

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

TUESDAY

10:00 A.M.

FEBRUARY 26, 2019

PRESENT:

Vaughn Hartung, Chair

Bob Lucey, Vice Chair

Marsha Berkbigler, Commissioner

Jeanne Herman, Commissioner

Kitty Jung, Commissioner

Nancy Parent, County Clerk

John Slaughter, County Manager

Paul Lipparelli, Assistant District Attorney

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:

19-0131 **AGENDA ITEM 3** Appearance: Honorable David A. Hardy, Second Judicial District Court Judge – Second Judicial District Court Presentation and update on Second Judicial District Court Project.

Chief Judge Scott Freeman stated the creation of a new courthouse was one of the most significant priorities for the safety of the community. He introduced Judge David A. Hardy, who noted he had come before the Board seven or eight times already. He noted the Board showed him respect and said he recognized the critical function the Board provided. He expressed gratefulness for the partnership with County management and for the Board's public statements of support during his previous presentation.

Judge Hardy conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Washoe County Courthouse Construction; Examining the New Courthouse Need; A County Process Spanning Over 22 Years; 2018 Significant Washoe County New Courthouse Progress Milestones; 3 Years of Joint County-Court Master Planning; Modern Courthouse Planning to Address Washoe County's Next 50 Years; Washoe County Civic Center Complex Site Analysis; Potential Washoe County Court Complex Master Plan Update Options; Potential Opportunity Zone Benefits; Potential Mixed Use Tenants; Washoe County New Courthouse Architectural Massing Study; Supplemental Govt. Services Tax; Projected Supplemental Government Services Tax Analysis; Early Enactment Allows County Commissioners Prioritization of Other Critical Infrastructure Needs; and Accomplishing the Vision Through Collaboration.

Judge Hardy stated many communities had centralized courthouses, iconic statements of community justice, where the concept of public safety was memorialized. He said Washoe County made that same powerful statement in 1872. He explained a design contest was held 36 years later where architects submitted proposals for a new courthouse. Frederic DeLongchamps won the contest which led to the 1911 reconstruction of the courthouse. He said the newest bricks in the courthouse were 55 years old and there was no more space to configure courtrooms or judicial chambers.

Judge Hardy indicated the discussion in 2018 shifted from whether a new courthouse was needed to when one would be built. He noted a Sheriff's deputy was recently stuck in an elevator with in-custody inmates, which was a security concern. On the day he prepared this presentation, only one elevator in the courthouse was working and water was seeping through the roof of the rotunda.

Judge Hardy said the historic courtroom was built for two lawyers and two litigants but he was currently involved in a four-week trial featuring nine lawyers and nine litigants. He said he was grateful to have a venue but it was outdated. He noted all people, from employees to witnesses to employees to perpetrators, shared the same courtroom space. He mentioned he compiled data from security studies into a 22-year timeline, a copy of which was placed on file with the Clerk.

Judge Hardy invited the Board to consider additional revenue and noted projections of where the Court organization might be in the next fifty years had been completed. He said a potential site was identified more than 20 years ago when the County purchased the Pioneer Casino. He explained the site would house a civic center, a title given because they could envision uses beyond the Courthouse. The area directly to the south could be used for potential development with a private-public partnership (3P). He noted there was tremendous opportunity there that would be contemplated in an upcoming study, though he added no decisions were close to being made.

Judge Hardy showed a 3P building in Las Vegas and said a similar model could be used for government tenants, professional office space, and retail establishments. Revenues from that project could be used to monetize some of the expenses. He recalled the County had purchased the Pioneer Casino space for \$12 million. He stated all finance options would require the need to identify a recurring, consistent revenue stream to service the long-term debt. He noted the Board was empowered to protect the public treasury with reasoned judgment while considering the purposes of community and the realities of future growth.

Judge Hardy introduced the topic of the supplemental government services tax (SGST), referencing the fact sheet included in the slides. He said the addition of one penny on every one dollar of vehicle valuation could result in additional revenues for the County's highest priorities. He noted the idea of increasing the tax was concerning but some of that concern could be mitigated by connecting the revenue to a physical symbol, such as infrastructure, hard assets, or buildings. He mentioned the SGST would be

progressive in nature and would be borne by all. He stressed the revenue connected to any long-term capital improvement project should be sustainable and predictable.

Judge Hardy said the Courts wanted to partner with all citizens in the County and did not want to prioritize the Courthouse above other critical needs. He suggested early implementation and delayed construction could create reserves in the allocations and reviewed the slide detailing this. He opined postponing the construction of the Courthouse until 2023 could result in more than \$55 million being allocated to other capital improvement projects. He asked the Board to consider beginning a formal, public discussion about the SGST.

Chair Hartung asked whether the Board could ask questions to the presenters and Deputy District Attorney Paul Lipparelli replied they could but there could be no deliberation.

Commissioner Berkbigler felt the need for a new Courthouse was critical and said problems were inevitable. She thought it was time for the Board to consider what to do to protect justices and citizens in the Courthouse, though she admitted she had reservations about the SGST.

Commissioner Herman asked whether they had considered what funding would result from making crime pay. Judge Hardy replied judges were required to assess administrative expenses against defendants in every completed criminal file, though collection of those revenues was challenging. He explained they were often able to sustain their specialty courts through defendant contributions. Further, a change in constitutional law in 2018 amplified the role of restitution for victims. He described some of the methods used by some of his colleagues to collect those payments. He thought it would be challenging and innovative to finance the Courthouse construction project by fining those accused of crimes.

Chair Hartung mentioned he had conversations regarding 3P possibilities and said his interest would be to own the property and lease it to other organizations on an extended timeline. He said he would see what infrastructure those organizations would build, which could then be leased back with an option to buy. Judge Hardy responded forecasts showed that would still not pay for the entire expense.

Chair Hartung acknowledged the safety issues with the current Courthouse and said a different model was needed. He wanted to see the financial figures involved. He asked whether there would be any value in not razing the newer portions of the Courthouse. Judge Hardy responded the cost of remediation and maintenance of those portions surpassed the benefits of continued ownership.

Judge Hardy mentioned a previous suggestion about possible alternate locations would be included in the updated master plan. He said the center of gravity for all justice work remained in the downtown area but he felt facilities at Parr Boulevard could be considered for certain proceedings.

Chair Hartung inquired about the possibility of having two facilities with different functions. Judge Hardy said the idea of a limited-use courtroom at Parr Boulevard was attractive to both him and the Sheriff, especially given the cost and security risks of transporting defendants downtown.

19-0132 **AGENDA ITEM 4** Appearance: Matt Boyer, Executive Secretary Lassen County Transportation Commission – Presentation on coalition building in the US 395 corridor - Lassen and Washoe County.

Richard Egan, Administrative Officer for Lassen County, introduced District 5 County Supervisor Tom Hammond, Jon France with the Sierra Army Depot, and Senior Planner for the Lassen County Transportation Commission John Clerici.

Mr. Hammond turned in documents about the Sierra Army Depot which were placed on file with the Clerk.

