

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

TUESDAY

10:00 A.M.

MARCH 21, 2017

PRESENT:

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

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

The Washoe County Board of Commissioners convened at 10:04 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:

Adelle and Elise Evans, two students from Roy Gomm Elementary School, introduced themselves.

17-0213 AGENDA ITEM 3 Public Comment.

Chair Lucey announced new technology would be utilized to display agenda items on the screens in Chambers. He stated he would call to the podium those signed up for public comment.

Mr. Sam Dehne stated he attended every City and County meeting since 1994. He spoke about newly-appointed City Manager Sabra Newby, the Reno Gazette Journal, and Reno basketball.

Ms. Lorrie Olson, General Manager of the Caughlin Ranch Homeowners Association (HOA), stated she worked with Assistant County Manager Kevin Schiller and Management Analyst Sarah Tone on the Waste Management (WM) agreement relating to animal-resistant containers. She recalled a bear problem in Caughlin Ranch in 2014-2015 which resulted in new rules being put in place and remarked the problem could not be fixed permanently without County help. She was told at the end of 2016 the distribution of animal-resistant containers was worked into the amended agreement and she was invited to a meeting with Washoe County to assist with the program. The meeting was cancelled twice and she had not received a response to her emails about rescheduling it. She requested an update on the status of the rollout and the cost of this program.

Mr. Rod Dimmitt, volunteer at the Wilbur D. May Arboretum, spoke about the upcoming fiscal budget. He asked that the budget for the Arboretum be approved in its entirety. He stated it was the only ArbNet-certified arboretum in the State of Nevada and the plants at the museum offered health, safety, tranquility, and education. He said almost 1,000 students visited the Arboretum the prior year. He pointed out most organizations could not function at 40 percent of their expected budget and asked the Board to support the gardens financially. He claimed the Great Basin Adventure Areas had not been supported by the County or the May Foundation since 2008 and suggested they build a 3,000 seat amphitheater there. He alleged the revenue generated from concerts could fund the entire Parks Department budget.

Ms. Lenita Powers acknowledged the difficulty the Board faced dividing up funding for all area parks, especially given the damage suffered over the winter. She praised the Arboretum as a unique place to see trees and flora native to the high Sierra and the Great Basin Desert. She emphasized the teaching possibilities as thousands of students came from Washoe County, Douglas County, Carson City, and Susanville as part of national Science Technology Engineering and Mathematics (STEM) programs. She claimed it would attract entrepreneurs who wanted their employees to work in a tranquil setting and offered to give the Commissioners a tour. Among the events the Arboretum held were Lavender Day, a native plant sale, and Arts in the Park. She asked the Board to invest in the Arboretum.

Ms. Lynn Short, President of the May Arboretum Society, read a letter she had emailed to the Commissioners. She admitted it was understandable the Arboretum's funding was cut during the recession but said it was unacceptable for it to maintain itself at 40 percent of its 2007 budget. She claimed public gardens were essential to health and safety, and access to parks increased individual health and well-being. She asked the Commission to fund the Arboretum by increasing its allocation over the next three to five years to at least pre-2007 levels. She alleged the County owned the Arboretum and the botanical garden but had not taken responsibility for their maintenance or realized the potential of the master plan it had approved in 2007. She described the Arboretum as having more than 1,700 trees, 185 diverse species, a replacement value of more than \$4 million, and repeated the request for adequate annual funding.

Mr. Danny Cleous spoke about bladders that were supposed to be installed in culverts in his neighborhood, saying they received plywood and sandbags instead. He said the community was not safe, especially since more rain was forecasted. He stated his foundation still had six inches of water and several neighbors could not get into their homes because of flooding. He mentioned he should not be living in his house but because of his animals he had nowhere to go even though mold in his house was making it unhealthy. He asked for the Board's help.

Ms. Elise Weatherly presented a document showing that the Washoe County Courts encouraged jurors to use sound judgment but she expressed frustration at the Sheriff's Office over a traffic violation and an animal license late fee. She alleged she

would invoke the 5th Amendment in the case of these tickets. She placed copies of the overhead documents she presented on file with the Clerk.

