

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

TUESDAY

10:00 A.M.

FEBRUARY 10, 2015

PRESENT:

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

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

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

15-0126 AGENDA ITEM 3 – PUBLIC COMMENT

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

Mike Merlino said he had concerns about the County’s adoption of the Wildland Urban Interface Code that required fire sprinklers be installed in newly built homes. He stated construction of his modular home at the backend of the Antelope Valley had been delayed due to the requirement of having to place sprinklers in the home’s ceiling. He said the home’s design met all of the IR2 requirements with the exception of having a conforming water supply and being within five miles of a paid fire station. He stated the cost of installing the sprinklers and a 300 gallon water tank would be \$7,000 to \$10,000, not including the engineering fees. He said a more costly alternative was a 30,000 gallon water tank. He said he opposed installing the sprinklers because of the maintenance required due to hard-water buildup and the potential of the pipes freezing due to power outages. He stated the cost to inspect the system would not be a minor yearly expense. He said if a sprinkler or waterline leaked, the insulation and sheetrock in the ceiling would be soaked. He stated the sheetrock was glued to the rafters in a modular home, which limited access, and fixing a leak would require tearing down the ceiling. He said per the fire department, a sprinkler system was designed to allow people to get out of the house, but smoke alarms and fire extinguishers also helped people

do that without the potential of causing severe water damage. He said Storey, Lyon, Lander, Douglas, and Churchill Counties waived the sprinkler requirement for single-family homes under 5,000 square feet, and he respectfully requested Washoe County consider doing the same.

George Newell said he was present to discuss refunding the money, in excess of \$800,000, owed to the developers of the Warm Springs Specific Planning Area. He stated that money was due to them by virtue of a valid contract signed by the County Commissioners in 1996. He said the contract specifically stated the money would be returned if the County, developer, or owner did not begin construction of the capital improvements for which the fees were collected within five years after the date the fees or any portion thereof were collected or if the fees collected were not spent for the purpose for which they were collected within 10 years. He stated the County had not spent five cents of those funds and, by virtue of the contract, the developers were entitled to have the money returned, but they had been stonewalled time-and-time again by staff. He stated because his phone calls were not returned, he hired an attorney to help enforce the contract. He said the County had violated the contract due to the County not providing an accounting every year for the last 16 years of the funds deposited under each developer's name. He said they had only received a statement regarding how much money each of the 12 developers was entitled to get. He said after his attorney got together with Paul Lipparelli, Assistant District Attorney, they finally got a letter from Mr. Lipparelli that stated, "I informed Commissioner Hartung that I think it would be necessary as part of the ultimate resolution of these development agreements for the County to open the Warm Springs Specific Area to change the agreement." He said Mr. Lipparelli did not have the authority whatsoever to impose conditions that did not already exist on the contract. He said if Mr. Lipparelli wanted to do that after their funds were returned, fine; but first he should return their funds.

Garth Elliot said the Citizen Advisory Boards (CAB) were an integral part of how the County interfaced with its citizens, but the County stopped holding CAB meetings in his community a few years ago. He stated he located the people who participated on the old Sun Valley CAB, and they wanted to start that process again; meeting either monthly in the CAB format or quarterly as a community forum. He said the CABs were a valuable asset used by the citizens to interface with the Board, the Fire Department and Sheriff's Office. He stated the Sun Valley CAB had been very active, and Sun Valley's citizens wanted their CAB back.

Levi Hooper said he was the voice of the downtrodden. He stated he loved having the ability to come to the Board meetings to speak. He advised the rain caused the homeless' clothes to get soaking wet, and he asked if the Board could find a way for them to get their clothes dried after it rained.

Cathy Foote said regarding the Warm Springs Specific Planning Area, the County seemed to be in breach of the contract, which Mr. Newell spoke very eloquently about. She advised the rest of the developers had not joined Mr. Newell in his lawsuit. She said what they were asking for was that the contracts signed in good faith

with the County be enforced, because they were due monies back. She said unless that situation changed with the return of their monies, they were finding it hard to remain in a non-adversarial position with the County.

Jeff Church said he was concerned the County was subsidizing the City of Reno's use of the County's crime lab without having even a hold harmless agreement with the City. He understood there might be some things going on behind the scenes, but he felt that activity should be stepped up. He noted the City of Reno just gave a 1.3 percent pay raise to its police officers when they had debts they could not pay. He said regarding NRS 288 reform, collective bargaining needed to be more transparent and the unfunded liability for future generations needed to be eliminated. He provided comments about several pieces of pending legislation. A copy of Mr. Church's handouts was placed on file with the Clerk.

Sam Dehne discussed items he was thankful for.

15-0127 AGENDA ITEM 4 – ANNOUNCEMENTS/REPORTS

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

Commissioner Jung requested a written policy regarding having a cooling off period for a person who retired and then wanted to come back to work at the County as a contractor. She stated a couple of sessions ago, the Legislature changed State law to prevent what she considered to be double dipping. She said she would like to see a list of the County's retirees who were now contracting and for how much.