Mr. Clerici conducted a PowerPoint presentation and reviewed slides with the following titles: What is the U.S. 395 Corridor?; The U.S. 395 Corridor; What are the regional goals for the Corridor; Why form a U.S. 395 Coalition?; What would be the Coalition's objectives?; Who would lead the Coalition?; Who would be members of the Coalition?; What are the next steps?; and Questions.

Mr. Clerici announced Interstate 80 was closed to all truck traffic because of the weather but he expected that to be relieved soon. He noted this happened more frequently than people thought. He remarked it was just as likely for Route 50 to be closed for fire events than for snow events. One of the reasons for this discussion was to create parallel capacity on U.S. 395 for goods and services to move when roads in California were inaccessible.

Mr. Clerici displayed the map and traced the route of U.S. 395, noting it was an important north-south corridor on the east side of the Sierra Nevada mountain range. He mentioned it was a four-lane road until Hallelujah Junction when it became a two-lane road. He said the 395 Corridor was being discussed because of its regional impacts.

Mr. Clerici said coalitions were more powerful than individual groups, especially in this situation where Lassen County was attempting to fix regional issues. A coalition would create a powerful cross-section of stakeholders who would provide more ideas. Lassen County did not generate enough money to solve regional problems so they were looking for partners, starting with Washoe County.

Mr. Clerici envisioned Coalition members reaching out to private sector businesses and other groups like Walmart. Other members of the Coalition could include the Federal Highway Administration, the Bureau of Land Management, regional transportation agencies, and local tribes. He mentioned a storm in 2018 closed Route 80

for several days and it cost Walmart almost \$8,000,000 on account of failed or delayed deliveries; the parallel capacity could create a huge cost savings for them.

Mr. Clerici indicated he had met with County Manager John Slaughter and with the Board's blessing he could bring back a more formal presentation about how the Coalition might move forward. If successful they would speak to other governments and private sector entities. He said the goal was to proceed within four or five months. He noted the consulting team was comprised of the Mark Thomas company, which would handle planning and engineering, and The Ferguson Group, who would manage organizing the Coalition.

Commissioner Herman expressed concern about traffic between the North Valleys and Lassen County and wanted a solution. She was happy about the project and stated developers in the North Valleys should be anxious to support the endeavor.

Mr. Clarici responded there was a coalition of California entities including the California Department of Transportation (CalTrans). Mr. France stated the Sierra Army Depot supported this project because they functioned six days a week, requiring a significant commute of their employees, the majority of whom lived in Reno. Additionally he was responsible for overseeing the freight traffic between Susanville and Reno, much of which came from the Depot. He said they were interested in expanding the 395 Corridor and felt it would be beneficial to Reno, Lassen County, and the Depot.

Commissioner Berkbigler agreed the project was overdue. She asked whether the U.S. 395 project could eventually contribute to the I-11 project from Las Vegas. Mr. Clarici replied yes and thought linking to an interstate highway was attractive to people. He thought it would be the Coalition's job to see that it happened by getting the participation of well-known private partners. Commissioner Berkbigler felt it was appropriate for the County to participate in this project.

Chair Hartung said he did not know how many discussions there had been with the Federal Highway Administration and wondered what their participation would be. He also wished to know more about the expectations for the County's participation, adding he was unsure whether the County could even spend County or State funds in another state. Mr. Clarici assumed Washoe County could only spend its funds up to the California border. He emphasized he was not asking for money but for staff time and the support of the Board of County Commissioners. Since it seemed there was interest from the County, he indicated the next step would be trying to access more stakeholders including developers.

Chair Hartung asked where this project was on California's list of priorities. Mr. Clarici responded they received support from CalTrans through a grant and they requested additional funds to move the process forward. He said there was a mentality at the State level to support rural counties in California, though the project was not as important as fixing the port of Oakland. Chair Hartung reiterated the Corridor was the main north-south roadway on the east side of the Sierra Mountains.

Commissioner Jung encouraged Mr. Clarici to meet with Reno Councilwoman Bonnie Weber, who represented the North Valleys. She mentioned she and Councilwoman Weber were putting together a shared federal framework after being advised that multiple groups working on smaller aspects of a project caused those groups to grovel against each other. She mentioned she disagreed with the decision for the I-11 route to pass through Fernley since the County spent a lot of money lobbying for it to pass through Reno. She felt changing the I-11 route to this area would be a benefit by rendering the U.S. 395 Corridor unnecessary.

Commissioner Jung requested information about how much the maximum security prison operated by California was contributing to the project since she felt they had the most deleterious effect on the route. She said the Governor of California mentioned there would be a \$21 billion surplus and she suggested Washoe County could help lobby for those funds as long as its interests were considered. She agreed it made sense that Washoe County residents who worked in Susanville would live in the northern-most developed areas of Washoe County since Lassen County did not offer that type of residential housing. She encouraged Lassen County's elected officials to work with Washoe County on the shared federal framework in Washington D.C.

19-0133 AGENDA ITEM 6 Public Comment.

Ms. Tammy Holt-Still showed a video of flooding in the area where the Prada Ranch North development would be located. She asked where that water would go when dirt was moved for the development and alleged County staff violated its own regulations by recommending approval of the development. She expressed frustration that development was approved in a flood plain and said the County spent over \$1,000,000 to protect a 40-year-old sewer plant. She thanked Commissioner Jung for touring the area.

Mr. J.D. Klippenstein, Executive Director of Acting in Community Together in Northern Nevada (ACTIONN), expressed support for Washoe County's Affordable Housing Trust Fund (AHTF). He noted he was the only speaker on behalf of ACTIONN but he asked those who also supported the AHTF to stand. He stated more than 750 community members engaged with the Board to address the housing crisis. He said Nevada ranked last in affordable housing available to low-income residents; only 15 units were available for every 100 low-income renters. He presented local statistics about regional affordable housing issues. He thought the AHTF was an effective policy tool used by hundreds of communities across the country to provide additional funding for affordable housing. He opined state and federal agencies would not come to the rescue and the housing crisis was a moral crisis that required a definitive response. He asked the Board to support the AHTF.

Mr. Jerry Schroeder expressed concern about the site for the proposed Wildcreek school being in a flight path, noting a vast majority of all air accidents happened on final approach. He thought his safety concern was not addressed by the Board of County Commissioners or the Washoe County School District. He displayed a

document, a copy of which was placed on file with the Clerk, that claimed 8,878 accidents happened where they intended to put the school. He asked the National Transportation and Safety Board to give a recommendation on the site and he anticipated the site would not be recommended.

Ms. Pam Roberts, former Chair of the Nevada Women's Lobby, noted the group lobbied at both the national level and the local level. She agreed relying on the State and the federal government to fix the affordable housing issue would result in the most vulnerable populations being overlooked. She supported the AHTF.

Ms. Susan Ambrose asked what the Board could do to get Citizens Advisory Boards (CABs) back. She stated CABs had more power in the 1980s than they currently did but they were scaled back during the great recession. She asked that the CABs be restored to what they used to be and that CAB Chairs be given more input on CAB agendas. She felt CABs were important because residents should be able to hear concerns within their own communities.

