any confusion. Paul Kelly, Planner, said there was a phone conference with the State and they were still up in the air with what they were doing. He said the latest information they received from the State indicated they would issue a temporary certificate before the County got involved in doing its certification. Commissioner Berkgigler stated that meant the language in the ordinance was fine.

Commissioner Jung said she attended the American Planning Association meeting and an officer from the State was there. She stated she was impressed with the officer's presentation and believed the State was trying to move this forward as quickly as possible. She also believed the officer was very clear in indicating where the ultimate authority was and where the first regulations would come from.

Commissioner Berkgigler said she just wanted to make sure the County's regulations were clear. She read (k) at the very top of page 8, and asked if this was the language that came from the Health District ensuring the facilities would be safe because people would be putting the medical marijuana in their bodies. Mr. Kelly replied the application would go to the Health District for review under the regulations. Commissioner Berkgigler said regarding 23(B) on page 13, did that mean the inspections could occur anytime without prior notice, such as after hours, or just when the business was open. Mr. Kelly said the inspections would occur when the business was open, because the inspector would be escorted by a person who was a licensed agent of the business.

Commissioner Hartung stated he was concerned about moving forward without having legal counsel to review the many items in the Code. John Slaughter, County Manager, said he understood the proposed amendments before the Board had the benefit of having a legal review up to this point. He stated staff could make note of the

Board's comments and concerns today, and he would continue to work towards obtaining legal counsel.

Commissioner Berkbigler advised she would no longer be counsel for the firm she had been working with as of April 1, 2014, so she would not be working with any clients that had marijuana as an interest.

Chairman Humke asked about section 18 on page 12, which indicated there would be no County liability. Mr. Kelly said that section was reviewed by counsel and the advice was to leave it in.

In response to the call for public comment, Peter Krueger stated he represented the Nevada Medical Marijuana Association. He felt this was a good start, but he heard no mention of the selection process. He believed the State did an excellent job in crafting their regulations to reflect an open and transparent situation. He said some Association members were concerned there could be favoritism or other untoward activities at the local government level. He said as the regulations were developed, he encouraged the Board to make sure the regulations were transparent, clear, and the selection process was fair to all concerned.

Rebecca Gasca said she worked with the Senators as this bill was brought forward, which was built on her many years of drug policy experience with the American Civil Liberties Union. She congratulated staff for the work they did in coming up with this well thought out ordinance. She said her one concern was the 8:00 a.m. to 6:00 p.m. operating hours. She stated Clark County made the operating hours be under daylight, which under their code meant 6:00 a.m. to 10:00 p.m. She said longer hours would give the patients the access they needed if someone worked 9:00 a.m. to 5:00 p.m. and had children. She requested if any actions were to be taken towards a dispensary medical marijuana establishment (MME), they would be able to go through the same due process that a traditional licensed business establishment had access to, which allowed them to come into compliance instead of simply having their license revoked.

Chairman Humke stated it had been said this area of regulation was based on gaming's privileged license, which was a State license, but was there any local voice or control of the license. Ms. Gasca understood once an applicant went through the Gaming Control Board, they were required to satisfy the local jurisdiction's concerns and in that sense it was a privileged license. She said the County's draft ordinance allowed the State to consider the applicant and then to bring the provisionally licensed applicant forward to comply with whatever the County required. She felt it was unfortunate some of the other jurisdictions would be the gatekeeper on the front end, which she did not believe was the intent of the legislation. Chairman Humke asked if the local review or regulation only fell under the land use permitting area. Ms. Gasca believed it was within the County's jurisdiction to require things regarding health and safety, fire inspections, and things of that nature, which would ensure the most responsible businesses were operating within the County.

Chairman Humke asked if Ms. Gasca had an opinion regarding the liability and indemnification provision of the ordinance. Ms. Gasca believed that was a reasonable provision, and she noted the County was not the only jurisdiction to do that. She also believed that responsible operators would not balk at that type of indemnification language. She said similar types of questions came up in Colorado, and the Supreme Court changed the rules in Colorado to make it clear no locally barred attorney would face problems with Colorado's Bar Association. She stated other counties and jurisdictions around the nation had not had any problems. She said the Court made it clear during a case in Washington that a local jurisdiction would not be held liable as long as they were not requiring an employee to handle and dispense the marijuana. She stated there could be federal challenges if the County applied for an application and required its employees to dispense the marijuana.

Chairman Humke said it appeared the County did not earn any appreciable revenue from this regulation, and he asked why. Ms. Gasca stated Clark County set what it believed were reasonable licensing fees as did other jurisdictions. She said some of the rural jurisdictions were struggling with setting their fees because they were not sure of the impact it might have. She said setting the fees aside from this ordinance gave the County adequate time to evaluate those fees. Chairman Humke said the Legislature added K-12 as a beneficiary of any revenue derived from medical marijuana at the last minute, but did not include local governments. He asked why. Ms. Gasca said she did not recall that was a last minute decision, because she recalled it was in the first iteration of the bill. She stated many legislators were concerned about the state of Nevada's educational system. She said she was not aware of the Nevada Association of Counties (NACO), the League of Cities, or any individual jurisdiction taking a position with respect to that aspect of the bill.

Chairman Humke said if it was presumed this legislation was half-baked on the revenue side, why not wait two years to implement this. Ms. Gasca said the County would have some sort of control over local revenues and, since it was treated as an over-the-counter medicine, the County would see those taxes. She stated regarding waiting, no one knew what would happen. She felt a well thought out program like this one was worth moving forward. She reminded that anyone granted a provisional license had 18 months to become fully operational. She said just because someone was granted a provisional license, it did not mean they would be operational the next day. She stated they would have to meet all of the County's requirements before they could open their doors.

Ms. Gasca said there was a possibility that by the next Legislative Session people would be fed up and would want to get rid of the system. She stated there was a group that filed a ballot initiative for recreational marijuana, and this could prepare County staff to advocate at the Legislature on the County's behalf with respect to wanting the Legislators to support that. She said it was a methodical process, but there were some stopgap measures built in to not allow businesses to move forward even after they had the provisional licenses.

