

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

TUESDAY

10:00 A.M.

OCTOBER 24, 2017

PRESENT:

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

Jan Galassini, Chief Deputy County Clerk
David Solaro, Assistant County Manager
Paul Lipparelli, Deputy District Attorney

ABSENT:

Bob Lucey, Chair

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:

17-0856 AGENDA ITEM 3 Public Comment.

Ms. Darlene Hesse said proponents of Wildcreek Golf Course supported education but did not support tearing down a \$30 million property to build a school on a flood plain. She encouraged protecting open areas and green space and expressed concern about the potential for traffic. She suggested building a school out towards Spanish Springs.

Ms. Tammy Holt-Still provided a handout which was distributed to the Board and placed on file with the Clerk. She expressed frustration with the County's use of tax dollars in response to flooding in Lemmon Valley. She expressed concern over not seeing progress on a few matters, including power poles not being installed, a public safety hazard on Lemmon Drive, and speed limit signs that were down. She spoke about pipes that were being installed that would empty more water into Swan Lake.

Ms. Kathleen Shupp spoke against using Wildcreek Golf Course for the location of a high school. She cited issues such as traffic, ground pollution due to insecticides that were used to treat the greens, the loss of bird habitats, the potential for earthquakes, the property being in the landing path of planes, and flooding possibilities. She asked that it be kept as green space.

Ms. Tracy Hall pointed out members of Reno City Hall toured Lemmon Valley and she asked why Commissioners had not come out. She stated Swan Lake would fill up again and mentioned she was still paying to board her horse. She expressed appreciation for the apartment where she was living but said she wanted to move back into her house. She asked the Board for help.

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

Mr. Sam Dehne spoke about Wildcreek Golf Course, Colin Kaepernick, and the *Reno Gazette Journal*.

Mr. William O. Gilbert spoke about creating a management base for a watershed planning unit around Wedekind Creek, which would run through the proposed property for the new high school. He said it was important to clean up Wedekind Creek.

17-0857 AGENDA ITEM 4 Announcements/Reports.

Assistant County Manager David Solaro announced Consent Agenda Item 5F3 would be removed and that Agenda Item 16 was a standard agenda item, not a public hearing item.

Commissioner Jung promoted the scheduled Board of Health meeting on October 26 and noted Friday was Nevada Day. Commissioner Hartung stated he attended a Smart About Water presentation by the Truckee Meadows Water Authority (TMWA) which talked about TMWA's future plans. He requested staff present options for dealing with speeding and how citizens should report it.

CONSENT AGENDA ITEMS – 5A THROUGH 5K3.

17-0858 5A Approval of minutes for the Board of County Commissioner's regular meetings of September 12, 2017, September 19, 2017 and September 26, 2017. Clerk. (All Commission Districts.)

17-0859 5B1 Cancel the November 21, 2017 and December 26, 2017 Board of County Commission meetings. Manager. (All Commission Districts.)

17-0860 5B2 Recommendation to accept a 2018 Nevada State Emergency Response Commission (SERC), Hazardous Materials Emergency Preparedness Training (HMEP) grant for [\$29,750.00, no County match required]. Grant Term is retroactive from October 1, 2017 through June 30, 2018. If approved, authorize the County Manager or his designee, to sign the SERC Grant Award and the Sub-Grant Agreement between Washoe County and the Reno Fire Department in the amount of \$29,750.00; approve resolution for same; and direct the Comptroller's Office to make the appropriate budget amendments. Manager. (All Commission Districts.)