Ms. Cathy Brandhorst spoke about matters of concern to herself.

17-0214 **AGENDA ITEM 4** Announcements/Reports.

County Manager John Slaughter announced Agenda Items 10 and 11 pertaining to legislative updates would be pulled because 300 new bills were introduced the day before and staff was reviewing them.

Commissioner Hartung reminded staff about Commissioner Jung's request for a dashboard of items the Board would like to see on future agendas. Specific topics he requested to see included updates on Waste Management (WM), the alarm program, the 911 program, traffic on Nicole Avenue, and a stop sign at the intersection of Sunset Springs Lane and Omni Drive. He stated requests that required two hours of staff time would show on the dashboard for board approval. He also asked for a report about how the Board would reimburse the Truckee Meadows Fire Protection District (TMFPD) for the Lemmon Valley incidents.

Commissioner Berkbigler indicated Assistant County Manager Kevin Schiller would bring the WM issue to the Board at an upcoming meeting and mentioned there was new language in the agreement related to animal-proof dispensers. She confirmed the County had not signed the agreement as there were many issues that were actively being worked on.

Commissioner Jung asked for clarification about the Wilbur D. May Arboretum's concern there would be a change in their funding. She noted she had asked for a budget increase of 7 percent to the operations of parks if the County budget would allow it. She asked when the Board could expect the dashboard so they could have something concrete to tell their constituents.

Chair Lucey mentioned staff was asked to prepare a report on parks funding including the Arboretum at the prior meeting and he anticipated that to be completed during the consideration of the budget. He brought up parity in the compensation from the County to the TMFPD, noting even though they were technically one department, the TMFPD responded to all hazards including hazmat, fire, and the need for incident responders. He stressed it should be kept in mind when discussing the compensation between departments that it was the County's job to maintain the safety of its residents. He asked staff to have another discussion about WM but with a decision-maker from WM present. He claimed WM had failed to respond to numerous County requests even while service issues continued to worsen. He acknowledged citizens were upset by the County's response in Lemmon Valley but he thanked the State of Nevada, Caleb Cage, Governor Brian Sandoval, the TMFPD, Incident Commander Sam Hicks, Fire Chief Charles Moore, Mr. Slaughter, Community Services Director Dave Solero, and all staff for trying to find solutions to protect the County.

Commissioner Hartung clarified he wanted to see the dashboard as a regular agenda item once a month and requested an online application of the dashboard as well. Commissioner Berkbigler directed Mr. Schiller to address WM's claim it could not service Incline Village when fire trucks and ambulances had no trouble doing so. She also stated the County typically had an agreement which required WM to service the California side of the Verdi area but WM changed its policy so those residents had to drag their cans to the end of the road.

Commissioner Herman announced a diver was located who would install the bladder in the Lemmon Valley culvert. Commissioner Berkbigler explained the flood water in Swan Lake rose not because of rain but because the water table below continued to rise. She acknowledged uncertainty over what would happen if the water continued to rise but emphasized the County was giving its attention to the residents' concerns.

17-0215 **AGENDA ITEM 5** Introduction of new Washoe County Employees.

John Slaughter, County Manager, asked the following employee to introduce herself to the Board:

Angela Owings, Senior Services

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

17-0216 **AGENDA ITEM 6** Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses.

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:

Promote Yourself! Mini Certificate Program

Emily Goehring, Library

Pamela Larsen, Library

Nancy Mason, Social Services

Renee Schebler, Community Service Department

Essentials of Personal Effectiveness

Karen Nelson, Public Defender

Samantha Wolcott, Reno Justice Court

Essentials of Support Staff

Jeri Renshaw, Comptroller

DONATIONS

17-0217 **7A** Accept one-time donations [total of \$1,060.00] from private citizens to the Washoe County Sheriff’s Office to be used for operating costs, food purchases and/or equipment and, if approved, authorize Comptroller’s Office to make appropriate budget amendments. Sheriff. (All Commission Districts.)