Commissioner Hartung asked if Mr. Krueger had any suggestions on choosing the providers. Mr. Krueger said some sort of weighted factors that everyone would be reviewed against would be his suggestion, because that would make the process more transparent.

Chairman Humke asked if the Legislature might expand the revenue beneficiaries to include local governments. Mr. Krueger said the real issue for the County would be to look at some sort of excise tax that would not have to be shared under the consolidated-tax formula or under anything else. He felt it would be a free-for-all at the next Legislative Session, because so many amendments would be proposed. He felt there was an opportunity for local governments to use an excise tax or a Special Use Permit (SUP) to generate revenue. He said there was a local component to gaming revenues and some of those might be applicable based on sales or something of that nature. He stated the State's staff, lead by Division Director Marla McDade Williams, Division of Public and Behavioral Health, did an outstanding job in putting the regulations together. He felt medical marijuana was in the right place, because it was a medicine and it belonged under that division.

Commissioner Jung asked if it would be considered a substantive change to the ordinance if the operating hours were changed and it was clear the revocation process was open and fair in the same manner as for any other business license that fell out of compliance. She felt if the ordinance had to be pulled to get it perfect, she would pull it. She said she also had an issue with this going forward without the benefit of having legal counsel. She suggested pulling this first reading, putting in the recommendations, including Mr. Krueger's, and bringing it back at the next meeting.

Chairman Humke asked if the hours of operation amendment was for all of the licensees, and why would the County be telling the businesses how they must operate. Mr. Whitney said the first point was that in his experience, the changes would not be enough to require starting again with a first reading of the ordinance. He stated the Board could proceed with the second reading and by then there should be a legal opinion indicating whether he was correct or not. He said the second point was there was no selection process, because it was an issuance of a business license. He stated it was not a privileged license, but was a normal business license. He said another point was a SUP was not being required to keep the process open and transparent. He stated a SUP was a discretionary permit and staff wanted to keep it out of the discretionary arena.

Commissioner Jung said the American Planning Association's recommendation was to use a SUP and clustering. She asked if the County used anything Arizona taught us. Chad Giesinger, Senior Planner, said many elements were used from the Arizona legislation, including the distance requirements. He stated the Zoning Administrator from Phoenix gave the presentation, and they talked about their approach to regulating medical marijuana. He said they were operating under a slightly different framework in regards to the legislation passed by the State of Arizona. He stated some jurisdictions across the country used the SUP approach and others did not. Commissioner Jung felt that should be kept on the table, because it gave the County the ability to raise

revenue, which was the number one goal for the working group. Mr. Giesinger said it was not an arbitrary decision by the working group, but was to avoid any type of favoritism and discretion. He stated the State legislation was fairly cut and dried regarding whether the qualifications were met or not, so there would not be a lot of discretionary review that would be necessary. He said the Board could adopt any regulations it chose, but it was felt this was the base-line proposal that made the most sense and would allow the facilities to get up and running, while complying with all of the standards and regulations proposed by the State. He advised the SUP had about a \$2,000 permit fee, which he did not believe was a substantial amount of revenue.

Commissioner Jung asked if it was true the applicants had to first go through the State and then were free to go anywhere that was accepting a business license for this on a first-come first-served basis. Mr. Giesinger replied that was his understanding on how it was being implemented, and the State was doing the majority of the vetting. He stated the County would make sure the distance requirements were being met when the applicant came in with their temporary certificate. Ms. Gasca understood the State would take the applications based on jurisdiction with the City of Sparks getting at least two, the City of Reno getting at least two, and the unincorporated County getting the remainder. She said given the unique layout of Washoe County and the locations of the two Cities, she suggested clustering would not be the best situation for patient access. She stated staff's recommendation in January was to have a location in Incline Village, Wadsworth, and the South and North Valleys to allow for better patient access. Commissioner Jung said clearly Phoenix was very different than Washoe County, which was probably why they wanted clustering. Ms. Gasca said different jurisdictions were taking different approaches according to what was most appropriate for them. She stated the State would be ranking the applicants, it would be a merit-based system, and it was expected to be blind. She said if there were 20 applications in unincorporated Washoe County, the County would get six and there would be an 18-month period for staff to work with those six to become fully operational. She believed that was the most transparent and open way for the County to operate because the various departments would not allow them to open their doors until they complied with all of the requirements. She stated if one of the applicants was found to have an issue, that applicant would be replaced with applicant number seven.

Chairman Humke asked if this was a privileged license. Ms. Gasca said she could not answer that question fully, but it was clear it was a merit-based application system at the State level, which was what the State intended. She noted a SUP might push the process out too far in terms of timing. She said the State was anticipating opening a 10-day window in mid-June, and she was not sure the process could be completed if this first reading was pulled to do a SUP. She said that likely would mean the opportunity to move forward this year would be missed. Chairman Humke appreciated that she and many other people were rushing the County into this, but he was starting to agree that a SUP was indicated. He said that was how real people got to comment. Ms. Gasca said a distinct portion of Senate Bill (SB) 374 required the applicant demonstrate their impact on the community, which meant any responsible applicant would work with the community. Chairman Humke stated he understood that was adjudged by the State

Department of Health in the ranking system, but the County had nothing to say about it. He said the problem was it was a top down approach. Ms. Gasca said she understood.

Commissioner Hartung said he had concerns about the area getting 10 permits. He believed there could be 50 or 60 applicants for the County's six spots, because medical marijuana would be very lucrative. He stated he had been contacted by more than six interested people, and he was positive he was not the only Commissioner contacted. He stated regarding the excise tax, why would someone want to do business here if Washoe County's had a higher excise tax than Storey County. He advised he did not want that business sector placing undue demands on the County, which could end up costing more than the revenue the sector generated.