Commissioner Jung stated she would like staff to come up with some congested area proposals for the Peavine area, along with identifying some canyons where it would be safe for shooters to go. She understood the proposals would have to go to the Open Space and Regional Parks Commission, which should happen soon, because she did not want to be still talking about this problem in two years.

Commissioner Jung said she wanted a discussion regarding changing the way budget requests were done. She stated currently, each department presented what they were proposing and, at the end, the Manger provided his overall recommendations. She said she would like to have the Manager sit with each Commissioner to identify what their priorities were and could include them possibly having a small pot of money to use. She felt the Commissioners never had the opportunity to provide true input on some of the areas that were important to them.

Commissioner Hartung stated he and Commissioner Lucey attended the Northern Nevada Law Enforcement Academy (NNLEA) graduation ceremony. He said he wanted to thank the 31 graduates publicly. He stated it was humbling to see how many young men and women were willing to strap on a bullet-resistant vest and put themselves between the citizens and harm's way.

Commissioner Herman said the speakers during public comment regarding the Warm Springs Specific Planning Area funds needed to get an answer. She stated regarding Mike Merlino's issue with the fire sprinklers, if other counties could waive the requirement, possibly the Commission should reconsider waiving it. She said she had a long term issue in the Monte Cristo subdivision in Palomino Valley/Warm Springs. She stated back during the early development of the area, it was divided into parcels larger than the normal 40-acre parcels. She said 99 percent of the people who owned property there, some of whom had owned the property since the early 1970's, could not build on it due to the lack of access. She requested a response from Legal Counsel at the next meeting.

Commissioner Lucey said he attended the Chamber's Directions event at the Silver Legacy with Commissioner Hartung, and they were able to see some wonderful things coming to the County.

Commissioner Lucey noted the Governor was working with the Nevada Department of Transportation (NDOT) to improve road safety and the pedestrian crossings throughout the Truckee Meadows. He requested information on the status of that work and how the County would be involved with the Cities of Reno and Sparks to make sure those crossings throughout the community would be safe.

Commissioner Lucey stated he toured the Jan Evans Juvenile Detention Facility, which he did not have a positive impression prior to the tour. He said he felt just the opposite after the tour, and he had to give the highest praise to Frank Cervantes, Director of the Center, for changing the attitude at the Center and for trying to find a way for the children to get on their feet and find a better path for themselves. He felt that was following the path the Commissioners decided the Strategic Plan for the community should be, which was to rebrand and head in a positive direction into the future. He said during the Strategic Planning meeting, it was brought up that the Commissioners were disappointed in the look of some of the County's employees, but since then he had seen a dramatic improvement, and he thanked every staff member for doing that.

Chair Berkgigler complimented all of the staff who worked to put together the presentation made yesterday morning to the Assembly Government Affairs Committee. She stated the presentation was very clear and concise and the feedback had been extremely positive.

Chair Berkgigler said it had come to the Tahoe Regional Planning Agency's (TRPA) attention that there were a number of groups at the federal and state levels (California and Nevada) that were concerned with the changing weather patterns'

effect on Lake Tahoe. She stated during the TRPAs Strategic Planning Meeting in April 2015, the TRPA would solicit comments from the surrounding governments and citizens regarding what needed to be done to protect the Lake. She asked our citizens, staff, and Commissioners to provide any comments and suggestions they had so she could take them to the meeting.

Chair Berkbigler said she needed a letter from the County nominating Commissioner Lucey to be her backup at the TRPA. She said the Fanny Bridge in Placer County, California had an Environmental Impact Statement (EIS) available on the proposed changes to SR28 and to Fanny Bridge. She said if anyone had any comments on the EIS, they were due on February 17, 2015. She said the TRPA would review the EIS and all of the public comments at its next meeting. She regarding the Summers Loop Lake Access issue, she proposed having an open hearing in March that would allow both sides to come forward and talk about the latest proposal.

Chair Berkbigler complimented County staff, the Commissioners, and the staff and City Council members for the City of Reno for getting NDOT to put in a light where there had been three pedestrian accidents in less than six months.

Chair Berkbigler said she supported Commissioner Herman regarding her concerns about returning the money to Warm Springs Specific Planning Area people. She agreed there should be a presentation from staff on what was going on and what could be done to resolve the issue on the Board's next agenda if possible. She stated she also supported Commissioner Jung's request regarding the list of retiree contractors. She proposed using the two-year layoff rule the State had, and she requested the issue be brought before the Board as soon as the necessary information could be gathered.

Chair Berkbigler said the Commissioners received a letter from Tina Pope, Silver Knolls Mutual Water Co. President, indicating they received an alleged violation and fine regarding arsenic in the water. She stated she had never heard of it before, but whether they were not taking care of the arsenic as the violation alleged was something that needed to be looked into.

Commissioner Jung requested a presentation by NDOT regarding what their responsibility and the cycle of cleaning was for the roadway easements at interchanges and off ramps. She said not picking up the trash made the area look bad.