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

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

PROCLAMATIONS

17-0218 **8A** Proclamation – April is Fair Housing Month.

County Manager John Slaughter clarified Proclamation 8A proclaimed April as Fair Housing Month.

Commissioner Jung read and presented the Proclamation to Gabrielle Enfield and Kate Zoulk. Ms. Zoulk, Executive Director of Silver State Fair Housing Counsel, thanked the Board. She praised Ms. Enfield for overseeing the grant and accomplishing what their organization promised to do. She thanked the Board for their support.

17-0219 **8D** Proclamation – March 31, 2017 is Cèsar Chávez Day.

Commissioner Jung read and presented the Proclamation to Ramon Chávez, nephew of the late Cèsar Chávez, and Andrew Barbano.

Mr. Chávez thanked Chair Lucey and the Commissioners on behalf of his family. Andrew Barbano, a 46-year resident of Reno, announced a celebration of Cèsar Chávez on March 29th. He spoke about the history of Cèsar Chávez in Nevada, saying the matriarch of NAACP Delores Feemster had asked to meet with Chavez before he gained notoriety. In the 1960s he came to Nevada to address farm worker issues and in 1986 the first Cèsar Chávez Day was declared by Reno Mayor Pete Sferrazza. Adelle Evans added she learned about how Cèsar Chávez fought for a cause in her class.

17-0220 **8B** Proclamation – April 9-15, 2017 is National Library Week.

Commissioner Berkbigler stated one of the best parts about being a Commissioner was working with the library system. She read and presented the Proclamation to Jeff Scott, Director of the Washoe County Library System, and Emily Reed, Esq., Law Library Program Manager of the Second Judicial District Court.

Mr. Scott thanked the Commissioners for their continued support of the library, specifically the special district funds that supported the North Valleys Library renovations and provided Science, Technology, Engineering and Math (STEM) programming. He applauded Nevada's Big Give, whose donations to the library provided \$120,000 to \$145,000 a year. Their last book sale resulted in almost \$20,000 and Mr. Scott promoted their upcoming sale. He mentioned the President's proposed Institute of Museum and Library Services (IMLS) budget cut and stated the library stood to lose \$120,000 if passed.

Emily Reed, Esq., stated libraries transformed lives and adapted to meet the needs of the community. She said the majority of Law Library users were not attorneys but members of the community who needed access to the law to represent themselves in legal matters. She stated the library's mission was to enhance access to justice by providing legal information, education, resources, tools and materials to those engaged in the justice system, and to partner with the courts, bar associations, legal clinics, and government agencies to make sure the legal needs of the community were addressed. She announced a question-and-answer session held by the Nevada Legal Services and Young Lawyers section of the State Bar for flood victims in Lemmon Valley. She thanked the Commissioners, the Law Library Board of Trustees, the 2nd Judicial District Court, and everyone who helped them meet their mission.

17-0221 **8C** Proclaim gratitude for Roy Gomm Elementary School's fundraising efforts benefitting Washoe County K-9 Partners.

County Clerk Nancy Parent distributed a handout to the Board about Paws for the Cause.

Commissioner Hartung said it was obvious how important the K9 dogs were to members of the community. He invited Adelle and Elise Evans to speak about why they raised money for the K9 unit. Adelle Evans said it was important to raise money because dogs were getting killed. Elise Evans said she wanted to help the canines because they helped find lost people. Commissioner Hartung read and presented the Proclamation to Principal John Sutherland, Adelle Evans and Elise Evans, Catherine Barcomb, Patricia Kelly, Jordyn Bsharah, and Scott and Emily Evans.

Ms. Evans, Adelle and Elise's mother, stated she was proud of her girls' efforts, saying it was their idea. Scott Evans, the girls' father, thanked the Board for recognizing the efforts of his daughters and Roy Gomm Elementary School. He said he

was proud of the entire student population and the Sheriff's Office for keeping the community safe.