Commissioner Jung said the revenue would come later. She stated she did not believe requiring a SUP was a great idea because it would only generate \$2,000. She felt it would create more potential for nefarious behavior and would not be open and transparent. She said she would like to introduce this ordinance after this discussion was over, because she trusted staff saying that the two little tweaks were not substantive enough to change the overall intent of the ordinance. Commissioner Berkbigler said she agreed with Commissioner Jung. She felt today's purpose was to get an ordinance in place that would allow moving forward with the rest of the process. She said she did not have a satisfactory answer regarding the costs to the County, which she hoped at some point staff would provide, but there was a need to move forward. She felt this ordinance should move forward with only one change, because it was clear the process was already transparent. She believed it would be a good idea to change the time to 6 a.m. to 10:00 p.m.

Commissioner Hartung agreed with Commissioner Jung and Commissioner Berkbigler that what the Board was looking at today was the land use issue, which he felt was perfectly acceptable. He asked if the cities could change the land use designations within their jurisdictions. Mr. Kelly said the statutes required the medical marijuana establishments to be located in commercial or industrial areas. Commissioner Hartung stated he agreed with changing the hours, but he did not want to see 24-hour dispensaries.

Chairman Humke asked if it would be a substantive change to an ordinance to require a SUP. Paul Lipparelli, Deputy District Attorney, said in general, the published title had to give notice regarding the contents of the ordinance. He stated if he was going to render an opinion on this, which he was not, he would look at the title to see if the changes fit within the title.

Commissioner Hartung agreed the SUP allowed for going through the public process, so the public could provide comment about placement and the impact to the community, which would be a genuine benefit. Chairman Humke believed it would enhance transparency. Commissioner Weber asked why it could not be transparent while doing our own hearings instead of doing the SUP process.

Nancy Parent, Chief Deputy Clerk, read the title for Bill No. 1708.

Bill No. 1708, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 25 (BUSINESS LICENSES, PERMITS AND REGULATIONS), CHAPTER 53 (MISCELLANEOUS CRIMES), AND CHAPTER 110 (DEVELOPMENT CODE) TO PROVIDE FOR LIMITED EXEMPTION OF CERTAIN ACTS FROM CRIMINAL PROSECUTION AND FOR THE LICENSING AND LAND USE AUTHORIZATION REQUIRED TO OPERATE MEDICAL MARIJUANA ESTABLISHMENTS (INCLUDING DISPENSARIES, CULTIVATION FACILITIES, TESTING LABORATORIES, AND PRODUCTION FACILITIES) WHICH ARE REGISTERED AND PERMITTED BY THE STATE OF NEVADA UNDER NRS CHAPTER 453A, AND PROVIDING FOR MATTERS PROPERLY RELATED THERETO," was introduced by Commissioner Jung, and legal notice for final action of adoption was directed.

14-272 AGENDA ITEM 31 – COMPTROLLER/MANAGER

Agenda Subject: "Update and status report on the Fiscal Year 2014/2015 Budget--Comptroller/Manager. (All Commission Districts.)"

Al Rogers, Management Services Director, thanked John Slaughter County Manager, and the Commissioners for their support in his becoming the new Management Service Director, and he looked forward to serving the Board and Washoe County's constituents in his new role.

Mr. Rogers said "hold the line" was the theme for the 2014/2015 Fiscal Year budget. He stated a lot of work had been done since the last presentation at the end of January. He said the departments were working on providing their estimates of operational expenses, revenues, and capital plans to the Budget Office. He reviewed the next steps as shown on page 3 of the staff report.

Cynthia Washburn, Comptroller, said page 3 of the staff report showed the General Fund sources and uses as they looked at start of the budget review process, but they were changing daily. She stated she wanted to review some of the baseline assumptions before the Board heard the departments' presentations. She noted the General Fund supported the majority of the departments, helped fund a number of other funds that needed additional assistance, and helped fund some of the County's capital projects. She said the focus was on the General Fund when looking at the resources available. She stated the General Fund was forecast to increase roughly 2 percent and taxes roughly 3.3 percent. She noted 1 percent was from the property taxes after all of the abatements, and 2.3 percent was a onetime shift because of the debt rate. She said over the last few years as projects were cancelled and the resources became available to restructure the County's debt, the County was able to have lower debt payments. She said this year the debt rate could be adjusted down to help fund and get through this period, but next year the debt rate would start to go back up and some of those resources would

shift. She said when looking at a one-time resource, the focus was on one-time needs, such as capital projects. She stated recent news from the State indicated the tax numbers went down slightly, but updates would still be received over the next couple of weeks. She said that information would be given to the Manager so, when he did his recommendations, he would be looking at the overall impact. She stated the consolidated-tax was forecast to be up 3.1 percent, but the good news was it was looking to be close to 6 percent this year. She stated the other big assumption was the General Fund overhead charge would remain flat this year, but expenditures and other uses were up 6 percent. She said a preliminary 1.5 percent was built into salaries and wages and, on the employee-benefit side, health care was anticipated to increase 5 percent and there were increases in workman's compensation and those types of costs. She said \$4.1 million was allocated for stabilization, which was roughly 1.5 percent of the total uses in the General Fund. She advised that amount was put in the budget so the Board would have the authorization to spend it in case of an emergency. She said the bottom line was the General Fund was looking to be around 8.8 percent and the balance policy was 8 percent for the unassigned fund balance. She noted restricted and committed was money held for debt and there was a small amount that was restricted and committed, and at 8.8 percent that left roughly \$2 million available above that 8 percent. She said there was a little room to breathe, but the budget message was "hold the line," because the available funds had to be used judiciously.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 31 be accepted.

14-273 AGENDA ITEM 35 – REPORTS AND UPDATES

Agenda Subject: "Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to."