Mr. Erik Holland stated he lived in affordable housing and it was the biggest boon to his art career. He supported the AHTF and expressed concern about the homeless residents he passed on the way to the meeting. He displayed a painting of Winnemucca Ranch and expressed concern about a potential development in the area. He said he wished he had the funds to buy the property.

Mr. Ray Lake, Chair of the North Valleys CAB, remarked his CAB met in February and would meet in March, but noted they went five months without a meeting although they were scheduled. He asked that CABs be allowed to have presentations on their agendas from the Nevada Department of Transportation (NDOT), the Regional Transportation Commission (RTC), and the Airport Authority among others. He stated the lack of consistency with CAB meetings caused problems and asked for that issue to be addressed. He praised the idea of a U.S. 395 Coalition and thought participation from Lassen County could help Washoe County in its dealings with NDOT and the RTC regarding U.S. 395 improvements.

Ms. Marsy Kupfersmith, Secretary of the Senior Coalition of Washoe County, thanked Commissioner Jung for her donation for Senior Day at the Legislature. She noted more than 50 seniors attended. Additionally she thanked County Manager John Slaughter, Assistant County Manager Kate Thomas, Communications Director Nancy Leuenhagen, Division Director of the Human Services Agency Stephen McBride, and Human Services Coordinator Abby Badolato for their attendance. She remarked the Sparks Senior CAB was now active.

Ms. Donna Clontz, Vice Chair of the Washoe County Senior Advisory Committee, presented a flyer of events for Older Americans Month, a copy of which was placed on file with the Clerk. She noted seniors across the country would participate and the theme was "Connect, Create, Contribute". She promoted an information fair where

community members could discover the resources available to seniors, family members, and caregivers. She promoted the event and invited the Board to attend.

Ms. Katherine Snedigar expressed frustration with the County's handling of events in several North Valleys areas. She wondered why the lights on the 'prepare to stop' signal near Pyramid Highway flashed continuously when the traffic light was in view of that sign. She alleged special permission would be needed from the National Highway Transportation Board to implement a new program.

Ms. Rebekah Stetson said she represented an event which she anticipated being called Truckee Meadows Earth Day. She said there were no plans for Earth Day since it fell on Easter so she and other organizers were hoping to have an event at Mayberry Park or Rancho San Rafael. She listed a number of government and private organizations who were supporters of the event and asked Washoe County to partner with her organization to show citizens what sustainability looked like.

Chair Hartung directed Assistant County Manager Kate Thomas to follow up with Ms. Stetson.

Dr. John Sagebiel, Director of Environmental Programs with the University of Nevada Reno, expressed his support for Truckee Meadows Earth Day. He noted there was much interest at the university and he wanted to see the event happen. He appreciated Ms. Thomas' willingness to work with the organizing committee.

19-0134 **AGENDA ITEM 7** Announcements/Reports.

Commissioner Lucey recommended the County bring the discussion about the U.S. 395 Coalition to the Regional Transportation Commission (RTC) and the Nevada Department of Transportation (NDOT). He reinforced Commissioner Jung's previous request to determine the California Department of Correction's position on this project.

Commissioner Lucey felt the Board of County Commissioners (BCC) did not have an extensive role in the budget process and wished the BCC had a greater involvement in budget hearings. He thought it was important for the Board, as representatives of the public, to participate in the budget process as opposed to simply approving budgets. He requested the County Manager bring a proposal that would allow greater involvement by the Board.

Commissioner Berkbigler remarked her granddaughter and grandson purchased a home in Lemmon Valley. Moving to a different topic, she thought a discussion of a possible government services tax (GST) should be held to determine how much revenue that tax might raise and which tax requests currently existed. She stated not discussing this was a disservice to the constituents.

Commissioner Jung requested an update on the Earth Day festivities because she heard the normal organizing group did not want to participate. Specifically she wanted an update on the non-profit status and who was leading the planning. She noted she took an extensive tour of the Swan Lake area and reiterated a prior request for a subject matter expert who could address questions that arose from that trip.

Commissioner Jung said she wanted a list of appointments for which the BCC was responsible as well as a breakdown of the current process. She pointed out there was a Consent Agenda item appointing a Public Administrator but she could not obtain a list of applicants other than the person recommended by the Manager. She noted the recommended person was not present and said the County experienced difficulty getting strong applicants because many were afraid of losing their other jobs. She felt a synopsis of the current process should be given to all Commissioners, after which she would request an agenda item on the topic.

Commissioner Jung opined baby boomers were very proactive when it came to senior services. She praised them for advocating that the BCC use tax dollars for active senior living.

Chair Hartung acknowledged Ms. Thomas was working on the Earth Day event. Regarding the U.S. 395 Corridor, Chair Hartung suggested reaching out to the California Department of Transportation to see how big a priority the project was. He pointed out it was the only route east of the Sierras and it needed to be addressed. He agreed with Commissioner Lucey's points about the budget process as well as Commissioner Berkbigler's request about possible uses for a GST. He stated he looked forward to receiving a matrix of possible solutions for Swan Lake.

Chair Hartung remarked there were no presentations by NDOT, the RTC, or the Sheriff at the first Citizen Advisory Board (CAB) meetings unless there was an emerging issue. He felt a conversation about CABS was needed. He brought up a concern about flashing lights at Calle De La Plata not being consistent with other lights on Pyramid Highway and directed staff to discuss it with NDOT.

19-0135 **AGENDA ITEM 5** Appearance: Dwayne Smith, Division Director Engineering & Capital Project Community Services Department Presentation and update regarding Washoe County's existing sanitary sewer capacities and capital improvement planning.

Division Director of Engineering and Capital Projects Dwayne Smith conducted a PowerPoint presentation and reviewed slides with the following titles: Topics; Utility Engineering & Operations; Washoe County Service Area; Sanitary Sewer Capacity Considerations; Sanitary Sewer Capacity – February 2019; Facility Planning and Future Schedules; CIP Activities – Partial List; Effluent Management Master Planning; Plan/Project Recommendation Process; Current Utility Considerations; Pleasant Valley Interceptor – Reach 4; Map; and Questions? Through the presentation he hoped to address some of the public's concerns regarding the proposed bond.

Mr. Smith noted the South Truckee Meadows Water Reclamation Facility (STMWRF) provided class A water to a number of establishments. He mentioned the Lemmon Valley facility discharged approximately 65 acre feet of water to the playa twice a year. He explained long-term sanitary sewer capacity had to reflect the planning component and the timing of new projects; this was accomplished through facility planning efforts in capital improvement project (CIP) development. He said the facility plan update, finalized in 2016, provided guidelines for how staff prepared for new development.

Regarding the Spanish Springs area, Mr. Smith mentioned County staff was working with the Cities of Reno and Sparks to review existing flows. Several different factors went into discussions about capacity: approved development final maps, tentative maps for anticipated development, and the availability of existing treatment and effluent management capacity. It had been determined that sufficient capacity was identified within the Truckee Meadows Water Reclamation system for anticipated development over the next five years. He indicated discussions were underway to define what the capacity was and how it might be distributed.