John Sutherland, Principal of Roy Gomm Elementary School, thanked the Evans girls and the Sheriff's Office for the amount of time they spent at the school. Jordyn Bsharah, Vice President of Washoe County K9 Partners, Catherine Barcomb, and Patricia Kelly introduced themselves, and Ms. Bsharah said the K9 partners benefitted from the fundraising by obtaining GPS trackers for the dogs.

There was no public comment on the Proclamations listed above.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Items 8A to 8D be adopted.

Due to technological issues, Chair Lucey directed the Board to finish the meeting by taking motions and votes verbally rather than using the electronic VoteCast system.

CONSENT AGENDA ITEMS – 9A

Chair Lucey requested pulling Agenda Item 9B from the Consent Agenda.

17-0222 **9A** Approval of minutes for the Board of County Commissioner's regular meetings of February 14, 2017, February 21, 2017 and February 28, 2017.

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

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Consent Agenda Item 9A be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Item 9A are attached hereto and made a part of the minutes thereof.

17-0223 **9B** Acknowledge receipt of the Distinguished Budget Presentation Award for Fiscal Year 2016-2017 from the Government Finance Officers Association (GFOA). Manager. (All Commission Districts.)

Chair Lucey stated the award given was one of the most prestigious a local government could receive and praised the County's budget team. He presented the Distinguished Budget Presentation Award from the Government Finance Officers Association to Mark Mathers, Budget Manager, who applauded his staff. Budget Team representatives Kari Estrada, Valerie Gilmore, John Bozanich, and Lori Cooke introduced themselves. Chair Lucey said every dollar received and spent by the County was managed by those five individuals and he praised their work.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 9B be acknowledged.

17-0224 **AGENDA ITEM 12** Update on emergency operations related to the 2-23-2017 declaration of state of emergency, and possible approval of emergency actions approved by the County Manager implemented pursuant to emergency powers related to the current state of emergency. Manager. (All Commission Districts.)

Incident Commander Sam Hicks announced 95 percent of the barrier wall was installed in Lemmon Valley, the holdup being due to 4 feet of standing water. He said they requested the operation slow down based on safety concerns for the crews and the equipment in the water. He affirmed Social Services and Animal Services were still in the area and available to the community. He addressed the different options for the culvert plug and said they opted for the option that would stay in the culvert until the County took it out. The part was being shipped from San Jose and it would be installed as soon as it was received. He said pumping had begun near the Palace Drive and Lemmon Drive intersection area, as well as near Idaho Street and Lemmon Drive. He stated minimal pumping was being done to maintain the sandbags in place without flooding the neighborhood. He claimed if one culvert was to fail, the neighborhood would not flood; the water level would rise to where it was two days prior. He announced the water had dropped significantly in the Palace Drive area and the pump in the Lemmon Drive and Idaho Street area had been idled back to maintain head pressure. He remarked the goal was to get water away from residents' homes but that a small amount of water would not be drained to help speed up evaporation. He anticipated pumping to begin on Idaho Street and expressed confidence in the Verdi-area man, a salvage recovery diver, to fix the plug issue. He stated 50,000 to 70,000 sandbags were placed in the Pompe Way area facilitated by chains of crews passing sandbags upwards of 400 feet. He said there would be a decline of personnel on the scene as crews moved from rescue and immediate response efforts to mitigation and maintenance. He disputed complaints that County employees had not actively been in the Lemmon Valley area, stressing his people were meeting with residents every day.

County Clerk Nancy Parent distributed two maps of the incident areas, Swan Lake and Silver Lake, which were placed on file with the Clerk.

When asked about the name of the Verdi diver, Mr. Hicks did not know. On the Silver Lake incident, he indicated his team had met with representatives from Reno who were discussing their options in the city; he indicated they were cognizant their decisions could affect the County. He announced all homes along Osage Road were sandbagged due to those residents being self-sufficient and having started their mitigation efforts early. He was waiting on some technical data to anticipate how much the lake could rise. He stated they sandbagged a 600 foot section along Red Rock Road the previous day. Commissioner Hartung asked for clarification of the map, to which Mr. Hicks explained all the white areas were dry land as determined by drone flyovers.