Commissioner Berkbigler said she would be attending the Tahoe Regional Planning Agency (TRPA) meeting on Thursday, which had a huge agenda. She noted there were meetings of the Economic Development Authority of Western Nevada (EDAWN) and the Nevada Arts Council over the past week. She noted she attended the memorial service for Mr. T.J. Day. She said she would be meeting Dr. Tian, University of Nevada, Reno College of Engineering, regarding a potential partnership with the County regarding the college-town concept. She attended a meeting, which was held every Friday at the Bonanza newspaper office in Incline Village, where there was discussion on preparing for bears; and she also attended the Citizen Advisory Board (CAB) meeting in Incline Village, which was very well attended.

Commissioner Weber said there would be a medical-marijuana meeting tomorrow at the Nevada Association of Counties (NACO) office in Carson City. She stated she could not attend, but believed staff should attend it. She said there would be a NACO Board meeting on Friday and a Reno Sparks Convention and Visitors Authority

(RSCVA) meeting on Thursday. She stated a video conference on aging was held, and she requested staff give a report on how it went or even if it transpired. She believed Kevin Schiller, Assistant County Manager, attended the I-11 meeting, and she requested an update at the next Board meeting.

Commissioner Jung stated the District Board of Health's meeting was on Thursday. She said the Regional Jobs Network held a meeting to reassess how its mission and goals would be tackled to make sure it would not be duplicating the work of other agencies that were government funded. She said the focus was narrowed to identifying local companies that were within 10 percent of breaking even, had an entrepreneurial mindset, experience with 10+ employees and no high turnover, been in business for two years, were information hungry, and were current on their taxes. She stated they would be worked with for a year to help them create better traction for themselves. She said the Truckee Meadows Water Authority (TMWA) merger conversation went smoothly. She noted the precipitation level was 30 percent of normal for March, but there was 8 to 9 years in reserve for domestic water use. She stated there would be a meeting with the Sun Valley General Improvement District (SVGID) to talk about putting emerging issues on their agenda that the County might not be hearing about. She said that information would allow the County and SVGID to band together to tackle those problems.

Commissioner Hartung said there would be a Nevada Lands Task Force meeting on Friday. He stated the figures were available from the Bureau of Land Management (BLM) regarding cost versus revenue for the State, and those figures were not what we thought they would be. He said he was accepted as a participant on the State Land Use Planning Advisory Council, and its first meeting would be held in May.

Chairman Humke said along with Kevin Schiller, Assistant County Manager, he attended a meeting regarding the state of the judiciary presented by Judge Hardy to the Washoe County Bar Association. He stated he attended the Criminal Justice Advisory Committee meeting regarding risk management instruments, and the District 2 Citizen Advisory Board (CAB) meeting where the main issue was the cell-phone tower location Verizon wanted in West Washoe Valley, which would be going to the Board of Adjustment. He said there was also a presentation by Eric Crump, Park Operations Superintendent, on Washoe County's parks.

Commissioner Hartung noted the passing Dr. H. Treat Cafferata, and sent his condolences to his family and friends. Chairman Humke said he felt all of the Commissioners would join in sending their condolences.

4:35 p.m. The Board recessed.

6:02 p.m. The Board reconvened with Commissioners Weber and Jung absent.

PUBLIC HEARINGS

14-274 AGENDA ITEM 32 – COMMUNITY SERVICES

Agenda Subject: “Second reading and adoption of an Ordinance amending Chapter 100 (Buildings and Construction) of the Washoe County Code by adding thereto a provision requiring any person who intends to investigate, abate, or resolve building code violations, dangerous conditions, or defective construction must first obtain an administrative permit from the County Building Official if invasive, destructive, or repair work is to be done; and providing for fees and other matters properly relating thereto, with an effective date of May 1, 2014. Bill No. 1706--Community Services. (All Commission Districts.)”

6:48 p.m. The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

John Slaughter, County Manager, read the title. Nancy Parent, County Clerk, said the Ordinance No. would be 1525, Bill No. 1706.

Cathy Brandhorst discussed her concerns about buildings.

There being no one else wishing to speak, the Chairman closed the public hearing.

Commissioner Hartung thanked Don Jeppson, County Building Official, and his staff for coming up with this elegant way to deal with this issue. He said he could not thank Mr. Jeppson enough for the innovation he brought to the County. Mr. Jeppson said the solution was a community effort.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioners Weber and Jung absent, Chairman Humke ordered that Ordinance No. 1525, Bill No. 1706, entitled, "**AN ORDINANCE AMENDING CHAPTER 100 (BUILDINGS AND CONSTRUCTION) OF THE WASHOE COUNTY CODE BY ADDING THERETO A PROVISION REQUIRING ANY PERSON WHO INTENDS TO INVESTIGATE, ABATE, OR RESOLVE BUILDING CODE VIOLATIONS, DANGEROUS CONDITIONS, OR DEFECTIVE CONSTRUCTION AS A PART OF LITIGATION MUST FIRST OBTAIN AN ADMINISTRATIVE PERMIT FROM THE COUNTY BUILDING OFFICIAL IF INVASIVE, DESTRUCTIVE, OR REPAIR WORK IS TO BE DONE; AND PROVIDING FOR FEES AND OTHER MATTERS PROPERLY RELATING THERETO, WITH AN EFFECTIVE DATE OF MAY 1, 2014. (BILL NO. 1706),**" be approved, adopted and published in accordance with NRS 244.100.

Agenda Subject: “Call for and possible acceptance of sealed bids or proposals from responsible bidders or rejection of any and all bids to sell 191.49 acre feet of Galena Creek Surface Water Rights in exchange for 157.45 acre feet of Main Stem Truckee River Water Rights with an exchange ratio of 1.35 acre feet of Galena Creek Water Rights for 1.11 acre feet of Main Stem Truckee River Water Rights; and approve the Water Rights Exchange Agreement, the Water Rights Grant, Bargain and Sale Deed, and the Water Rights Deed--Community Services. (All Commission Districts.)”