- 17-0861** **5B3** Recommendation to accept a 2018 Nevada State Emergency Response Commission (SERC), United We Stand (UWS) grant for [\$24,920.00, no County match required]. Grant Term is retroactive to July 1, 2017 through June 30, 2018. If approved, authorize the County Manager or his designee, to sign the SERC Grant Award and the Sub-Grant Agreements between Washoe County and the Regional Emergency Medical Services Authority (REMSA) in the amount of \$9,600.00, Reno Police Department (RPD) in the amount of \$9,295.00, Sparks Fire Department (SFD) in the amount of \$700.00 and the Reno-Tahoe Airport Authority (RTAA) in the amount of \$5,325.00; approve resolution for same; and direct the Comptroller's Office to make the appropriate budget amendments. Manager. (All Commission Districts.)
- 17-0862** **5B4** Recommendation to approve staff recommendation to appoint to the Emergency 911 Advisory Committee for terms beginning November 17, 2017, Aaron Kenneston for a term of four years ending June 30, 2021, appoint Duane Meyer for a term of two years ending June 30, 2019 and accept the designee from the Sheriff's Office of William Ames for a term of four years ending June 30, 2021. Manager. (All Commission Districts.)
- 17-0863** **5C** Accept the resignation of Mark Mathers, Budget Manager, and appoint Christine Vulelich, Assistant County Manager, to the Trustee position of "member who has a combination of education and experience of at least five years in finance or economics" for a term of four years on the Washoe County, Nevada Other Post-Employment Benefits (OPEB) Trust Fund Board of Directors. Comptroller. (All Commission Districts.)
- 17-0864** **5D** Approve and authorize retroactively Non-County Employee Travel Expenses of approximately \$3,000.00 for the performance of two external audits of the DNA Casework Laboratory and the DNA Databasing Laboratory at the Washoe County Sheriff's Office Forensic Science Division on October 24th to 26th 2017 by three Forensic DNA scientists. Travel expenses are being requested for these three individuals. Sheriff. (All Commission Districts.)
- 17-0865** **5E** Approve State Collection Development funds from the State of Nevada in the amount of [\$22,153.00., no local match required] for a retroactive term of October 1, 2017 through June 30, 2018 for the augmentation of Library Collections, direct the Comptroller's Office to make the necessary budget amendments and authorize the Director to sign the grant award document. Library. (All Commission Districts.)
- 17-0866** **5F1** Recommendation to: (1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Treasurer's Office Front Counter Remodel [staff recommends Houston Smith Construction, Inc.,

in the amount of \$134,700]; and if awarded, (2) approve a separate \$15,000 project contingency fund. Community Services.

- 17-0867** **5F2** Approve an Easement Purchase and Sale Agreement and Easement Deed between Washoe County and Heinz Ranch Land Company, LLC for a permanent public utility easement totaling 4,100± square feet on APN 087-031-13, commonly known as Cold Springs Park, [at the appraised value of \$16,400.00]. Community Services. (Commission District 5.)
- 17-0868** **5G** Approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2015/2016, 2016/2017 and 2017/2018 secured and unsecured tax rolls and authorize Chair to execute the changes described in Exhibits A and B and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease to all taxing entities \$2,111.80]. Assessor. (Commission Districts 1, 2, 3, 5.)
- 17-0869** **5H** Approve a an agreement with the Regional Transportation Commission (RTC) for a Non-Urbanized Paratransit Program to provide for the transportation of senior citizens and people with disabilities in the following amounts; Gerlach [\$12,000] and Incline Village [\$17,000], retroactive July 1, 2017 to June 30, 2018; and authorize the Agency to execute the agreement. Human Services Agency. (Commission Districts 1 and 5.)
- 17-0870** **5I** Approve to accept an Office of Traffic Safety (OTS) grant to the District Attorney's Office in the amount of \$10,000 (no match required), from the Nevada Department of Public Safety (NVDPS) to reimburse for the overtime hours accrued by DA Investigators who respond to the scene of a fatal crash or a crash where a felony prosecution is likely; retroactive from October 1, 2017 through September 30, 2018. Direct the Comptroller to make the necessary budget amendments. District Attorney's Office. (All Commission Districts.)
- 17-0871** **5J1** Recommendation to reappoint Ms. Susan DeBoer as the Public Guardian for another four year term effective December 13, 2017 at an annual salary of \$111,363 as recommended by the County Manager pursuant to Chapter 5.475 of the Washoe County Code. [The budgeted fiscal impact for FY 17/18 is \$159,325.] Human Resources. (All Commission Districts.)
- 17-0872** **5J2** Recommendation to approve requests for reclassifications of a Plans/Permits/Applications Aide, pay grade G, to Office Assistant III, pay grade G (Community Services); a Senior Human Resources Analyst, pay grade P, to Human Resources Manager, pay grade R, a Classification and Compensation Analyst, pay grade O, to Compensation and Recruitment Manager, pay grade R, a Human Resources Analyst II, pay grade N, to

Human Resources Analyst Lead, pay grade O, a Training and Development Specialist, pay grade K, to Learning Development Coordinator, pay grade N, a Workforce Development Manager, pay grade R, to Human Resources Specialist II, pay grade J (Human Resources); a Social Worker III, pay grade N, to Senior Social Worker, pay grade O (Human Services); a Senior Business Systems Analyst, pay grade P, to Technology Project Coordinator, pay grade R (Technology Services); and creation of 1.0 FTE Medicolegal Data Specialist position, pay grade K (Medical Examiner); as evaluated by the Hay Group and the Job Evaluation Committee. [Net fiscal impact is estimated at \$132,198.] Human Resources. (All Commission Districts.)