County Manager John Slaughter mentioned 13 homes were evacuated due to flooding, affecting 48 individuals. Those residents were placed by the Social Services department: seven families were already in apartments, five families were in the process

of moving into apartments, and one family was in a hotel. He noted some families that Social Services had placed opted to move back into their homes. He said the County was assisting some residents with their power bills. He praised the Social Services department for their efforts in providing safe housing, public showers, and public restrooms throughout the event. He clarified those services were available not just to those immediately affected by the flood but to all local residents with houses on septic systems. The public showers would be left in the area for some time.

Commissioner Berkbigler asked if there was a projection as to how high the water levels were expected to rise. Mr. Hicks replied engineers estimated 3,800 acre feet of snowmelt, or about 2 feet of rise, and added the barrier system was designed to handle 4 feet. He added the engineers felt that estimation could be high so everyone was comfortable with the system in place. He said the County was getting Lemmon Valley-specific weather updates from the National Weather Service daily since March 7, 2017. The prediction for March 21, 2017 was for about a quarter inch of rain which would result in an insignificant rise, though winds could push water into certain areas. Commissioner Berkbigler thanked him and his staff for their hard work.

Chair Lucey asked for a timeline for the completion of the last piece of barrier, to which Mr. Hicks answered hopefully two days. He anticipated resuming pumping at that point to pull water back, which would result in a significant change in the neighborhood. Commissioner Hartung thanked the first responders, fire and police departments, Social Services and Animal Services, volunteers, and people from southern Nevada. He emphasized these events were difficult but there had been no loss of life throughout. One positive he took away from the flooding events was they encouraged conversations about preparation and protection of the community. Commissioner Herman called everyone involved her heroes.

Mr. Hicks stated at one time there were 522 people actively working on the problem and they had installed almost five miles of barrier. They moved 17,000 tons of sand and installed well over a million sandbags. He acknowledged the support of the County, the State, and federal partners, and he praised the amount of work done in such a short time. Chair Lucey pointed out the magnitude of the process. He expressed gratitude at their ability to mobilize and place as many barriers as they had.

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

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

Mr. Slaughter indicated this Agenda Item would appear at every meeting and it would include ratification of any emergency measures taken by the County Manager during the event.

17-0225 **AGENDA ITEM 13** Public Comment.

Ms. Lorrie Olson, General Manager for the Caughlin Ranch Homeowners Association (HOA), expressed sympathy for the North Valleys' situation but stressed that area was not the only problem. She indicated the HOA had redesigned their common areas to handle the impact of rushing water and spent thousands to prepare for inevitable flooding events. She claimed the damage because of failures associated with the Steamboat Canal was unprecedented but thanked Fire Chief Charles Moore for having his staff out late at night to help. She alleged the Steamboat Canal Board had been absolving themselves of responsibility and was blaming Washoe County; since the County controlled the canal it was responsible for repairs. She claimed the canal embankments were unstable and would not be able to withstand another storm. She noted when homeowners reported property damage as instructed, they discovered there was no coverage for landscaping despite Caughlin Ranch requiring homeowners to install expensive landscaping. Private citizens would have to pay for damages, not the County. She claimed the canal was located on County property and said the canal was improperly maintained and could no longer serve its purpose. She requested the County complete repairs to the canal to protect private property.

Ms. Elise Weatherly spoke about the flooding in Lemmon Valley and performed a religious song.

Ms. Cathy Brandhorst spoke about matters of concern to herself.

17-0226 **AGENDA ITEM 14** Announcements/Reports.

Commissioner Berkgigler asked staff for a report on the irrigation ditches, who owned them, who was responsible for maintenance, the cost to the County for storm drainage, and if there was a cost the County paid to allow storm waters to run through private property. She opined the canal was not County property. Commissioner Hartung and Chair Lucey repeated the request for the unified dashboard to prevent multiple Commissioners requesting the same things, such as updates on ditches and maintenance.

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12:07 p.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Derek Sonderfan, Deputy County Clerk*