Dwayne Smith, Engineering and Capital Projects Division Director, said this was the follow up to the February 25, 2014 direction by the Board to conduct a public auction to sell the Galena Creek Water Rights as described in the staff report. He stated one written bid was received. He gave the cover letter and sealed bid to Nancy Parent, County Clerk, who presented it to Chairman Humke. Mr. Smith noted the cover letter included with the bid allowed staff to do its due diligence to verify that the bid met the requirements. He advised that due diligence was completed and the requirements were met.

Chairman Humke opened the bid from Montreux Golf Club, Ltd. and read the bid in its entirety. After the bid was read, it was placed on file with the Clerk. Mr. Smith explained the requirements for doing an oral bid and asked the Chairman to call for any oral bids. Chairman called for anyone wishing to submit an oral bid. No one responded and Mr. Smith said the auction process could be closed since there were no oral bids. He stated the next step would be to come back to the Board within 15 days for signatures on the necessary documents.

Chairman Humke asked if any bid numbers were issued. Ms. Parent said the only bid number was issued to Bob Sader, who was the representative for the bid the Chairman opened. She said he signed in for a bid number, which would allow him to bid in case there was another bidder. Chairman Humke said Item 8 in the *Instructions to Bidders* document attached to the staff report provided for an adjournment. Mr. Smith said the purpose for that item was to ascertain if any oral bids met the requirements. Chairman Humke asked if there was any reason to reject the single bid. Mr. Smith replied there was not, because the due diligence was performed and it was found the water rights were suitable under the permits.

Chairman Humke asked if there was anything else to be done. Mr. Smith said the Chairman might have to read the motion. Paul Lipparelli, Legal Counsel, said the statue contemplated opening the sealed bids in public and calling for any oral bids. He stated the final acceptance by the Board might be made at the same session or at any adjourned session held within 10 days. He said the Board did not have any meetings scheduled within the next 10 days, so it would be well for the Board to act to take final acceptance of the offer and to approve the documents. Chairman Humke asked if it was

recommended to read the possible motion on page 3 of the staff report. Mr. Lipparelli said the only items left to do were to grant the final acceptance and to approve the documents. He said the documents did not have the parties names filled in because the process had to be exhausted first, but the Board could authorize the documents be signed by the Chair after the blanks were filled in since there was not another meeting within the timeframe required by statute. Chairman Humke said recessing for 10 days would reject the bid. Mr. Lipparelli said it would reject the bid. Chairman Humke noted it appeared everything had been done.

In response to the call for public comment, Cathy Brandhorst discussed people stealing water from the Truckee River.

On motion by Commissioner Hartung, seconded by Commissioner Berkbigler, which motion duly carried with Commissioners Jung and Weber absent, it was ordered the final acceptance be granted and the written agreement be approved as outlined by Legal Counsel. It was further ordered that the Chair be authorized to sign the completed agreements when the blanks were filled in.

14-276 AGENDA ITEM 34 – COMMUNITY SERVICES

Agenda Subject: “Appearance: Nanette Hansel, Assent Environment, and Alfred Knotts, Project Manager, Tahoe Transportation District. Presentation on the Nevada Stateline-to-Stateline Shared-Use Path Project Environmental Assessment for the North Demonstration Project; provide recommendation on three alternatives for the alignment and direction to staff to forward recommendations to the Tahoe Regional Planning Agency--Community Services. (All Commission Districts.)”

Cheryl Surface, Park Planner, introduced District Manager Carl Hasty, Tahoe Transportation District, and Karen Mullen, Tahoe Transportation District consultant, who would be presenting on the Nevada Stateline-to-Stateline bikeway or the shared-use path’s environmental assessments (EA). She said the North Demonstration Project encompassed Washoe County from Incline Village to Sand Harbor and three different alternatives were being looked at. She said staff was looking for direction to forward any recommendations the Board might have to the Tahoe Transportation District.

Mr. Hasty acknowledged Commissioner Berkbigler, who very ably represented Washoe County’s interests on the Tahoe Transportation District. He said the District was a bi-state agency charged with projects such as this and with operating the transit system in Lake Tahoe as well as connecting Lake Tahoe. He also acknowledged Ms. Mullen who had been instrumental in this project and the entire Nevada Stateline-to-Stateline bike trail on the Nevada side. He further acknowledged Ms. Surface for her leadership and the role she played with the team, which was comprised of many people due to the many organizations involved in developing the project.

Mr. Hasty said the EA was out for the first three miles of the project in Washoe County and had the potential to connect Incline Village with Sand Harbor State Park. He reviewed the PowerPoint presentation, which included the purpose of today's meeting, the bigger picture, the partnering agencies, the North Demonstration Project, the plan implementation, the purpose and goal, the project objectives, the environmental review requirements, the alternative studied in the EA, the project overview map, the purpose of the EA, the environmental issues addressed in the EA, the project opportunities, the project challenges, the tentative project timeline, the comment submittal options, and who to contact for additional information. He said the corridor was heavily used, and the project was trying to improve the experience and not add to the burden.

Commissioner Hartung asked if the path would be accessible to walkers as well as bike riders. Mr. Hasty said it would be accessible to walkers, because that was the concept of a shared-use path. He stated family-oriented bike riders used this type of path. He noted the paths were very popular at Lake Tahoe and saw very heavy usage. Commissioner Hartung asked what would be done with the path in the winter. Mr. Hasty said this winter the path would have been accessible to bike riders. He stated there were multiple benefits to the paths including fire protection and emergency access, which made them worthwhile year round. He said one of the bridges in the South Shore could carry a fire truck. Commissioner Hartung asked if there would be an issue with people on rollerblades. Mr. Hasty stated the idea was to not have motorized vehicles on the path. Commissioner Hartung felt it was a great idea and a great safety feature. He said it was frightening in the summer to drive that route. Mr. Hasty concurred and said the problem seemed to be growing.

Commissioner Berkbigler thanked the team who did the yeoman's work on this project. She said everything at Lake Tahoe was difficult to do because of the many voices that had to be heard. She understood the Citizen Advisory Board (CAB) favored route A. Mr. Hasty replied it would be a very workable route.