Commissioner Hartung said he met with Renown's CEO and President, who indicated Renown wanted to be proactive with respect to having a healthy community. He stated in an effort to try and keep people out of the health care system, they were interested in the mental health and wellbeing of the community. He said he was looking forward to meeting with the rest of the Commissioners and then partnering with Renown on a number of things they would like to do to make this community a better place.

15-0128 AGENDA ITEM 5

Agenda Subject: “Introduction of new Washoe County Employees.”

John Slaughter, County Manager, had the following employees come forward to the podium to introduce themselves to the Commissioners:

Victoria Nicolson-Hornblower, Community and Clinical Health Services
Hector Vasquez, District Attorney – Family Support
Nate Vohland, District Attorney – Family Support
CJ Rocha, District Attorney – Family Support
Chantelle Batton, Environmental Health Services
Charlie Gray, Environmental Health Services
David Hughes, Community Services
Sharilee White, Sheriff’s Office - Civilian
Chelsey Hazuka, Sheriff’s Office - Civilian
Joy Gregory-Hart, Treasurer’s Office
Jonah Hadeen, Regional Animal Services
Amanda Schultz, Regional Animal Services
Amber Rodriguez, Regional Animal Services
Anje Earl, Sheriff’s Office - Civilian
Nancy Mason, Sheriff’s Office - Civilian
Gladys Crespín, District Attorney - Administration
Keith Munro, District Attorney – Civil

In response to the call for public comment, Sam Dehne said the hiring of the new employees showed the economy was turning around, and he noted the employees made things work.

15-0129 AGENDA ITEM 6 – HUMAN RESOURCES

Agenda Subject: “Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses--Human Resources.”

John Slaughter, County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

Essentials of Personal Effectiveness

Asta Dominguez, Comptroller

Promote Yourself! Mini-Certificate Program

Pama Gillam, Social Services

Nicole Klitzke, Public Administrator

CONSENT AGENDA – ITEMS 7A THROUGH 7G(4)

See Minute Item Number 15-0145 for the discussion regarding Agenda Item 7E, Adoption of Resolution modifying guidelines for County Commission District Special Funding Accounts.

15-0130 AGENDA ITEM 7A

Agenda Subject: “Approve minutes for the Board of County Commissioner Special meeting of January 12, 2015 and the Regular meeting of January 13, 2015.”

There was no public comment on this item.

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

15-0131 AGENDA ITEM 7B

Agenda Subject: “Cancel February 17, 2015 County Commission meeting.”

There was no public comment on this item.

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

15-0132 AGENDA ITEM 7C – COMPTROLLER

Agenda Subject: “Acknowledge Receipt of the Interim Financial Report for Washoe County Governmental Funds for the six months Ended December 31, 2014 - Unaudited--Comptroller. (All Commission Districts.)”

There was no public comment on this item.

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

15-0133 AGENDA ITEM 7D – LIBRARY

Agenda Subject: “Approve conversion of a 21-hour, benefitted Library Assistant position (Control # 70002033) to a 15-hour non-benefitted Library Assistant positions, plus creation of one new 15-hour non-benefitted Library Assistant as evaluated by JEC; and direct Human Resources to make the necessary adjustments--Library. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7D be approved and directed.

15-0134 AGENDA ITEM 7F(1) – SOCIAL SERVICES

Agenda Subject: “Authorize the Director of Social Services to accept Amendment #2 for year three funding for [\$27,273 for the Federal Title IV-B Subpart 2 grant, \$6,818 match required] from the State of Nevada, Division of Child and Family Services to support overtime and employee travel costs to allow staff to comply with policy regarding caseworker visits retroactive to October 1, 2014 through September 30, 2015; and direct the Comptroller’s Office to make the appropriate budget adjustments. (All Commission Districts.)”

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7F(1) be authorized and directed.

15-0135 AGENDA ITEM 7F(2) – SOCIAL SERVICES

Agenda Subject: “Approve an increase in the Adult Group Care (AGC) rate from \$1,112 to \$1,124 per month, which maintains consistency with State of Nevada rates, retroactive to January 1, 2015. (All Commission Districts.)”

Chair Berkbigler asked how many adults were in the program and did the program need to be expanded. Kevin Schiller, Assistant County Manager, said the purpose of this item was to increase the rates so they would be in line with the State’s current rate structure. He stated a bit of a transition had been seen in the program with the advent of the Crossroads program, which had 100 to 120 clients. He said the Adult Group Care (AGC) program focused on the medically fragile clients, which averaged 25 to 30 clients, because the cost of putting them in a nursing home was significantly higher. Chair Berkbigler suggested to start looking at this when we get into the budget. She stated she was concerned as the baby boomers aged, there would be an increase in medically fragile adults; and she wanted to be prepared ahead of time as much as possible.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7F(2) be approved.