17-0873 **5K1** Recommendation to approve acceptance of a continuation grant [\$1,000 - no County match] from the Annie E. Casey Foundation to support activities related to the replication of the Juvenile Detention Alternatives Initiative (JDAI). If approved, direct the Comptroller's Office to make the necessary budget amendments. Juvenile Services. (All Commission Districts.)

17-0874 **5K2** Recommendation to approve the memorandum of understanding between the County of Washoe (Department of Juvenile Services), and the Oregon Social Learning Center (OSLC), to participate in the Teen Success Project under the Juvenile Probation Officers Contingency Management study to receive funds in the amount of \$425 per youth enrolled in the program; effective on 11/15/17 for a period of two years. If approved, direct the Comptroller's Office to make the necessary budget amendments. Juvenile Services. (All Commission District.)

17-0875 **5K3** Recommendation to approve the memorandum of understanding between the County of Washoe (Department of Juvenile Services), and the Oregon Social Learning Center (OSLC), to participate in the Teen Success Project under the Juvenile Probation Officers Contingency Management study to receive funds in the amount of \$250 per Juvenile Probation Officer per year participating in the program; effective on 11/15/17 for a period of two years. If approved, direct the Comptroller's Office to make the necessary budget amendments. Juvenile Services. (All Commission District.)

Commissioner Hartung thanked Budget Manager Mark Mathers and praised his work in uncovering discrepancies with how Washoe County did business. Vice Chair Berkbigler pointed out the cancellation of the November 21, 2017 and December 26, 2017 Board of County Commissioner meetings.

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

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried with Chair Lucey absent, it was ordered that Consent Agenda Items 5A through 5K3 except 5F3 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5K3 except 5F3 are attached hereto and made a part of the minutes thereof.

Commissioner Hartung suggested putting Agenda Items 7, 8, 9, 10, 12, and 13 in a block vote. He requested an attorney-client meeting to discuss Agenda Item 11. Deputy District Attorney Paul Lipparelli agreed that was acceptable as long as they announced when the recess would take place and when the meeting would resume.

BLOCK VOTE – 7, 8, 9, 10, 12, 13

17-0876 **AGENDA ITEM 7** Acknowledge receipt of the Change Log attached as Exhibit A for the 2017/2018 Assessment Roll that results in a net increase of \$341,460,812 in assessed values. Assessor. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chair Berkgigler, which motion duly carried with Chair Lucey and Commissioner Jung absent, it was ordered that Agenda Item 7 be acknowledged.

17-0877 **AGENDA ITEM 8** Approve a Digital Library Access Agreement between Washoe County Library System and OverDrive, retroactively for two year terms beginning on July 14, 2016 through July 12, 2018 - [\$119,000.] and from July 14, 2017 through July 12, 2018 - [\$167,000.]; totaling [\$286,000.], and if approved, authorize the Director to sign the Agreement. Library. (All Commission Districts.)

In reading the item, Assistant County Manager David Solaro noted a correction to the language in the item description; the first contract was from July 14, 2016 to July 12, 2017.

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

On motion by Commissioner Hartung, seconded by Vice Chair Berkgigler, which motion duly carried with Chair Lucey and Commissioner Jung absent, it was ordered that Agenda Item 8 be approved and authorized.

17-0878 **AGENDA ITEM 9** Recommendation to approve an Agreement for Consulting Engineering Services between Washoe County and Carollo Engineers, Inc., commencing October 25, 2017 through October 25, 2018, to provide engineering services for sanitary sewer flow and water quality analysis in the existing collection system within the South Truckee Meadows Water Reclamation Facility and Spanish Springs service areas. [\$389,823]. Community Services. (Commission Districts 2 and 4.)

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

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

17-0879 **AGENDA ITEM 10** Recommendation to approve a 2017 Emergency Management Performance Grant (EMPG) from the State of Nevada, Division of Emergency Management for [\$170,877.00, requires a \$170,877.00 match] including funds to be used for food purchases and travel; retroactive from October 1, 2016 through March 31, 2018. If approved authorize the County Manager or his designee to sign the grant award documents; and allow the Comptroller's Office to make the appropriate budget amendments. Manager. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chair Berkbigler, which motion duly carried with Chair Lucey and Commissioner Jung absent, it was ordered that Agenda Item 10 be approved, authorized, and allowed.

17-0880 **AGENDA ITEM 12** Recommendation to approve the resolution to augment the Capital Improvements Fund in the amount of [\$391,865.90] to increase expenditure authority for capital projects for fiscal year 2017-18; and direct the Comptroller to make the appropriate budget amendments. Manager. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Vice Chair Berkbigler, which motion duly carried with Chair Lucey and Commissioner Jung absent, it was ordered that Agenda Item 12 be approved and directed. The Resolution for the same is attached hereto and made a part of the minutes thereof.