Mr. Smith stated long-range forecasting was based on patterns of growth, zoning, and evaluations of treatment plants and effluent management approaches. This enabled staff to make decisions and plan for long-term capital improvement projects while giving flexibility for development occurring in specific areas. He remarked they had to balance capital dependency with the responsibility to show benefits to both existing customers who paid user rates and new customers who paid development connection fees. He stressed staff did not lead growth, they responded to it.

Mr. Smith mentioned facility planning work was completed in Cold Springs but they were prepared to initiate an expansion phase of the County's Cold Springs facility based on growth. He described effluent management as a critical element associated with County facilities. He emphasized all new development was subject to a rigorous process of analysis and conditioning and he reviewed some of the steps in the process. He pointed out there were a number of shared areas where the County worked with the Cities of Reno and Sparks for treatment and conveyance.

Addressing the \$50 million bond issue that would be heard after his presentation, Mr. Smith commented there had been concerns about the use of connection fees. He said the County had recently initiated a new connection fee study, as had the City of Reno. The City of Sparks completed theirs and adjusted their fees as of January 1, 2019. He explained the Debt Management Commission was an oversight committee that ensured the County followed all policy requirements and the bond was specifically designated for three projects associated with the expansion phase of the STMWRF. He underscored the importance of having cash available in the event of an economic downturn. This was one reason they sought and the Board approved a loan request made to the State Revolving Fund.

Mr. Smith stated the Pleasant Valley project resulted in a gravity collection system through the residential areas. He explained Health Department codes would not permit someone to work on a septic system if they were within 400 feet of a sanitary sewer system; they would be required to connect to the municipal system. The agreement in 2016 included a force main that did not run through the neighborhood, thus not triggering that connection requirement. He clarified the \$50 million bond would not be used to pay for this; all on-site and off-site infrastructure was paid for by the developer. The agreement also required the payment of a surcharge for the Pleasant Valley Reach 3 portion of the collection system.

Mr. Smith displayed a map of the new Pleasant Valley Reach 3 Interceptor system, a copy of which was placed on file with the Clerk. Part of the \$50 million bond would pay for the construction of an interceptor system to take flows from the developer-built portion to another part of the system. He traced the prospective route of the Reach 3 portion and noted the project was being designed and constructed by Washoe County and funded by developer connection fees.

Chair Hartung felt there was a perception that upgrades to a healthy sewer system only pertained to new growth. He thought it was important to understand maintenance and upgrades were necessary. He told a story about 2,200 residents in Spanish Springs in the 1990s who needed to be connected to the sewer system. His recollection was residents could choose whether or not to hook up, but once a resident sold their home, that home then had to be hooked up to the sewer system. He stated his understanding was the County was not planning to run any mains into neighborhoods at this time. He expounded on his earlier story and said that requirement was placed by the Nevada Division of Environmental Protection in response to high levels of nitrates and pharmaceuticals in the water.

Chair Hartung inquired whether there would be a need to connect many people currently using septic systems to sewer services. He noted main lines would be needed nearby to accomplish this. He felt the Environmental Protection Agency would eventually require this as well as require A+ treated water from all treatment plants. Mr. Smith responded all utilities went through regulation changes and were given certain timeframes to allow for design and construction. He agreed they needed to keep an eye out in the future so they would be able to respond. Effluent management was something everybody expected of them. Chair Hartung stressed the importance of transforming effluent water from an expense to an asset, regardless of the level to which it was treated.

Commissioner Jung asked whether the STMWRF was used mainly by Reno and Sparks. Mr. Smith answered the STMWRF serviced Reno and Washoe County residents but not Sparks residents. When asked about the distribution of users, Mr. Smith estimated 60 percent of the users were from the City of Reno. Commissioner Jung asked why Reno was not carrying the bond. Mr. Smith said the City of Reno was responsible by agreement for transferring connection fees from new development within Reno areas, as well as transferring user rates to County rates. The County therefore would be responsible for the maintenance, operation, and expansion of the system to accommodate new

growth; Reno would pay Washoe County funds the County would otherwise have to collect. Commissioner Jung expressed frustration that the County was taking out the bond even though only 40 percent of the users were from the County. She requested the best practices across the nation for this scenario.

When asked by Commissioner Jung about how much Sparks' fees increased, Mr. Smith said he would come back to her with an answer. Commissioner Jung asked why it was County policy to react to developers rather than planning ahead and wondered whether it would be worth reconsidering this policy. Mr. Smith responded the operation, maintenance, and repair of infrastructure was expensive so the County did not build far in advance. Additionally developers were bound by the regional plan and specific area plans, which were already set.

Commissioner Jung inquired whether staff took the sewer system and water reclamation into account when recommending approval or denial of a development. Mr. Smith responded yes. Commissioner Jung brought up the Del Prado North development and asked whether Mr. Smith felt there was enough sewer capacity. Mr. Smith recalled that development was conditioned to connect to the City of Reno's Stead facility. In terms of capacity there, he indicated the City of Reno was in the middle of an expansion phase as well and they were reviewing effluent management strategies. The County was a part of those discussions.

Commissioner Jung sought clarification about flow shaving. Mr. Smith explained the City of Reno would construct a new force main and lift station to redirect flows for both Reno and County residents in Lemmon Valley to the Truckee Meadows Water Reclamation Facility.

Commissioner Jung asked whether the County used maps showing areas approved-but-not-yet-built when planning development and expansion. Mr. Smith said County consultants considered elements including zoning, land use types, and population forecasts, as well as the approved-but-not-yet-built maps. The Commissioner wondered why the County's water purveyor was not in the business of recapturing effluent water. Mr. Smith said the Truckee Meadows Water Authority (TMWA) was part of the regional effluent management plan and future changes with effluent would likely have a direct impact on TMWA. He added the American Flat Project in Lemmon Valley, which was a collaborative effort between the County, Reno, and TMWA, was attempting to do just that. Commissioner Jung felt TMWA should be active in water reclamation.

Chair Hartung agreed TMWA should be involved with a regionally-managed waste treatment process, noting Orange County acted as both waste treatment purveyor and water purveyor. He remarked TMWA could not do waste treatment by agreement.

Commissioner Berkbigler indicated the City of Reno was working on expanding its Stead Sewer Plant. She asked whether there were any discussions between Washoe County and the City of Reno to partner in a large treatment plant, allowing the

County to close its Lemmon Valley plant. Mr. Smith stated there was a conceptual study plan to consider options for the Lemmon Valley wastewater facility. Some options included leaving the plant as is, expanding the facility to handle existing and future customers, and removing the plant and sending existing customers to the Stead facility. Staff anticipated researching options and returning to the Board for direction.

Commissioner Berkbigler wanted confirmation that no current South Valleys resident on a septic system would be required to connect to the main sewer system as part of the work done resulting from the \$50 million bond. Mr. Smith responded the Pleasant Valley interceptor project conceived more than twenty years before had evolved. Part of that included a replacement agreement in 2016 that came before the Board for the St. James and Sierra Reflections developments. This was a project-specific solution which included a new force main which would not go through the neighborhood. This solution eliminated the possibility of residents with septic systems needing to connect to a municipal line. He pointed out there could be a scenario in the future spurred by new development or the desire of residents to have municipal sewer services. Easements had been acquired by the County over the years for that purpose but they were not being used.