DONATIONS

15-0136 AGENDA ITEM 7G(1) – ANIMAL SERVICES

Agenda Subject: “Accept monetary donations to Washoe County Regional Animal Services in the amount of \$5,185.00 for the period of October 1, 2014 through December 31, 2014 and previous donations in the amount of \$5,462.19, for a [total amount of \$10,647.19] to be used for the humane care and treatment of sick and/or injured, stray or abandoned animals received; express appreciation for these thoughtful contributions; and direct the Comptroller’s Office to make the appropriate budget adjustments--Animal Services. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung accepted with gratitude the monetary donations made to Washoe County Regional Animal Services.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7G(1) be accepted, expressed, and directed.

15-0137 AGENDA ITEM 7G(2) – SHERIFF

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

On behalf of the Board, Commissioner Jung accepted with gratitude the donation made by Janet Perry to the Sheriff’s Office to purchase equipment for the K-9 Unit.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7G(2) be accepted and authorized.

15-0138 AGENDA ITEM 7G(3) – DISTRICT ATTORNEY

Agenda Subject: “Accept [\$5,400] in donation for the District Attorney’s Office Child Advocacy Center equipment and operational needs from the National Coalition Against Sexual Violence (\$5,000) and Eaglesnest Community (\$400) and authorize Comptroller to make appropriate budget adjustments--District Attorney. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung accepted with gratitude the donation made by the National Coalition Against Sexual Violence (\$5,000) and by the Eaglesnest Community (\$400) for the Child Advocacy Center.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7G(3) be accepted and authorized.

15-0139 AGENDA ITEM 7G(4) – SOCIAL SERVICES

Agenda Subject: “Accept cash donations in the amount of [\$1,532.90] for the period of November 1, 2014 through December 31, 2014 and direct the Comptroller’s Office to make the appropriate budget adjustments--Social Services. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung accepted with gratitude the cash donations made to Social Services.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7G(4) be accepted and directed.

BLOCK VOTE – AGENDA ITEMS 11 AND 12

15-0140 AGENDA ITEM 11 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to accept cash donations [\$142,197.08] from the Wilbur May Foundation restricted for Wilbur D. May Center facility improvement projects, and underwriting specific operating costs for staff, travel, training and marketing--Community Services. (Commission District 3.)”

There was no public comment on this item.

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

15-0141 AGENDA ITEM 12 – COMMUNITY SERVICES

Agenda Subject: “Recommendation to award a bid and approve the Agreement Form to the lowest responsive, responsible bidder for Lemmon Valley ACP Sewer

Pipe Rehabilitation Project recommended [Insituform Technologies, LCC, [\$527,996.50]--Community Services. (Commission District 5.)”

There was no public comment on this item.

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

15-0142 AGENDA ITEM 10 – APPEARANCE

Agenda Subject: “Appearance: Mike Kazmierski, President and CEO, Economic Development Authority of Western Nevada. Presentation of EDAWN’s Three-Year Economic Development Strategic Plan.”

Mike Kazmierski, Economic Development Authority of Western Nevada (EDAWN) President and CEO, said the purpose of today’s presentation was to update the Board on EDAWN’s Greater Reno-Sparks Economic Development Strategic Plan. He stated the County was involved in the creation of the first Strategic Plan three years ago, but it was time to change the Strategic Plan due to things being different.

Mr. Kazmierski conducted a PowerPoint presentation that highlighted the three legs of economic development, jobs progress report, the unemployment rate was improving, attraction process – average wage, new corporate headquarters, Tesla, explosive growth was coming, EDAWN’s attraction efforts Fiscal Year (FY) 2015-17, Business Retention and Expansion (BR&E) report, components to BR&E program, EDAWN’s BR&E efforts FY 2015-17, entrepreneurship progress report, entrepreneurial development success and strategy, entrepreneurial efforts FY 2015-17, updated economic development stool, workforce efforts FY 2015-17 (new), Community Development Progress report, community development FY 2015-17, EDAWN’s focus FY 2012-14 and FY 2015-17, EDAWN resource focus, input or recommendations, and the next steps.

Commissioner Lucey thanked Mr. Kazmierski for his presentation. He asked about EDAWN’s effect on the secondary primary businesses, such as grocery retailers and healthcare providers. He asked what did EDAWN do to attract some of those businesses, in addition to attracting the upper technology businesses. Mr. Kazmierski felt by improving the region’s image, it would be easier to attract healthcare providers and other secondary businesses. He stated the revitalization of downtown, the development of the creative class, and providing a brand for the region showing the region was cool and was the next startup community would help attract that kind of talent. He said EDAWN was involved in that aspect, but ultimately EDAWN’s focus was on the primary jobs. He said attracting primary employers generated the demand, and the secondary industries would come here to help meet that demand. Commissioner Lucey asked if EDAWN helped those businesses with their planning, finding locations, and obtaining business licenses. Mr. Kazmierski replied not unless the secondary industry was coming to support a major business. He stated the secondary industries, such as a

grocery store or restaurant, worked with the Chamber. He said only 4 percent of the industries were primary and EDAWN helped those primary industries connect with the community and all of the suppliers and providers.

Commissioner Hartung applauded Mr. Kazmierski's efforts to change the employment outlook in Northern Nevada. He agreed there was a need to train the troops.