17-0881 **AGENDA ITEM 13** Recommendation to approve a Veterans Services Office Agreement, in response to Request for Proposal (RFP) #3028-17 for community-based Veterans services, to the lowest responsible, responsive proposer, meeting specification, between the Washoe County and Veterans Resource Centers of America, in an amount up to \$189,894 annually, authorize the Purchasing and Contracts Manager to execute agreement retroactive October 1, 2017 through September 30, 2018, with the provision for up to two (2) – one (1) year extensions at Washoe County's option. Human Services Agency. (All Commission Districts.)

Amber Howell, Director of Human Services, highlighted the program, noting the contract with the Veterans Services Office (VSO) had been in place since 2014. She stated the intent behind the program was for the County to collaborate with experienced community-based veterans' services; before the agreement there was no formal process to help veterans with applications for pensions or medical services. She said the VSO was available for walk-ins and they also did outreach to the homeless. They served 25 clients a week, or 1,300 annually, and in 2017 552 clients had been served with claims ranging from \$12,000 for a pension to \$34,000 for a disability claim. She thanked the Board for their support.

Commissioner Jung asked whether they were working with local Veterans of Foreign Wars (VFW) organizations to connect them with a veterans' services officer. Ms. Howell thanked her for the recommendation and said she would make sure the VFWs receive that information. When asked for the location of the walk-in facility, Ms. Howell responded it was at the Reno Resource Center. Commissioner Jung said no veteran should ever be homeless.

On the call for public comment, Ms. Starlyn Lara, Veterans Service Officer for the Nevada Veterans Resource Center, said the center was at 419 West Plumb Lane. She said the organization targeted not only the homeless population but senior veterans, helping them file claims for service-connected disability, non-service-connected pensions, and connecting them to social services. They also dealt with healthcare needs, educational options, and stabilized housing.

Commissioner Hartung inquired whether he could ask questions during public comment, to which Deputy District Attorney Paul Lipparelli replied the Board could since it was a regular agenda item.

10:45 a.m. Commissioner Jung left the meeting before the block vote was taken on Agenda Items 7, 8, 9, 10, 12, and 13.

When asked about the process by which the Veterans Resource Center assisted veterans to find housing, Ms. Lara answered her role was helping to find funding sources available to substantiate veterans' income to make sure housing was stabilized. Additionally, the organization focused on immediate housing needs by housing 25 veterans a night and addressing behavioral health barriers. She stated they connected

homeless veterans with healthcare through the Veterans Association and also provided case management to those who were housed through a grant. She confirmed Commissioner Hartung's assumption that housing 25 veterans daily was a temporary measure while they attempted to find more permanent housing.

On motion by Commissioner Hartung, seconded by Vice Chair Berkgigler, which motion duly carried with Chair Lucey and Commissioner Jung absent, it was ordered that Agenda Item 13 be approved and authorized.

17-0882 **AGENDA ITEM 6** Doug Erwin, Sr. VP, Entrepreneurial Development EDAWN. Presentation and update on EDAWN. [10 minutes.]

Doug Erwin, Senior Vice President of Entrepreneurial Development at the Economic Development Authority of Western Nevada (EDAWN), conducted a PowerPoint presentation with the following slides: Updated Economic Development Stool; Why entrepreneurial development?; Entrepreneurs create nearly all the net new jobs; There is an entrepreneurship deficit; ...recent research; Ecosystem Development Strategy; Programs we support; EDAWN Led Ecosystem Initiatives; Example companies we help; Ecosystem Measurements; and Questions.

Mr. Erwin described EDAWN's entrepreneurial development component as misunderstood and said EDAWN was focused on job creation and economic prosperity. He said entrepreneurs were the creators of all new net job growth. He stressed the decline of startup density was the reason EDAWN focused on entrepreneurship.

10:53 a.m. **Commissioner Jung returned.**

Mr. Erwin pointed out EDAWN did not typically run any of the programs. Instead they supported entrepreneurs in leading their own programs, such as 1 Million Cups, a program funded by EDAWN but led by entrepreneurs because entrepreneurs had a long-term perspective. He said EDAWN facilitated entrepreneurs in finding customers and support systems. He highlighted a company called Flirty which raised \$16 million, saying it was important those small companies were showcased. He indicated EDAWN's new strategic direction was to attract more early-stage technology companies with more expertise and new technology.