Mr. Smith explained the \$50 million bond would be used for improvements to the STMWRF and to build the north portion of the Pleasant Valley Reach 3 interceptor. It was being paid for by the developer and eventually the infrastructure would then be dedicated to the County to operate and maintain. He confirmed the bond would be paid for by connection fees and not by taxpayers. When pressed by Commission Berkbigler about forcing residents to connect to municipal sewer lines, Mr. Smith responded the Health Department would be the one to do that, but in this case there were no gravity lines located in the Pleasant Valley area.

Commissioner Berkbigler sought confirmation the bond was not used to pay for a secret development in Pleasant Valley or Washoe Valley. Mr. Smith answered it was his job to make sure there was availability to connect to a system to direct flows to the County system for treatment; this was based on facility planning work and approved projects in that area.

Commissioner Lucey remarked any development in that area was not yet approved and only in planning stages. He asserted the lift station would utilize a high-pressure line that would not allow for connection by any Pleasant Valley residents, which Mr. Smith confirmed. Commissioner Lucey pointed out significant infrastructure would need to be put in place by the County before the valley could be supported. Mr. Smith said the 2016 agreement was a project-specific solution and it would be technically difficult to facilitate connections.

19-0136 **AGENDA ITEM 9** Recommendation to adopt a Resolution of Intent, proposing the issuance of, and authorizing the publication of notices relating to General Obligation (Limited Tax) Sewer Bonds (additionally secured by pledged revenues) in the maximum principal amount of [\$50,000,000] to acquire, construct, improve and equip sewerage projects as defined in NRS 244A.0505 within the County; providing the manner, form and contents of the notices thereof; providing other matters properly related thereto; and providing the effective date hereof. Manager. (All Commission Districts.)

County Manager John Slaughter reminded the Board this item would required a two-thirds vote of the Board.

Assistant County Manager Christine Vuletich stated the Board approved the County to apply for a state revolving fund (SRF) loan in December, which was the least expensive financing option available to the County. This was another step in the process of securing that loan. In January the Board directed the County Clerk to notify the Debt Management Commission (DMC) of the proposed bond issuance. She said the DMC determined there would be no impact to the ad valorem tax and approved the item. This item was to approve a Resolution of Intent to issue bonds, which would allow the County to issue a public notice. It would instigate a 90-day petition period, during which she would return to the Board for a public hearing on a bond ordinance. If approved, the intent would be to close the loan with the State at the end of May.

Ms. Vuletich said the SRF loan would require the County to go through the bond issuance process and the State would be the private purchaser of the loan. She reiterated the bond would be used for the expansion of the South Truckee Meadows Water Reclamation Facility (STMWRF), the Pleasant Valley Interceptor Reach 3 project, and lining the Huffaker Hills Reservoir. She indicated the bond would provide 78 percent of the \$63.9 million and additional funds would make up the rest. She remarked 90 percent of the bond would be repaid with connection fees; only the Huffaker Hills Reservoir lining project would be paid by ratepayers. This project would be an improvement of an existing facility and not an expansion.

Ms. Vuletich noted the documentation included was the same that was provided to the DMC and it demonstrated there would be sufficient coverage for the bonds. Further the coverage was projected to be more than twice the coverage needed. She commented the numbers were calculated in a conservative fashion, using an interest rate between 4 and 4.25 percent. She said current SRF interest rates were between 2.65 to 2.75 percent, meaning the annual debt service would likely be reduced by \$300,000. She described it as the best financing option for the County.

Chair Hartung commented 2.65 percent was a phenomenal rate. He asked what the term of the loan would be. Ms. Vuletich responded the term would be through 2052, noting the bonds would be issued in two parts. Chair Hartung explained the Huffaker Hills Reservoir lining was intended to stop seepage into the groundwater.

Commissioner Herman asked for clarification about whether this was the final time this item would be before the Board. Ms. Vuletich answered the Resolution allowed the County to publish a notice of intent to issue bonds. Bonds would not be finalized for another three months.

Commissioner Jung asked who would be responsible if there was not enough money to service the bond. Ms. Vuletich said the County would be responsible since the bonds were general obligation bonds, but the documentation showed there was more than adequate coverage on the bonds. Additionally there were cash reserves in the utility fund to stabilize connection fees in the event of a downturn even though a debt service reserve was not required.

Commissioner Jung sought clarification about the County's lien position in this scenario. Ryan Henry with Sherman & Howard responded there were no liens or encumbrances on an underlying property with revenue-backed general obligations (RBGO) such as this. There would be no foreclosure process. Instead, since it was public infrastructure, the County would own the sewer infrastructure and the bond was expected to be repaid with sewer revenues. Additionally a covenant in the forthcoming bond ordinance would allow sewer rates to be raised if necessary to repay the bonds. He stated there was no expectation that would occur, but the full faith of the County was pledged in the bonds so property tax could theoretically be used to repay the bond. He remarked entities often used RBGO bonds because of the credit rating they got for using them.

Commissioner Jung inquired about which taxpayers would be responsible for this. Mr. Henry it would be a combined pledge of the municipal sanitary sewer, storm sewer, and reclaimed water systems. He reiterated new development fees would pay for a large percentage of the bond but for credit purposes it would be a combined pledge of the entire sewer system. This was similar to any other municipality in the state and it would give the County a better credit rating. Pledging a narrower source of revenues would affect the credit on the bond, which was why it was a combined pledge.

Ms. Vuletich answered Commissioner Jung's query about who would receive a lower interest rate by stating the County would. The cost to borrow would be higher for the County if there was no general obligation pledge. Commissioner Jung mentioned this would be used to service a southern County reclamation district. Ms. Vuletich said the County operated a sewer utility and it was financing that.

Mr. Henry clarified the County could foreclose a sewer lien if developers did not pay connection fees. He said the sewer lien would be co-equal to a lien on property taxes. After a brief discussion, Mr. Henry confirmed the County would collect on a lien before the bank would. Additionally it was explained the County could attempt to collect from whoever did not pay sewer fees.

Marty Johnson with JNA Consulting Group clarified the County could put a lien on the home of someone who did not pay their sewer bill; it would be co-equal to the property tax. Any funds made from selling the property would be used to pay existing

property tax liens and unpaid sewer bills before anyone else received funds. He felt it would be unlikely for a property to be worth less than the amount of delinquent taxes.

Commissioner Jung asked whether the interest rate would last forever. Mr. Johnson responded the rate would be set once the bond issue was closed and it would not change unless refinancing was requested; the County would only do so to obtain a lower rate.

Commissioner Jung stated she would support the item but she requested additional education from the bond counsel, citing her unease at the state of the economy.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 9 be adopted and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

19-0137 **AGENDA ITEM 18** Discussion on Short Term Vacation Rentals within Unincorporated Washoe County and policy direction to staff to bring back ordinances regulating short term rentals ranging from a complete ban to licensing and placing conditions on such uses, and possible direction on the suspension of code compliance actions until completion and adoption of regulations. Manager. (All Commission Districts.)