Commissioner Jung said she heard some claims that Tesla laid off its local workers building the pad and was bringing in out-of-state workers. She requested a report by County staff on whether or not that was true and if there was anything Tesla was required to do regarding local workers due to the incentives used to get Tesla here. Mr. Kazmierski stated there was a work stoppage on the site as Tesla brought in engineers to look at changes to accommodate more growth. He said the stoppage might have been perceived as a layoff, which was not the case. He stated due to 10 other buildings going up right now, the local workforce would not have a problem finding work elsewhere, because there would not be enough construction workers to go around for quite some time.

Commissioner Jung said the Commissioners had been aware that the industrial land was diminishing quite quickly and there was not enough industrial land available to sustain the type of growth they would like to see. She asked if land in the unincorporated County owned by the federal government would supply that need. She asked if EDAWN was involved in looking at that, or would that be done by a different entity. She advised she did not want all of the federal lands, but swapping out specific lands should be discussed with our congressional delegation. Mr. Kazmierski agreed more industrial land was needed, and he talked with the County Manager about potential sites that would need to be exchanged at some point. He stated that discussion should start now because it took years to get in the infrastructure. He said there were some parcels being looked at and we needed to start that process within the next year or even sooner. Commissioner Jung suggested the conversation with the federal government could suggest exchanging those lands for the Payment in Lieu of Taxes (PILT) funding.

Commissioner Jung thanked Mr. Kazmierski for coordinating Tesla's summer-intern job fair for engineering students at the University of Nevada, Reno. She stated that was exactly what economic development should be doing. She noted many of the candidates would be hired on the spot. Mr. Kazmierski advised a lot of people made things like that job fair happen. He said internships were pushed by EDAWN from day one and were an important part of EDAWN's Strategic Plan. He said if a company brought in an intern, the likelihood they would be hired upon graduation was more than 50 percent. He stated one way to retain our talent was to plug them into a company while they were still in the education mode.

Commissioner Hartung said he hoped Mr. Kazmierski could help the County with the Nevada Bureau of Land Management (BLM). He said the Board requested the BLM put in place a process whereby lands could be rolled into the disposition process so they could be gotten rid of easily, because the fast track currently

meant 10 to 15 years. He stated Clark County had a great working relationship with the BLM, so when they needed lands they were rolled into a disposal list. He said Washoe County could really use that type of process. Mr. Kazmierski stated EDAWN would be directly involved in moving that forward.

Chair Berkgigler said she appreciated EDAWN's efforts and for working closely with local governments. Mr. Kazmierski thanked Chair Berkgigler for her time on EDAWN's Board, and noted EDAWN could not do anything without the support of the local governments.

In response to the call for public comment, Garth Elliott thanked Mr. Kazmierski for presenting a lot of good information. He spoke about building a fire, and how the County was at the ember-building stage with Tesla's coming. He said the ember needed to be nurtured into a roaring fire.

11:29 a.m. The Board recessed as the Board of County Commissioners (BCC) and convened as the Board of Fire Commissioners (BOFC).

15-0143 AGENDA ITEM 9 – MANAGER/TRUCKEE MEADOWS FIRE PROTECTION DISTRICT

Agenda Subject: “Discussion and possible action for approval to submit a request to de-annex from the City of Reno APN 554-010-07, known as Truckee Meadows Fire Station #13 and include the area into the boundary of Truckee Meadows Fire Protection District--Manager/TMFPD (Commission District 1.)”

Fire Chief Charles Moore discussed the de-annexation of the Sierra Sage Golf Course from the City of Reno. He stated the Golf Course was next door to Station 13, but the Golf Course was within the limits of the City of Reno. He said the manager of the Golf Course was concerned Station 13 would not be dispatched if there was a medical emergency at the Golf Course, even though it was only a few hundred feet away and, instead, Reno Engine 9 would come from many miles away.

Chief Moore said staff also found Station 35 was within the limits of the City of Reno. He stated for Station 13, the County owned the land and the District owned the station.

Chief Moore said a gentleman having chest pains pulled into Station 13 when the crew was out but was only a few blocks away. He stated the gentleman called 9-1-1 and gave Station 13's address and, instead of Station 13's crew being dispatched, Reno Engine 9 was dispatched from six miles away.

Chief Moore said if this item was approved, the Sierra Sage Golf Course, Station 13 and Station 35 would be taken to the City of Reno to request de-annexation.

12:47 p.m. Commissioner Jung left the meeting.

There was no public comment on this item.

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

12:48 p.m. The Board recessed as the Board of County Commissioners (BCC) and remained convened as the Board of Fire Commissioners (BOFC).

1:05 p.m. The Board recessed as the Board of Fire Commissioners (BOFC) and reconvened as the Board of County Commissioners (BCC) with Commissioner Jung present.