Commissioner Berkbigler made a motion to acknowledge the receipt of the presentation on the Nevada Stateline-to-Stateline Shared-Use Path Project Environmental Assessment for the North Demonstration Project and to provide any recommendations. She said from talking with the people in Incline Village, Route A was the preferred route and was the route the Board was most interested in doing. Commissioner Hartung seconded the motion.

In response to the call for public comment, Nancy Parent, County Clerk, read the comments from the Clay Grubb and Susan Hughes, which indicated they supported Option A.

Matt Callahan said he was also speaking on behalf of his aunt and uncle, Vicky and Harold Herz. He stated they all favored the mountainside-path alignments even though it would go right behind both of their homes. He said if that was the alignment selected, they requested the path be placed sufficiently away from their homes

to keep a portion of the privacy and tranquility they had enjoyed for over 50 years. He said they also requested the path be placed on or above Fourth Avenue, and that a fence or wall of shrubbery or rocks be placed on their side of the path to help prevent the public from being able to look directly down into their bedrooms. He stated there should be signage along the path by their properties saying the property next to the path was private property and no trespassing was allowed. He said if the public parking along Highway 28 was eliminated, they requested the resident only parking be extended to the north of the Miller's property.

Richard Dixon said he was not present to speak in favor of the project, but to inform the Board of some issues that were not being addressed with either alternative. He stated one issue was the cars speeding on the highway. He said as Sand Harbor became more popular, the people who could not get into Sand Harbor went to Hidden Beach. He stated cars being parked on the edge of the highway caused the pedestrians to go out into the highway to go around the cars, and something was going to happen along the highway. He stated the people using Hidden Beach were dumping garbage along the highway, and he would like that to be addressed before it was made any easier for them to get to Hidden Beach.

Lee Herz Dixon asked how enforcement would occur if either option was adopted.

Chairman Humke asked if Mr. Hasty could address the question regarding enforcement. Mr. Hasty said law enforcement was part of the solution-oriented group that was dealing with the corridor issues and they had been very involved with the transit solutions. He stated her question would be answered more formally. He said both speakers were correct that the issues were related and they would be working with the State Parks, the police, and the courts to try and address the issues.

Chairman Humke stated the Regional Transportation Commission (RTC) approved the use of federal funds to run a weekend bus to Sand Harbor from Reno at a cost of \$5 per trip to try and keep the vehicle traffic down. Mr. Hasty said staff looked forward to working with the RTC in integrating their service with the Lake's shuttle service. He stated the biggest population using that corridor was from the Truckee Meadows.

On the call for the question, the vote was 3-0 with Commissioner Weber and Commissioner Jung absent.

14-277 AGENDA ITEM 37 – 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.”

In response to the call for public comment, Cathy Brandhorst discussed a matter of concern to herself.

* * * * *

6:53 p.m. There being no further business to discuss, on motion by Commissioner Berkgigler, seconded by Commissioner Hartung, which motion duly carried with Commissioners Weber and Jung absent, the meeting was adjourned.

DAVID HUMKE, Chairman
Washoe County Commission

ATTEST:

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

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

RESOLUTION

WHEREAS, The number of veterans living in Nevada ranges anywhere from 243,000 to 339,000, nearly 9% are females, 2% are minorities, and 26% are veterans of the Gulf Wars; and

WHEREAS, In October 2012, Nevada created the Interagency Council on Veterans Affairs, which is made up of leadership from across the State and will connect fragmented systems in order to ensure an integrated response to the needs of veterans; and

WHEREAS, Returning veterans struggle to find employment and gain access to higher education, and maintain health and wellness; and

WHEREAS, Even with the countless programs, services, opportunities and organizations available to Nevada's veterans, service members, and their families, many veterans face challenges in transitioning back to civilian life; and

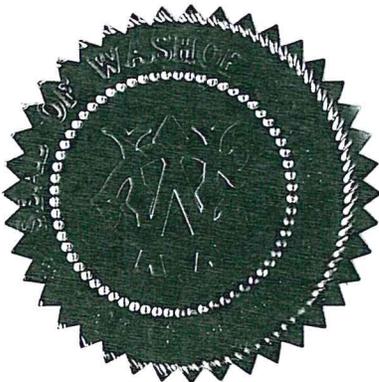
WHEREAS, Nevada is one of a few states in the country to implement an interagency coordinating body and the first state to create a Governor's Office of Veterans Policy; and

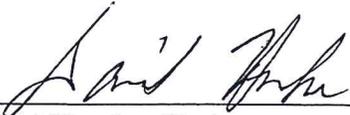
WHEREAS, The Green Zone Initiative was established to provide an interagency approach to veteran education, employment and wellness benefits by marshalling and aligning all available resources to reduce services gaps and duplication of services to better serve Nevada's service members, veterans, their families and survivors; and

WHEREAS, Washoe County continues efforts to provide services to assist veterans and their spouses, dependents and survivors; and provide an integrated response to the needs of veterans by establishing the Veterans Services Office and salutes the men and women who have proudly served our Nation; now, and, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners supports services for Veterans and the Governor's Program for the development of local veterans commissions.

ADOPTED this 25th day of March 2014.





David Humke, Chairman
Washoe County Commission

14-243

**INTERLOCAL AGREEMENT BETWEEN
WASHOE COUNTY ON BEHALF OF
THE WASHOE COUNTY SHERIFF'S OFFICE
AND
THE TRUCKEE MEADOWS FIRE PROTECTION DISTRICT
FOR DISPATCH SERVICES**

This Agreement is executed and entered into this 25th day of March, 2014, by and between the Truckee Meadows Fire Protection District (hereafter referred to as "TMFPD"), and Washoe County, for and on behalf of the Washoe County Sheriff's Office (hereafter referred to as "WCSO").