Commissioner Lucey stated both he and Commissioner Berkbigler requested a discussion about this item since it affected a number of residents in Commissioner Berkbigler's district as well as the revenue collected by the Reno-Sparks Convention and Visitor's Authority (RSCVA), for which he was the Chair. He explained the intent of this item was to discuss what a future ordinance about short-term rentals might include. He stressed the policy would not be specific to one area but rather it would pertain to all unincorporated County areas. The Board would not vote on details of the ordinance at this meeting.

Chair Hartung noted he received several requests to delay the item but he said the Board was merely developing a framework and not taking a vote. Commissioner Lucey pointed out there would be a long process with multiple public meetings to obtain greater input.

Assistant County Manager David Solaro stated he sought input regarding vacation rentals since two chapters of the Washoe County Code were in conflict with each other. He stated code enforcement staff enforced Chapter 110, the development code, but there was a statement within that chapter that anything not enumerated in the code was essentially prohibited. Since there was no code dealing with rentals shorter than 28 days, the practice was interpreted as being illegal. However in 2007 the Board of

County Commissioners granted the authority to the RSCVA to collect a use tax on rentals of fewer than 28 days. There were no regulations to make these rentals safe.

Mr. Solaro remarked the first step was for the Board to verify the policy that transient lodging was allowed according the provisions in Chapter 25, which was created in 2007. He could proceed based on the Board's answer.

Assistant District Attorney Paul Lipparelli indicated he had met with several Commissioners and Mr. Solaro to discuss the concept of a regulatory scheme for transient lodging. Regarding Mr. Solaro's breakdown of the development code, Mr. Lipparelli said there was language describing the primary use being residential, so in his opinion there was room to have transient lodging in residential zones. He said the major point was for the Board to set the public policy on transient lodging. This was the opportunity to give staff direction about whether to regulate noise, parking, frequency, and proximity.

Mr. Lipparelli pointed out the instances of transient lodging already happening were revenue generators for the RSCVA, so reducing or eliminating that type of lodging would have an impact on that agency's funding. It would also affect the County, who received a portion of the room tax collected by the RSCVA. He opined the Board needed to balance the wishes of the community with the fact that it was already an existing revenue stream.

Mr. Lipparelli opined Board inaction on this topic would result in a lawsuit, either from someone operating transient lodging who was told they could no longer do so or from a neighbor who felt transient lodging did not belong in their neighborhood. He felt a lawsuit should not be the way to resolve the issue.

County Clerk Nancy Parent mentioned she received a letter from Mr. Paul Smith from Incline Village which she placed in the record.

Commissioner Lucey expanded on Mr. Lipparelli's comments and thought the Board needed to decide whether properties in residential areas which offered this kind of lodging needed to be changed to commercial use. He mentioned fire inspection was an important discussion as was the role of property managers. He stated this was not just an issue at Lake Tahoe as individuals in the North Valleys, Spanish Springs, and Palomino Valley could also have reasons to rent out their properties. He acknowledged the RSCVA collected a transient lodging tax but he expressed the desire for a fine structure for absentee lessors. He noted the City of Henderson was considering an initial policy and Washoe County could use that policy as a starting point in discussions.

Commissioner Lucey emphasized he did not want to see any kind of ban on rental properties in the County. He pointed out Lake Tahoe was a good draw for people to visit the community and home owners should not be excluded from sharing their homes. He indicated short-term rentals improved air quality and sacrificing short-term rentals could have a negative impact on tourism, resulting in financial suffering. He

pointed out there was only one hotel in the area and, without short-term rentals, people would not have a place to stay. He summarized the discussion should be about the Board drafting good policy which laid out how the County would interact with owners and renters.

Commissioner Lucey stressed the revenues were collected by the Washoe County Assessor and a number of agencies received a portion of the revenues, including the Cities of Reno and Sparks, Washoe County, and Incline Village. He wondered whether there would be a way to direct those room tax fees directly to the Affordable Housing Trust Fund; they were currently going into the general fund.

Commissioner Jung asked how many people in the unincorporated County were renting their homes. Mr. Solaro said the RSCVA was tracking those numbers and the County's third-party consultant would also start tracking online rentals. He wanted to have direction from the Board before spending too much time on research. He stated the RSCVA estimated there were almost 400 rentals in the unincorporated County.

Commissioner Jung asked for legal advice about the Board proceeding before an issue in South Lake Tahoe was decided in the courts. Mr. Lipparelli felt it was worth beginning the process because it would take a lot of work to identify available options.

Commissioner Jung requested a map where the rentals identified by the RSCVA were located as well as which agencies were receiving complaints. She recommended owners wishing to rent their homes should verify their safety in terms of smoke detectors, carbon monoxide detectors, and working windows.

Commissioner Berkbigler stated the issue was most prominent in Incline Village and around Lake Tahoe. She mentioned the Tahoe Regional Planning Agency (TRPA) received heavy pressure from people on the California side of the lake to implement regulations for vacation rentals. She expressed concern about the County abdicating its responsibility for its constituents and leaving decisions in the hands of the TRPA. She stated more than 100 people attended an open-forum meeting she and Commissioner Lucey held and it was believed a ban could not be enforced.

Commissioner Berkbigler agreed and stressed regulations were necessary because otherwise the County could get sued. She expressed concern that if the Board of County Commissioners did not resolve the issues, the TRPA would create their own fix-all, which she did not want to see. She listed several issues that needed to be addressed: parking, the number of people staying in residences, trash that attracted bears, and noise.

Commissioner Berkbigler recalled a request that guests could not use hot tubs after 9:30 p.m., to which she pointed out any change made to renters would also affect residents who owned hot tubs. She felt the solution was putting restrictions on the amount of noise allowed and giving the Sheriff's Office (SO) the ability to cite offenders. She suggested not only collecting fees through licenses paid by people who wanted to

rent out their properties but also issuing fines when regulations were not followed. She further suggested any renter who had residents commit multiple offenses could be issued heftier fines or be prohibited from renting for a certain period of time. She stated enforcement was the biggest issue. She did not think fire sprinklers should be required but she agreed smoke alarms, fire extinguishers, and exit maps should be provided.

Commissioner Berkbigler noted she reviewed and liked the regulations from the City of Henderson, as well as those from Mammoth Mountain and ski resorts in Colorado. She remarked communities with full bans on rentals, such as Clark County, still saw online rentals in those areas. She said bans did not work and she was not a proponent of them. While she described herself as someone who generally favored less government, she felt regulations were needed to protect citizens.

Chair Hartung pointed out his daughter's boyfriend lived across the street from a house which was rented for many big events. He said he supported an escalating fine structure that could also result in a loss of permit, saying it would create an impetus for homeowners to ensure regulations were followed. He added he received many emails from people who said they offered rentals as a source of income and it would be a detriment to take that away.

Commissioner Lucey agreed most rentals were at the lake but he issued a caution that the Board could not write codes specific for just those dwellings. He stated fire was indiscriminant. He indicated the Henderson regulations included a provision that owners would be self-inspected for compliance to fire codes. He reiterated the need for codes to be consistent for all residents. He underscored the importance of enforcement measures having weight, including issuing fines and giving the SO enforcement power. He recommended having a way for issues to be reported without using 911.