Mr. Erwin highlighted some of the entrepreneurial programs EDAWN supported as well as EDAWN-led initiatives. The purpose of the Biggest Little Startup Fair was to encourage local students to stay in the community after graduation. He discussed some of the companies EDAWN helped and told a story about the Chief Technology Officer of Bombora. He noted most of these companies were hiring graduates of local universities and on the whole they were hiring a few hundred new employees every year. He indicated historically tech companies would end up returning to the Bay Area but said now there were five venture-backed companies that were staying locally. He stated companies that raised large amounts of money were able to hire more employees.

Vice Chair Berkbigler remarked it was exciting because in the past the greater County area did not typically get involved with the tech industry. Commissioner Hartung asked whether the thirty startups referenced by Mr. Erwin were viable companies. Mr. Erwin replied it was not EDAWN's job to only pick winners and they helped all entrepreneurs because even an entrepreneur who failed could go on to be successful the next time. He added there were minimum requirements for companies to get assistance, especially for companies from outside the community. When asked by Commissioner Hartung about the source of the \$35 million in funding, Mr. Erwin replied most of the money was raised by two companies through venture capitalists. He remarked the angel investor community was becoming more organized and said EDAWN received a small federal grant to build a venture conference locally to explain to high net worth individuals the value of being an angel investor. He explained angel investing was like venture philanthropy; the downside risk was akin to philanthropy and the upside would yield a 10 times return. He added it was hard to get high net worth people involved but EDAWN planned programs to train them to become better stewards for the innovation economy. Commissioner Hartung praised the diverse knowledge of EDAWN's staff.

Commissioner Jung expressed pride about the Board being a sponsor of EDAWN. She asked whether individuals from Incline Village were investing in Nevada companies or if they were still attracted only to Silicon Valley companies. Mr. Erwin responded the Bay Area was the most successful high-tech start up community so it was hard to compare that area with other investment opportunities. In response EDAWN created programs to help Northern Nevada compete at that same level from an ideation standpoint. He said the area also needed investors who were committed to the community but a startup deal was very different than a real-estate deal and many were not educated in that area. He provided success stories about the companies Breadware and Filament securing local investments.

Mr. Erwin provided a magazine which was placed on file with the Clerk.

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

17-0883 **AGENDA ITEM 14** Recommendation to direct staff to forward an advisory recommendation to the Truckee Meadows Regional Planning Agency (TMRPA) stating the County's position (e.g. in support of or in opposition to) on a private property owner request submitted by Teton Development Corporation (on behalf of the current property owner Dorothy Towne Trust) to amend the boundaries of the Truckee Meadows Services Area (TMSA) and the Reno Sphere of Influence (SOI), thereby amending the Truckee Meadows Regional Plan (TMRP). The requested amendment would remove ±83 acres of property from the City of Reno TMSA/SOI and place it within an area of the TMSA subject to Washoe County planning jurisdiction. The subject properties are located approximately 1-mile south of the junction of the Mt. Rose Hwy. and old US Highway 395, on the east side of old US Highway 395 starting at

Towne Drive and terminating at Rhodes Road (APN's 017-020-18, 017-301-02, 017-301-24, 017-301-28, 017-301-29). Per TMRP Module #1, the TMSA is the area in Washoe County that is identified in the TMRP maps and within which municipal services, including water and sewer, are available for generally more intense development. Under the TMRP, this amendment would reduce the remaining acreage available to Washoe County to expand the size of the TMSA subject to Washoe County planning jurisdiction from 164 acres to 81 acres (assuming a previously submitted 80 acre TMSA amendment request by the Washoe County School District is approved). Community Services Department. (All Commission Districts.)

Chad Giesinger, Senior Planner with Community Services, conducted a PowerPoint presentation and reviewed slides with the following titles: Agenda Item 14; Vicinity Map; Background; Proposed SOI Amendment; Background (2 slides); Evaluation; Evaluation – Land Use; Evaluation – TMSA; Evaluation – TMSA Policy; Evaluation – TMSA “Bucket”; Evaluation; Staff Recommendation; and Possible Motion.

Mr. Giesinger indicated the property in question was currently vacant and the Steamboat Creek ran through the center of the collective properties. He explained there were two ways to amend the Regional Plan: at the request of a local government or through a process involving a private property owner. He stated they were proposing to amend both the Truckee Meadows Services Area (TMSA) and the sphere of influence (SOI) because after the 2008 Regional Plan update, the municipal services area concept was combined with the sphere of influence concept. An amendment to one was an amendment to the other.