15-0144 AGENDA ITEM 13 – SHERIFF

Agenda Subject: “Recommendation to approve the award of Washoe County RFP #2915-15, on behalf of the Washoe County Sheriff’s Office, to AlliedBarton Security Services for Courthouse Security Officer (CSO) Services to support the Washoe County court security system. If approved, authorize the Purchasing and Contracts Manager to execute the Courthouse Security Officer Services Agreement between AlliedBarton Security Services and Washoe County for the term of April 1, 2015 through March 31, 2017, retaining an option to renew for one additional year. Estimated annual contract value for CSO services is [\$751,404.02]--Sheriff. (All Commission Districts.)”

Chair Berkbigler stated a concern Richard Gammick had when he was District Attorney was about the security in the courthouse, because there were several incidents where the Deputies did not step in when women were being abused. She noted the Deputies did not carry firearms, but she believed they should be assisting in protecting the citizens. Lt. Adam Hopkins said the Deputy Sheriffs were Bailiffs in the courts and were fully trained category-one peace officers. He said the court security officers were private citizens, which he believed was who Chair Berkbigler was talking about. He said if there was an incident, they were to notify dispatch and a Deputy Sheriff would respond. He stated the court security personnel had security training through the security company, but had no arrest powers. Commissioner Hartung asked if they were usually retired police officers. Lt. Hopkins said there was a requirement that they have prior law enforcement, military experience, or a year of private security experience.

Chair Berkbigler said private security was provided for this building, for the court house, and would be for the Coroner’s Office when built, and she asked if the same security firm was used for all of those areas. Lt. Hopkins replied not to his knowledge. Chair Berkbigler felt there might be some economies of scale in using one firm. Lt. Hopkins said that was not the way it was being handled, but he did not disagree

with her. Chair Berkbigler requested the County Manager have that looked at by whoever would be appropriate to do so.

There was no public comment on this item.

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

15-0145 AGENDA ITEM 7E – MANAGER

Agenda Subject: “Adoption of Resolution modifying guidelines for County Commission District Special Funding Accounts, with an allocated amount of [\$65,610] for fiscal year 2014-15; and direct Comptroller’s Office to make the appropriate budget adjustments--Manager. (All Commission Districts.)”

Chair Berkbigler said the staff report addressed what could and could not be done with the funds. She said this was approved before the new Commissioners took office, and she wanted to make sure they understood there was special funding set aside for each Commission District to be used for specific purposes.

Commissioner Hartung believed the Commissioners did not have to spend the money in the unincorporated area of the County. Gabriel Enfield, Grants Administrator, confirmed there was no limitation on the location of where the funds could be spent. Chair Berkbigler said the money could be used to add something to a park, but the expenditure had to be approved by the Board.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 7E be adopted and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

15-0146 AGENDA ITEM 14 – MANAGEMENT SERVICES

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

John Slaughter, County Manager, said the legislative team met with several Legislators over the last two weeks. He stated in the first week of the Legislative Session, 49 bills were heard in committee. He said 144 Assembly and 136 Senate Bills were introduced. He said Washoe County received 35 fiscal notes, which was where the

Legislative Counsel Bureau (LCB) requested a specific analysis of the fiscal impact of a bill. A copy of Mr. Slaughter's handout was placed on file with the Clerk.

Mr. Slaughter stated SB 11, Home Rule, was heard yesterday, which staff indicated the County supported. He advised SB 11 was a limited home-rule bill that did not change the taxing authority for local governments.

Mr. Slaughter stated SB 19 authorized the School Board to put a question on the ballot, which the existing statute authorized a city or county to do. He said that was because the cities or counties conducted the elections. He discussed staff's concerns, which were due to the Washoe County School District's (WCSD) lack of experience with the process. He said County staff met with the WCSD's Government Affairs staff, and he felt it was unfortunate this was not mentioned at the concurrent meeting held a month ago so all four jurisdictions could have discussed this. He said this might come up for a hearing before we would meet again on February 24, 2015.

Chair Berkbigler said she had some concerns with SB 19 because, if one elected Board did not have the ability to run their own elections, was allowed to put an advisory question on the ballot, why not allow other elected boards, such as the General Improvement Districts (GIDs), to do it also. She stated her concern was sooner or later the ballot would look like California's with all kinds of questions on it, and she did not agree with that type of government.

Mr. Slaughter stated the Clark County Commission opposed SB 19. He said perhaps something could be worked out, but staff was looking for direction from the Board. He said staff had concerns about conducting the elections, because there were significant implications to that process if printing a ballot was missed.

Commissioner Jung asked if a ballot was printed every election. Mr. Slaughter said they were, but the issue was there was a very specific deadline for when the ballot had to be available. Commissioner Jung said she understood that, but we had worked with many groups who had collected signatures, and she frankly did not have a problem with this. She stated the previous Board told the WCSD to do this and, if a deadline was missed, it would not be on the ballot, which was the way it was done with any other group. She said Sparks Mayor Geno Martini said in some ways we juvenilized the School Board, which was not right because they needed to be empowered to make good K-12 decisions. She believed as partners in this community, this should be worked out with them. She stated she did not believe it would be as big of a management problem as staff was making it out to be and we would help them through the process, which we did with all kinds of different groups.