RECITALS

WHEREAS, WCSO, and TMFPD are authorized under NRS 277.180 to contract with any one or more public agencies to perform any government service, activity or undertaking which any of the public agencies entering into the Agreement is authorized by law to perform;

WHEREAS, TMFPD requires dispatch and communications services to perform its public safety duties;

WHEREAS, WCSO possesses extensive resources in the field of dispatch and communications and has agreed to make such services available to the TMFPD;

WHEREAS, it is deemed that the services of WCSO hereinafter set forth are both necessary to TMFPD and in the best interests of both parties and the public.

NOW, THEREFORE, based upon the foregoing recitals which are incorporated by reference, the parties mutually agree as follows:

1. **EFFECTIVE DATE.** This Agreement shall be effective July 1, 2014.
2. **TERM OF AGREEMENT.** This Agreement shall continue from the effective date of this Agreement until June 30, 2015, and shall automatically extend for one (1) additional year term on the same terms and conditions contained in this Agreement, provided neither party is in default at the time of renewal, or the Agreement is not otherwise terminated pursuant to Section 3.
3. **TERMINATION.** This Agreement may be terminated by either party with 120 (120) days written notice to the other party delivered to the address set forth in the Notice Section set forth below.
4. **MODIFICATION OF AGREEMENT.** The parties may mutually agree to modify the terms of this Agreement. Such modification must be in writing and signed by all parties with the proper authorization and authority.

14-259

- a. If either party determines that a revision to the Agreement is required, the other party will be notified in writing of the requested change/revision.
 - b. Both parties will be responsible for contacting its respective legal departments for review and revisions and to prepare the appropriate document to make the requested changes to the Agreement.
 - d. Both parties will be responsible for providing the proposed revisions in the Agreement to their legal counsel.
 - e. When both parties and their counsel have agreed to the recommended changes, then each party will obtain the necessary approvals and signatures from their board and provide the finalized document to the other party for appropriate approval and signature.
5. **NOTICE.** 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 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 herein as:

Truckee Meadows Fire Protection District
Attn: Fire Chief
PO Box 11130
Reno, Nevada 89520

Washoe County Sheriff's Office
Attn: Sheriff
911 Parr Blvd
Reno, Nevada 89512

6. **DISPATCH USERS GROUP.** The parties agree to establish a Dispatch Users Group, which must meet on a regular basis. The membership shall include the Fire Chief and Chief Operations Officer of the TMFPD and the Sheriff's Captain and the Sheriff's Communications Supervisor, or their designees. The functions of the committee are as follows:
- a. To advise on the annual operating and capital budget for the provision of dispatch services.
 - b. To assist in the development and monitoring of policies, procedures, and operational priorities for the provision of dispatch services for each party.
 - c. To evaluate the performance of dispatch services to include level of staffing, timeliness, and quality of services provided to the parties.
7. **EMPLOYEES.** All employees assigned to the communications center shall be employees of the County. These employees shall be subject to all County personnel rules and regulations including, but not limited to, hiring, employee status, performance evaluations, disciplinary actions, and employee rights,

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including rights to representation, and methods of establishing and modifying salary and benefit practices.

8. **DUTIES AND RESPONSIBILITIES OF WCSO.** The following is a description of the duties of WCSO in accordance with the terms of this Agreement. WCSO agrees to the following duties and responsibilities in addition to any additional requirements set forth in this Agreement.

- a. Receive, process and dispatch "9-1-1 emergency" calls for service to TMFPD Jurisdiction.
- b. Notify Volunteer Fire departments utilizing the TMFPD VHF Paging system and Alpha pagers.
- c. Receive, process and dispatch non-emergency calls for and to the TMFPD Jurisdiction.
- d. Dispatch operations will be conducted with the use of a Computer Aided Dispatching system (CAD), which will maintain daily activity logs
- e. Maintain and record unit status and availability in a format required by WCSO and TMFPD policy and procedure committee.
- f. Receive, process, relay and/or respond to radio transmissions from and to all TMFPD personnel on the 800 MHz and or VHF shared radio network or other means when necessary.
- g. With information provided by TMFPD, maintain an equipment resource file, personnel call-up list, programming for the CAD files, and agency personnel work schedule.
- h. When requested by TMFPD, notify the appropriate law enforcement agency, fire department, Federal Agency or emergency medical services, to provide assistance, if available. All notifications will be made in accordance with WCSO and TMFPD policies.
- i. WCSO will provide information and services related to NCIC/NCJIS inquiries when requested by TMFPD personnel in accordance with and to the extent allowed by NCIC/NCJIS policies.
- j. Maintain recordings of all telephone and radio communications; provide retrieval at the recipient's request in accordance with Nevada Public Records laws.
- k. Retain dispatch tapes and related evidentiary material in accordance of public retention policy per Chapter 239 of the Nevada Revised Statutes.
- l. Provide routine "testing" of communications equipment to include volunteer notification systems in accordance with WCSO Policies and Procedures.
- m. Maintain all communication equipment located within the Communications Center to permit transmission of fire related complaints, emergency or nonemergency communications to and from TMFPD in compliance with applicable FCC, federal, state and local laws.
- n. WCSO shall use its best efforts to dispatch all TMFPD calls for service in accordance with NFPA 1221 2010 Edition, Chapter 7 Operations, Section 7.4 Operating Procedures, 7.4.2 and IAED standards of dispatch.

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- o. WCSO shall provide a monthly report of compliancy to NFPA standards as identified in (n) above.
- p. WCSO subscribes to the National Emergency Number Association (NENA) call taking operational standard: Ninety percent (90%) of all 9-1-1 calls arriving at the PSAP shall be answered within ten (10) seconds. The remaining ten percent (10%) of calls should be answered within twenty (20) seconds.

9. **DUTIES AND RESPONSIBILITIES OF TMFPD.** The following is a description of the duties of TMFPD in accordance with the terms of this Agreement. TMFPD agrees to the following duties and responsibilities in addition to other requirements as set forth in this Agreement.