Mr. Giesinger explained the green area on the proposed SOI Amendment map represented the parcels in question, the red hatching was the SOI, and the gray areas were Reno's municipal boundary. In discussing the process, he indicated the proposal was at the step where the request was forwarded to the local government. With the government's recommendation it would then be scheduled for a Regional Planning Commission (RPC) public hearing to consider its merits.

Mr. Giesinger said he believed the property owner was considering a housing subdivision in terms of development. He stated there were two area plans involved; the Southeast Truckee Meadows Area Plan covered the northern portion of the property and the South Valleys Area Plan covered the remainder. If approved, the zoning designations would transfer from Reno's existing zoning designations to County Master Plan designations. Mr. Giesinger explained in the City of Reno the Master Plan category of single family residential covered a wide range of potential lot sizes down to a density of seven units an acre. He pointed out the Reno zoning had more rural zoning than the Washoe County zoning plan.

Mr. Giesinger commented since the existing zoning on the property was commercial and involved density greater than one dwelling per five acres, the property

had to come back into the TMSA under County jurisdiction as opposed to rural development. There were only two methods to amend a jurisdiction's TMSA. Because the County was not achieving four persons per acre due to areas of low-density development that were previously approved, it could only use the second method, a one-time allocation of an additional 640 acres of potential expansion. He explained the corrections of acreage listed in the agenda description, noting the Regional Planning Agency (RPA) made the determination on how many acres were development-constrained. He added staff hoped changes to the process would occur as part of the Regional Plan update currently underway, both in terms of how the TMSA was sized and also with a consensus opinion that the bucket acreage process was not effective. He welcomed any questions.

After a brief discussion it was determined a representative for the applicant would speak before further comments were heard. Mike Railey with Rubicon Design Group representing Teton Development Corporation, agreed with Mr. Giesinger's assessment that the applicant was in a jurisdictional no-man's land. He said his client wished to develop the property for single-family residential. The city of Reno felt it was inappropriate to extend their boundary to include the property so the applicant withdrew the application with them. He stressed they need a path to move forward so they filed the Regional Plan Amendment, adding they did not have a specific project design yet.

Commissioner Hartung pointed out the current existing zoning was not all residential and asked if Mr. Railey's client intended to keep all neighborhood commercial (NC) areas as commercial. Mr. Railey confirmed that was the case, though he pointed out the NC areas allowed for some residential development. When asked by Commissioner Hartung about density transfers, Mr. Railey said it was a possibility but they would protect Steamboat Creek with dedicated open space.

On the call for public comment, Mr. Garrett Gordon of the Lewis Roca Rothgerber Christie law firm, stated his clients were property owners in the Rhodes Road area. He stated they opposed the annexation by the City of Reno and submitted their own fiscal analysis since they believed the City of Reno's report was flawed. Because the application was withdrawn, there was no hearing at the City of Reno. He displayed a map which was also placed on file with the Clerk. He indicated his clients felt the matter should fall under the jurisdiction of the South Valleys Area Plan. They supported the idea of an area of low-density housing in the south as a transition area and would oppose any density transfers or open space subdivision plans in that area. He stated they supported the development in its current form.

When asked by Commissioner Jung for clarification about the density of the pink area on the displayed map, Mr. Gordon clarified his clients wished to stay within the confines of the existing zoning that would be placed on the property if it came into the County. Commissioner Jung opposed that sort of density, saying it promoted sprawl. She pointed out the inequity of people in the south valleys getting one house per acre while her district saw incredibly high density. She stated the County should not support developments consisting of one dwelling per acre and said young people did not want

large plots. Mr. Gordon responded there was no project yet and if the development ended up featuring an open space subdivision, he was open to compromise.

Deputy District Attorney Paul Lipparelli reminded the Board the item was not a project, it was a regional planning and service area discussion. The question was whether the amendment was good policy and whether the County should recommend it to the RPA.

Commissioner Hartung asked how a parcel was included in a SOI and how the jurisdictional oversight occurred. Mr. Giesinger replied a local government could request an amendment to its SOI to add a property after a series of findings. Prompted by Commissioner Hartung's query, he added a local government could do so against a property owner's desire but it usually tried to avoid that. Commissioner Hartung confirmed the property owner asked to go into the SOI and asked whether the land had to be contiguous with the City of Reno, to which Mr. Giesinger replied it did not. Commissioner Hartung asked whether the County really had a choice whether to take it back, to which Mr. Giesinger replied not really. Commissioner Hartung asked what happened to the infrastructure capacity allocated by the governing body assigned to that parcel. Mr. Giesinger replied the service provision would largely stay the same regarding water and sewer since it was in the County's plan. In terms of bucket capacity, Reno would not experience any impacts while the County would. He added the area was zoned in this way since 1997.