Chair Berkbigler said she appreciated Commissioner Jung's comments, but the WCSD already had the ability to put a question on the ballot by working with the County. She said this bill would basically allow them to bypass working with the County.

Mr. Slaughter said for example, in the current process the Regional Transportation Commission (RTC) Board would pass a resolution requesting the County Commission put a question on the ballot when the need for an advisory question was identified. He felt that process worked very well because it gave us the opportunity to work with them on the wording. He said the concern was if this was put into the statute, we would have to put it on the ballot even if the background materials were not ready by the deadline. He stated absolutely we could work with them on some ideas of how to make this work better. He said for the last 10 years every ballot question came through his office, and it was a very detailed and deadline laden process. He believed there were ways the mandate could be taken off of the County if something went wrong. He said if the County missed getting that ballot out, there would be major consequences with the process.

Commissioner Hartung agreed with Commissioner Jung. He said the question would not be on the ballot if the WCSD missed the deadline. He stated he did not have a problem with the way this was worded with respect to the GIDs, because it authorized the Board of Trustees of a school district to submit an advisory question. He said the Commission was very clear about them going to the public, and he did not have a problem with this. He stated he understood staff's angst, but if specific deadlines were laid out and were missed, they were missed. Mr. Slaughter said those were the details that were not in the bill. Commissioner Jung said she understood staff wanted more teeth in the bill that said the WCSD must do things by a certain deadline, but she did not want the Commission to go on the record they were against this. Mr. Slaughter stated staff was seeking direction and they absolutely could work through this, but they wanted it to be black and white in the legislation so they knew specifically what their requirements and those of the WCSD were, so everything would move smoothly towards the next election.

Chair Berkbigler reiterated she did not want to have 10 questions on the ballot at one time, and she did not feel that was an appropriate form of government. Mr. Slaughter said he understood the direction was to clarify who had what responsibility related to this type of issue.

Mr. Slaughter said SB 37, Longevity Pay for Elected County Officials, had a hearing and some amendments were offered. He stated it appeared SB 37 would be moving forward with an option for an Elected County Official to opt out of the longevity pay if they wanted to do so

Nancy Parent, County Clerk, said a County Commissioner from Southern Nevada put in an amendment that would make it mandatory that County Commissioners forego longevity pay at a certain time in the future. She stated it got really confusing, and the Chairman of the committee suggested the LCB work on some amendments with that Commissioner and the Nevada Association of Counties (NACo). She said there was a possibility that County Commissioners might be treated a little differently than the rest of the Elected Officials.

Commissioner Hartung said regarding AB 94, he asked for a phased process for paperless sample ballots, which initially would be the option for a voter to opt out of receiving paper and instead just receive a .pdf. He stated it was not in any way intended to disenfranchise any voter, but was intended to hopefully bring in younger voters because it was all electronic.

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

15-0147 AGENDA ITEM 15

Agenda Subject: “Discussion and possible direction to the County Manager to utilize two or more hours of staff time to initiate a review of code regulations related to cargo containers and review other compliance and processes related to Chapter 125--Request by Commissioner Lucey.”

John Slaughter said the reference to Chapter 125 should actually be Chapter 110.

Commissioner Lucey said this item came about due to a constituent in his district who was building a residential project and ran into problems because he had a cargo container on the property. He stated the Code was fuzzy on what could and could not be located on a residential construction site and what constituted a commercial versus a noncommercial vehicle. He felt staff needed to look at Chapter 110 and rewrite it to have clear and concise verbiage as it related to cargo containers and other things of that nature. He felt there was too much discretion regarding enforcement.

Commissioner Jung stated tiny homes had become very popular and cargo containers were being converted into living spaces. She stated there could be the potential to house the homeless in cargo containers, because they were very cheap to outfit. She said one of the area's businesses just constructed their offices using cargo containers. She stated she had no problem with staff looking into this, but she wanted them to look at everything, including the best practices regarding cargo containers. She said she also wanted them to look at what the innovative jurisdictions across the country were doing to address another housing market boom, which could possibly price people out of the market for buying a traditional home.

Mr. Slaughter said this was the first test of the two-hour rule. He noted staff was looking at doing an overall Code review and the cargo containers would be included in that review. Commissioner Hartung said when a cargo container was in the front of a job site, it was referred to as a job van. He stated it was understood the container held building materials and was a transitional issue. He said he agreed with Commissioner Jung that cargo containers were an amazing way to deal with a myriad of problems, because they were a water-tight and rodent-tight way to store all manner of things. He stated if something caught fire inside the container, the fire would burn itself out. He said he had no issue with opening up Chapter 110 and expanding what staff looked at.

Chair Berkbigler discussed her concern about how the permitting was handled. She stated in this case the person had a building permit, but was then required by the planning department to get a development permit. She said if both of those permits were required, why were they not issued at the same time rather than having citizens jump through lengthy hoops. She felt this was a service issue. She stated she would like to see that issue looked at also.