Commissioner Lucey commented one constituent rented out a single room, which would constitute a short-term rental in code. He cautioned against thinking of these as only vacation rentals; they were short-term rentals. He noted many owners were renting portions of their property to offset property taxes or mortgages and he felt the code needed to be drafted with this in mind.

Commissioner Berkbigler stressed all citizens needed a chance to review the draft regulations so another public meeting could be held to obtain input.

Commissioner Jung asked what the Cities of Reno and Sparks were doing so continuity throughout the County could be achieved. She opined students might move into unincorporated housing because it would be cheaper than on-campus housing. She requested staff research how annual inspections were enforced since she thought this was appropriate for people renting out portions of their real estate; otherwise the County might not know whether homes were compliant. She ultimately deferred to subject matter experts as to how often inspections would need to be done to ensure accountability even in the absence of complaints.

County Manager John Slaughter mentioned he had previously told Commissioner Jung the County did not receive room tax money. He corrected that statement, saying it received \$472,000 in 2018, only one percent of the total room tax collected in the County.

Commissioner Lucey reflected about the meeting hosted by Commissioner Berkbigler, noting citizens began the meeting favoring a ban. After the discussion, there was a consensus that protection was needed for residents of Incline Village as well as for the lake itself. He said there was no consensus on a ban.

Commissioner Jung requested information about how much money the County received from the RSCVA over the prior 10 years and where those funds went.

Mr. Solaro said he received notification during the meeting from the North Lake Tahoe Fire District that they were tracking 960 properties in Incline Village and Crystal Bay. He thought the discrepancy might have been caused by single locations being advertised on multiple websites.

On the call for public comment, Mr. Blane Johnson, owner of Sun Bear Realty and Management in Incline Village, said he was involved with the realtor community and the fire department. He stated good education helped his efforts with inspections. He stated all properties had inspections performed at least every year for safety, addressing many of the concerns voiced at the meeting. He voiced his support for vacation rentals at Lake Tahoe.

Mr. Mike Young, a realtor at Lake Tahoe and a property manager with Chase International, said renting a house was a basic property right. He felt a person could do three things with their home: live in it, sell it, or rent it. He stated he understood the County's need to remedy conflicting portions of the code and also neighbors' right to feel secure in their homes. He pointed out the issues mentioned were not unique to rentals and owners could also cause disruptions. He requested realtors be a part of the conversation to find common ground.

Ms. Katherine Snedigar said there were numerous homes near her with detached cottages which the owners wanted to rent out; the Board had not addressed that scenario. She thought it was a personal right to allow someone to rent a portion of their space. She said the Health Department and the Fire Department oversaw the safety of homes and claimed code enforcement always assumed property owners were wrong. She suggested neighbors contact owners with complaints and not the police.

Ms. Catherine Oppio said she rented her home in Crystal Bay for five years and she imposed her own time rules for her renters. She stated she was noisier than any of her renters and did not see vacation rentals as a problem. She stated she moved away from the lake for health reasons but kept the property so she could rent it. She said she only ever received one complaint and evicted those renters. She said she should be in control of her own property.

Commissioner Jung requested first responders and fire districts be involved with the development code team to provide input. She recommended seeing what South Lake Tahoe did in the court system first.

Commissioner Lucey agreed permanent residents were often problematic and renters unduly received much of the blame. He cited complaints about permanent residents in Incline Village parking boat trailers year-round. He said policy which targeted one individual should not be considered by the Board. Parking affecting one person should not matter but parking that prevented emergency responders from passing by should.

1:32 p.m. Commissioner Herman left the meeting.

Commissioner Lucey felt there were challenges with short-term leases longer than 28 days as well. He mentioned Palm Springs had a ban on short-term rentals yet properties were being leased for three months and a similar desire existed in Incline Village. He thought the conversation needed to be about being a good neighbor and addressing nuisance issues.

Commissioner Berkbigler agreed that issues were not always caused just by renters. She commented the problems were not as significant in Incline Village and Crystal Bay as they were in South Lake Tahoe. She felt nothing could be addressed without regulations. She stressed she did not want to make it too difficult for people to rent out their homes, but issues such as noise, disruption, and trash needed to be addressed. She said the County needed to work with realtors. She wondered whether it would be worthwhile to include a provision where an owner either needed to be within a two-hour drive of the property or have a local host. She moved to begin the process of drafting an ordinance or some regulations.

Commissioner Lucey seconded the motion with the caveat that the Board suspend any current co-compliance actions until adoption of policy regulations that addressed short-term rentals. The mover agreed, saying co-compliance was the County's problem.

Chair Hartung concurred and said regulations that were too complex were unenforceable.

Mr. Lipparelli sought clarity that the suspension of code enforcement was only related to transient lodging. The mover and seconder agreed it was.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried on a 4-0 vote with Commissioner Herman absent, it was ordered that the process of drafting an ordinance or regulations begin and the enforcement of any code ordinance related to transient lodging be suspended.

CONSENT AGENDA ITEMS – 8A THROUGH 5K2

- 19-0138** **8A1** Approval of minutes for the Board of County Commissioners' regular meeting of January 8, 2019. Clerk. (All Commission Districts.)
- 19-0139** **8A2** Approval of minutes for the Board of County Commissioners' regular meetings of January 15, 2019 and January 22, 2019. Clerk. (All Commission Districts.)
- 19-0140** **8B** Recommendation to approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2015/2016, 2016/2017, 2017/2018 and 2018/2019 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 \$31,301.51]. Assessor. (Commission Districts 1, 2 & 3)
- 19-0141** **8C** Recommendation to reject all bids for the Family Engagement Center Family Garden. Community Services. (Commission District 4.)
- 19-0142** **8D** Recommendation to approve the resolution to augment the Regional Permits Capital Fund in the amount of [\$44,455.24] from existing fund balance for the fiscal year 2019 budget, so that the cities of Reno and Sparks can be appropriately refunded the funds due to them; and authorize the Comptroller's Office to make the necessary budget amendments. Comptroller. (All Commission Districts.)
- 19-0143** **8E** Recommendation to approve the creation of one (1) new full-time Pretrial Services Officer II position, pay grade K443, and abolish two (2) part-time Court Master positions, PC #70004100 and #70004101, effective upon approval, and direct Human Resources to make the adjustments. District Court. (All Commission Districts.)
- 19-0144** **8F** Recommendation to approve a grant award of [\$3,700.00 No County match required], made possible by Maddie's @ Pet Project for Nevada, thanks to Maddie's Fund and the Dave and Cheryl Duffield Foundation, to cover expenses for Shyanne Schull, Director of Regional Animal Services and Tammy Wines-Jennings, Assistant Director of Regional Animal Services, to attend the Humane Society of the United States (HSUS) Animal Care Expo held in New Orleans, LA on April 15-18, 2019, and any unused funds, post travel, may be utilized for the Washoe County Regional Animal Services' outreach program which may include providing dog or cat food, vaccinations or veterinary care for the pets of low-income seniors; if approved, direct the Comptroller's Office to make the necessary budget amendments. Animal Services. (All Commission Districts.)