Mr. Giesinger explained the extra-territorial jurisdiction was a process wherein either city exerted its planning jurisdiction within the SOI. He explained the SOI was an area that denoted where the City desired to grow within the following twenty years. The process did not establish the groundwork for processing development applications, code enforcement, or processing building permits. The process outlined in Nevada Revised Statute (NRS) 278 allowed cities to exert their jurisdiction by placing the area in their area of annexation which should include an area accounting for seven years of growth. He pointed out the County had lost a lawsuit and the majority of the SOI was placed in the area of annexation. The city was then required to adopt Master Plan designations which they had done, exert jurisdiction, and then all activity needed to be reviewed by the respective city.

When asked what the solution was for dealing with two area plans, Mr. Giesinger answered both area plans needed to be amended which was not unusual for the County. Commissioner Hartung asked what would happen if only one area plan was approved, to which Mr. Giesinger said there was a translation table adopted for that situation. In the interim while the County opened up the plans there would be placeholder designations based on the translation table. He stated theoretically a Master Plan designation could change as part of a Master Plan update but, because there was existing County zoning, the zoning would have to be changed at that point.

Commissioner Hartung noted he had an ongoing business relationship with Mr. Gordon's client Mr. Colter and asked if that necessitated Commissioner Hartung

to recuse himself from the vote. Mr. Lipparelli replied unless Mr. Colter was currently representing Commissioner Hartung on a matter related to the item, he would not have special knowledge of Commissioner Hartung's legal interests. When a project was ultimately proposed that could affect Mr. Colter's property rights, they might want to revisit the topic.

Commissioner Hartung stated this could be an ongoing issue with the County and it should precipitate a larger conversation with regard to a regional plan update.

On motion by Commissioner Hartung, seconded by Vice Chair Berkgigler, which motion duly carried with Chair Lucey absent, it was ordered that Agenda Item 14 be directed as per staff's recommendation.

17-0884 **AGENDA ITEM 15** Update on Wildland Fire Season. Manager and Truckee Meadows Fire Protection District. (All Commission Districts.)

Fire Chief of the Truckee Meadows Fire Protection District (TMFPD) Charles Moore provided a photo that was placed on file with the Clerk. He noted history proved the largest conflagration of fires happened between October and January; the TMFPD had responded to 14 fires in October. He stated the Bureau of Land Management shut down their resources for the season and the District's RAVEN aircraft was out of commission due to an engine problem.

Chief Moore said they were shifting their focus to fuels management by implementing a program on October 28 and November 18. He showed a photograph, which was placed on file with the Clerk, that demonstrated a citizen could not get much green waste into a garbage can. He announced they were adding a fourth location for green waste pickup at Hidden Valley Station 37 along with the stations on East Lake Boulevard and the volunteer stations in Silver Lake and Lemmon Valley. He said the plan was to chip what waste they could on site and take the rest to be recycled. He mentioned there was good feedback about the program and hoped to see a good turnout.

Chief Moore said fire crews returned from battling fires in California and noted the fires around Santa Rosa moved through an area filled predominantly with lawns and swimming pools which was unusual. He posited a similar event could happen in the County and added there was still risk until there was snow on the ground.

Vice Chair Berkgigler stated the Oakland Hills fire was an example of what could happen in outlying County areas like Wildcreek and Caughlin Ranch. Commissioner Hartung asked what happened to the chips after chipping green waste. Chief Moore replied the plan was to make the end material available for citizens to use in their gardens. When asked about the schedule, Chief Moore answered there would be a soft rollout of two Saturdays to measure the needs of citizens. He intended to have the program available every weekend in spring. Commissioner Hartung suggested giving the chips away but asking for a donation, the proceeds of which could be used to fund an

additional burn box. Vice Chair Berkbigler commented that topic could be brought back at the next fire board meeting. Chief Moore said they would find a way to dispose of the material and hoped to mulch or compost the chips rather than burn them.

Commissioner Jung asked whether the green waste program was available only to residents in the TMFPD areas. Chief Moore answered it was available to all Washoe County residents. Commissioner Jung requested emphasizing that to the public because it would show what kind of partner the County was when preparing to update the regional plan. She said not only would it reduce fire and help air quality, it could provide ground cover for citizens in the form of mulch. She relayed praise from a constituent about the TMFPD's work in protecting homes during two recent fires.

Commissioner Herman expressed concern about using wood chips for landscaping near houses, saying it could create a fire hazard. Chief Moore suggested chips could be used in horse pastures where there was not so much of a fire risk. He added they purchased a dump trailer and could possibly deliver the chips to interested citizens.