Commissioner Lucey said he discussed with Dave Solaro, Community Services Director, that there were a myriad of issues, which included not having a definition of the difference between a residential or commercial project. He stated that was a problem because it limited the commercial and residential contractors from doing things. He said we needed to be prepared for the potential of new development in the community. He stated the County should be helping the community move forward rather than imposing our ordinances on them when they were not very clear. He felt we had not done a good enough job in making things nondiscretionary and clear cut.

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried, it was ordered that staff be directed to look at cargo containers in Chapter 110 of the Washoe County Code.

15-0148 AGENDA ITEM 16 – CLOSED SESSION

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

There was no closed session.

15-0149 AGENDA ITEM 18 – 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.”

There was no response to the call for public comment.

* * * * *

1:45 p.m. There being no further business to discuss, on motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, the meeting was adjourned.

MARSHA BERKBIGLER, Chair
Washoe County Commission

ATTEST:

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

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

RESOLUTION MODIFYING GUIDELINES FOR
COUNTY COMMISSION DISTRICT SPECIAL FUNDING ACCOUNTS

WHEREAS, it is not always possible to plan for pre-determined levels of service to the community, the Washoe County Board of County Commissioners have expressed the desire to have special funding for certain types of commissioner district needs not budgeted, and

WHEREAS, there are sufficient appropriations for funding the County Commissioner District Special Funding Accounts; and

WHEREAS, the Board of County Commissioners acted on December 14, 1999 to created the County Commission District Special Funding Accounts.

WHEREAS, the Board of County Commissioners acted on December 21, 2004 to establish guidelines for County Commission District Special Funding Accounts.

WHEREAS, the Board of County Commissioners desires again to modify these guidelines and desires that this resolution superseded and replace the above identified resolutions.

WHEREAS, NRS 244.1505 provides that a Board of County Commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the County and that a board may make a grant of money to a nonprofit organization created for religious, charitable or educational purposes to be expended for a selected purpose; and

WHAREAS, pursuant to NRS 244.1505(3), grant or donation must be made by resolution. The resolution must specify:

- (a) The purpose of the grant or donation
- (b) If applicable, the maximum amount to be expended from the grant; and
- (c) Any conditions or other limitation upon the expenditures of the grant or the use of the donated property.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE IN THE STATE OF NEVADA:

Section I. That the following constitute the general policies and procedures for use of County Commissioner District Special Funding Accounts:

1. The money must be appropriated as part of the budget process.
2. The money must be utilized toward projects or causes that:
 - a. Are otherwise appropriate and legal public expenditures;
 - b. Provide a broad public benefit;

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- c. Do not provide any personal or private benefit for the Commissioners making the recommendation.
3. Any use of the appropriations must be approved by resolution in a noticed public meeting where the full commission is present.
4. Any funding, not otherwise obligated by June 15th of any given year, will be returned to the General Fund at the end of each fiscal year.
5. Each commissioner district will have an account established within the fund accounting system.
6. Recommendations for donations from a commissioner district account shall follow the submission and review process.
7. Each commissioner will be entitled to recommend donations, under the parameters of this resolution and applicable laws; in the amount of one-fifth of the amount allocated in the budget for Commissioner District Special Funding Accounts. In the event a commissioner's seat is up for election, the funding available for recommendations by that commissioner is to be prorated based on the number of days he or she served as a commissioner during the fiscal year.
8. The individual commissioner district accounts must not go over the budgeted amount.
9. During any budget cycle where a hardship is projected and it is anticipated that all departments will be requested to reduce funding levels, the County Commissioner District Special Funding Accounts will be reduced pro rata to departmental reductions.

Section II. A commissioner who becomes a candidate, as defined by NRS 294A.004, for any public office shall not be entitled to make a recommendation for donation during the time the commissioner files for public office until such time that commissioner is no longer a candidate.

Section III. Purchases strictly forbidden by the policy, regardless of Board approval are listed below.

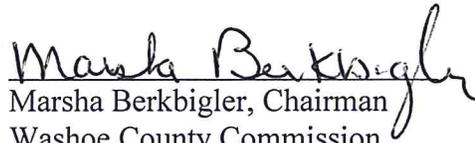
1. Use of the funds that will directly or indirectly benefit any campaign efforts by a Commissioner;
2. Use of the funds in violation of the Ethics in Government law.
3. Use of funds for purchase of tickets to special events.

Section IV. In addition to the restrictions contained in this resolution all grants or donations must comply with NRS 244.1505. The recipient must be a nonprofit organization created for religious, charitable or educational purposes, or a governmental entity.

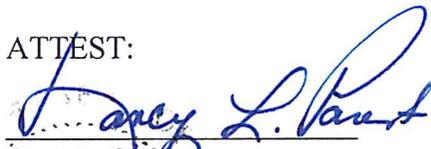
Section V. This Resolution shall be effective upon passage and approval.

Section VI. The County Clerk is hereby directed to distribute copies of the resolution to the Commissioners, Comptroller and the Budget Division within 30 days of Board Action.

ADOPTED this 10th day of February, 2015.


Marsha Berkgigler, Chairman
Washoe County Commission

ATTEST:


County Clerk