- a. At its own expense, install and maintain all "exterior" communications equipment, including but not limited to vehicle and portable radio equipment necessary to communicate with WCSO through acceptable frequencies and repeater sites and ensure compliance with applicable FCC, federal, state and local laws.
- b. Maintain any and all existing radio equipment outside of the above mentioned equipment, scanners and repeater sites that TMFPD determines is essential to their operation.
- c. Notify WCSO of the geographic boundaries of TMFPD's jurisdiction, to include that of the Sierra Fire Protection District, and advise immediately, in writing, of any changes thereto.
- d. Ensure that all users of TMFPD services are notified of the proper procedure for making emergency and non-emergency requests for services through WCSO for proper and prompt handling.

10. **COST OF SERVICES.** Each Participating Agency shall make contributions for the support of the total annual operating and capital costs of dispatch services provided on behalf of each party.

- a. TMFPD agrees to pay WCSO a flat fee of \$525,000.00 annually to provide the services set forth herein.
- b. TMFPD shall tender payment to WCSO within 30 days of receipt of quarterly invoices.

11. **RECORD MAINTENANCE.** WCSO agrees to keep and maintain full, true and complete records, contracts, books and documents as are necessary to fully disclose to the TMFPD, State or United States Government, or their authorized representatives, upon audits or reviews, sufficient information to determine compliance with all TMFPD, state and federal regulations and statues. The period of retention shall be set forth by both parties, dictated by policies and procedures. These records will also include, but are not limited to, call histories, unit statuses, dispatch and related response times, and various statistical data relative to the user agency's daily and annual operations.

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12. **LIMITED LIABILITY.** Without waiving any defenses or limitations set forth in NRS Chapter 41, the parties agree that each will be responsible for any liability, damages or loss that may be incurred as a result of any claim, demand, cost or judgment made against that party arising from an intentional, reckless, negligent act or negligent failure to act by any of that party's employees, agents, servants in connection with work or responsibility performed pursuant to this Agreement.

The parties will not waive and intend to assert available NRS Chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. To the extent applicable actual Agreement damages for any breach shall be limited by NRS 353.260 and NRS 354.626.

13. **INDEMNIFICATION.** Pursuant to Nevada Revised Statutes, Chapter 41, and without waiving any provisions thereof, the parties hereto agree to hold harmless, indemnify and defend each other from and against any and all losses, liabilities or expenses of any nature resulting from any claim for injury to the person or property of another as a result of any negligent, reckless or intentional act on the part of their respective employees, agents or servants. Neither party waives any right or defense to indemnification that may exist in law or equity.
14. **INSURANCE.** The parties to this Agreement shall procure and maintain, during the term of this Agreement, General Liability Insurance or provide for their respective financial obligations through a program of self-insurance in compliance with the Nevada Revised Statutes Chapter 41.
15. **INDEPENDENT PUBLIC AGENCIES.** The parties are associated with each other only for the purposes and to the extent set forth in this Agreement. With respect to the performance of services pursuant to this Agreement, each party is and shall be a public agency separate and distinct from the other party and, subject only to the terms of this Agreement. WSCO shall have the sole right to supervise, manage, operate, control and direct performance of the details incident to its duties and personnel herein. Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture, to create relationships of any 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 parties.
16. **USE OF EQUIPMENT.** All equipment and maintenance of equipment located within the facility, either radio or telephonic, shall remain the property of the appropriate agency.
17. **INSPECTION AND AUDIT.** Either Participating Agency shall have the right to conduct a performance audit of the consolidated dispatch center at its expense. The other participating Agency shall cooperate in the conduct of such a performance audit.

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18. **BREACH; REMEDIES.** Failure of either party to perform any obligation of this Agreement shall be deemed a breach. Except as otherwise provided for by law or this Agreement, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including but not limited to actual damages, and to a prevailing party reasonable attorneys' fees and costs.
19. **WAIVER OF BREACH.** Failure to declare a breach or the actual waiver of any particular breach of this 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.
20. **FORCE MAJEURE.** 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 limitation, 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.
21. **SEVERABILITY.** If any provision contained in this Agreement is held to be unenforceable by a court of law or equity, this Agreement shall be construed as if such provision did not exist and the non-enforceability of such provision shall not be held to render any other provision or provisions of this Agreement unenforceable.
22. **ASSIGNMENT.** Neither party shall assign, transfer or delegate any rights, obligations or duties under this Agreement without the prior written consent of the other party.
23. **PUBLIC RECORDS.** 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 made confidential by law or a common law balancing of interests.
24. **CONFIDENTIALITY.** 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 by this Agreement.
25. **PROPER AUTHORITY.** 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 perform the services set forth in this Agreement.

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26. **GOVERNING LAW; JURISDICTION.** 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 jurisdiction of the Nevada district courts in the Second Judicial District for enforcement and construction of this Agreement.
27. **PRIOR AGREEMENTS.** This Agreement supersedes any prior agreement for such services and the prior agreement is thereby terminated as of the date this Agreement becomes effective.
28. **ENTIRE AGREEMENT AND MODIFICATION.** This Agreement constitutes the entire agreement of the parties and such are 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.
29. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, and each such counterpart hereof shall be deemed to be an original instrument, but all such counterparts together shall constitute but one agreement.
30. **THIRD PARTY BENEFICIARY RIGHTS.** This Agreement is not intended to and does not create any third party beneficiary rights in any person not a party to this Agreement.

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The parties have caused the Interlocal Agreement between Washoe County on behalf of the Washoe County Sheriff's Office and the Truckee Meadows Fire Protection District for Dispatch Services to be duly executed this 25th day of March, 2014.

WASHOE COUNTY
BOARD OF COUNTY COMMISSIONERS

TRUCKEE MEADOWS FIRE
PROTECTION DISTRICT

BY: *David Humke*
David Humke, Chairman

BY: *David Humke*
David Humke, Chairman

DATE: 3-25-14

DATE: 3-25-14



ATTEST:
BY: *Nancy L. Parent*
DATE: 3-25-14

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