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

Vice Chair Berkbigler stated the Board would recess for a legal discussion and return at 1:00 p.m.

11:54 a.m. The Board recessed.

1:00 p.m. The meeting reconvened with Chair Lucey and Commissioner Hartung absent.

17-0885 AGENDA ITEM 11 Approve the settlement of the claim of Karen Thompson, individually and as Co Special Administrator of the Estate of Justin Thompson; Rick Thompson, individually and as Co Special Administrator of the Estate of Justin Thompson, Fred Waid, Co-Special Administrator v. Washoe County, et al for a total sum of (\$500,000) for all claims against all defendants. Comptroller. (All Commission Districts.)

Deputy District Attorney Paul Lipparelli stated the packet for this item included a staff report describing the settlement and placed a copy of the settlement agreement and release of claims on record with the Clerk. He offered a copy of the settlement, which was consistent to what was written in the staff report, to anyone interested.

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Vice Chair Berkbigler, which motion duly carried with Chair Lucey and Commissioner Hartung absent, it was ordered that Agenda Item 11 be approved.

17-0886 **AGENDA ITEM 16** Introduction and first reading of an ordinance amending Chapter 80 of the Washoe County Code (Public Works; County Property), amending Section 80.620 - unlawful parking in designated zones; deleting Section 80.640 - Pringle Way: County property; amending Section 80.660 - Fines; bail; and providing for other matters properly relating thereto; and if supported, set the public hearing for second reading and possible adoption on November 14, 2017. Community Services. (All Commission Districts.)

Assistant County Manager David Solaro reminded the Board this was not a public hearing item. Jan Galassini, Chief Deputy County Clerk, read the title for Bill No. 1786.

There was no public comment on this item.

Bill No. 1786 was introduced by Commissioner Jung, and legal notice for final action of adoption was directed.

PUBLIC HEARINGS

17-0887 **AGENDA ITEM 17** Public Hearing: For possible action to conduct a Tax Equity and Fiscal Responsibility Act hearing as requested by Doral Academy of Northern Nevada and to approve a resolution approving Public Finance Authority Charter School Revenue Senior Bonds (Doral Academy of Northern Nevada) Series 2017A-1 And Public Finance Authority Charter School Revenue Subordinate Bonds (Doral Academy of Northern Nevada) Series 2017B (the “Bonds”) for purposes of Section 147(F) of the Internal Revenue Code of 1986. [No fiscal impact.] Manager. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against the agenda item. On the call for public comment, Ms. Cathy Brandhorst and Mr. William O. Gilbert were called but were not present to speak.

Commissioner Jung stated the action was not asking Washoe County to issue any bonds or to incur any debt on Doral Academy’s behalf. Instead, the Board was holding the necessary public hearing and providing the approval as described in the staff report. The bonds would not be a debt or obligation of Washoe County.

1:06 p.m. **Commissioner Hartung returned.**

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried with Chair Lucey absent, it was ordered that Agenda Item 17 be approved as outlined in the staff report. The Resolution for the same is attached hereto and made a part of the minutes thereof.

17-0888 **AGENDA ITEM 18** Public Hearing: Pursuant to NRS 453A.350(2) on an application from MMNV2Holdings V, LLC (formally MedMen of Nevada 2, LLC) to move a marijuana cultivation facility from the location issued with a State of Nevada provisional medical marijuana certificate at 85 Isidor Court, Sparks, NV (APN 530-470-11) to 140 Inventors Place, Sparks, NV (APN 530-470-18); and if approved, direct staff to notify the State of Nevada in writing of the Board of County Commissioner’s approval of the relocation request. Manager. (Commission District 4.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against the agenda item. On the call for public comment, Ms. Cathy Brandhorst spoke about matters of concern to herself. Mr. William O. Gilbert was called but was not present to speak.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried with Chair Lucey absent, it was ordered that Agenda Item 18 be approved and directed.

17-0889 **AGENDA ITEM 19** Public Comment.

Ms. Tammy Holt-Still stated Nevada Revised Statute did not specify the intent of Citizen Advisory Boards (CABs) but the County was trying to make them pertain only to development. She requested CABs return to having presentations by police and fire departments so residents did not have to attend the Board of County Commissioner meetings. She wanted to see CAB meetings held on their specified dates. Regarding properties with acre-sized lots, she pointed out many families wanted to enjoy a rural lifestyle.

Mr. William O. Gilbert was called but was not present to speak.

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

17-0890 **AGENDA ITEM 20** Announcements/Reports.

Commissioner Herman agreed with Ms. Holt-Still’s comments about Citizen Advisory Boards and larger property lots.

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1:20 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