- 19-0145** **8G** Recommendation to approve request to increase petty cash fund from [\$1,500.00 to \$2,000.00] for the Washoe County Sheriff's Office; and, if approved, authorize Chair to execute Resolution for same. Treasurer. (All Commission Districts.)
- 19-0146** **8H1** Recommendation to approve a professional services agreement between Washoe County and Martin-Ross and Associates LLC for service of legal process papers involving the business of the District Attorney's office [approximately \$140,000 annually] for Fiscal Years 2019 and 2020 with the option for 3 one-year extensions; and if approved, authorize chairman to execute agreement. District Attorney. (All Commission Districts.)
- 19-0147** **8H2** Recommendation to approve payments totaling [\$17,972.77] to vendors for assistance of 90 victims of sexual assault and authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims and other eligible persons. District Attorney. (All Commission Districts.)
- 19-0148** **8I1** Recommendation to Approve Interlocal Cooperative Agreements (ICA) and acceptance of a contribution of [\$2,500] from the Pyramid Lake Paiute Tribe (PLPT) and [\$5,000] from the City of Sparks for a Regional Hazard Mitigation Plan (RHMP) and direct the Comptroller's Office to make appropriate budget amendments. Manager. (All Commission Districts.)
- 19-0149** **8I2** Recommendation to appoint Tracey Bowles as Washoe County Public Guardian effective March 11, 2019 for a four year term with an annual salary of [\$107,016.00] in accordance with Nevada Revised Statute 253.150. [Fiscal impact \$0]. Manager. (All Commission Districts.)
- 19-0150** **8J1** Recommendation to acknowledge Receipt of Status Report of Commissary Fund submitted by the Washoe County Sheriff's Office Commissary Committee for Second Quarter for Fiscal Year 18/19. Sheriff. (All Commission Districts.)
- 19-0151** **8J2** Recommendation to approve and authorize retroactive Non-County Employee Travel Expenses of [\$506.96, no cost to the County] using federal forfeiture funding on November 14, 2018 for Sheriff Elect Balaam to attend the quarterly Nevada High Intensity Drug Trafficking Area (HIDTA) board meeting in Las Vegas to prepare for the transition of the change in Elected Sheriff of the Washoe County Sheriff's Office. Sheriff. (All Commission Districts.)

19-0152 **8K1** Recommendation to approve a one-year grant agreement in support of Transportation for Vulnerable Populations in Washoe County between Washoe County and non-profit Access to Healthcare Network (AHN) in the amount of [\$50,000] retroactive for the period of July 1, 2018 through June 30, 2019 and approve the Resolution necessary for same. Human Services Agency (All Commission Districts.)

19-0153 **8K2** Recommendation to approve an Interlocal Agreement between Washoe County and the State of Nevada, Department of Health and Human Services Division of Child and Family Services to facilitate the interface between Prime Software System and Unity [no cost to County]; effective for one (1) year upon approval and shall renew annually without intervention until terminated by any party as set forth in this Agreement. Human Services Agency. (All Commission Districts.)

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

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried on a 4-0 vote with Commissioner Herman absent, it was ordered that Consent Agenda Items 8A through 8K2 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 8A through 8K2 are attached hereto and made a part of the minutes thereof.

1:41 p.m. **Commissioner Herman returned.**

BLOCK VOTE – 10, 11, 12, 13, 14, 15, 16, 17

19-0154 **AGENDA ITEM 16** Recommendation to approve a Subaward Agreement between Washoe County and the Washoe County School District to pass through Title IV-E federal funds in the amount of [\$450,000], for a retroactive grant period from July 1, 2018 to June 30, 2019; and approve resolution necessary for same. Human Services Agency. (All Commission Districts.)

Commissioner Jung questioned why her documentation indicated this item was sponsored by Senior Services as this item dealt with transportation. She mentioned she had never seen sponsors listed on an item. Chair Hartung agreed some of his paperwork said the same thing.

Human Services Agency Director Amber Howell stated the Children's Services Division received Title IV-E funds, which then passed through to the Washoe County School District for foster care transportation to schools. Commissioner Jung stressed this item had nothing to do with Senior Services.

Assistant District Attorney Paul Lipparelli clarified what mattered was the language of the agenda title as it was published. He indicated the title was read and the

confusing language was included in the supplementary information below the title. It would not constitute an open meeting law issue since the title was fine as published. He added it would be appropriate for the Board to act on this item if desired.

There was no response to the request for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

19-0155 **AGENDA ITEM 17** Recommendation to award Request for Proposal (RFP) No. 3077-19 for the Continuity of Operations (COOP) Planning and Training Vendor to the most responsive and responsible bidder, Ankura Consulting Group, LLC, in the amount of [\$165,000] and if approved, authorize the Purchasing and Contracts Manager to execute the contract. Manager. (All Commission Districts.)

Commissioner Jung asked for clarity regarding the Continuity of Operations Planning and Training Vendor because she did not know from reading the agenda what they did or how they did it. She wanted to know whether this item utilized a request for proposal (RFP) process.

Assistant County Manager Kate Thomas said the Office of Emergency Management did an RFP to search for a vendor to consider continuity of operations, which helped determine whether the County could perform vital functions in the event of an emergency. The vendor helped update the continuity of operations plan.

Commissioner Jung reiterated a prior request for agenda item titles to be clearer since open meeting law and a growing community demanded the agenda be easily understood.

There was no response to the request for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 17 be awarded and authorized.

19-0156 **AGENDA ITEM 10** Recommendation to: 1) award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Forensic Science Tenant Improvement Project at the Washoe County Sheriff's Office [staff recommends K7 in the amount of \$357,157]; and 2) approve cross-fund appropriation transfers to provide additional funding for the construction bid, technology infrastructure, and project contingency (20%) [in the amount of \$200,000], including the use of General Fund Contingency if needed [in the amount not to exceed \$40,000]; and 3) if approved; direct the Comptroller's Office to make the appropriate cross-fund appropriation transfers [impact to County Budget is zero]. Community Services. (Commission District 3.)

There was no response to the request for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10 be awarded, approved, and directed.

19-0157 **AGENDA ITEM 11** Recommendation to approve award of bid for Washoe County Bid No. 3066-19 for Independent Audit Services to Eide Bailly LLP., for an initial contract period of three (3) years effective February 2019, with the provision of two (2) subsequent one-year renewals at a cost of [\$130,000] for the first year with estimated annual increases of approximately 4% per fiscal year. Comptroller. (All Commission Districts.)

There was no response to the request for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 11 be approved.

19-0158 **AGENDA ITEM 12** Recommendation to approve Interlocal Contract between the Department of Health and Human Services (Division of Health Care Financing and Policy) and the County of Washoe (Juvenile Services) to authorize Juvenile Services to accept Targeted Case Management reimbursements for FY 2019-2022 services from Nevada Medicaid. The Department [estimates reimbursements of \$30,000 to \$50,000 per month]. Juvenile Services. (All Commission Districts.)

There was no response to the request for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 12 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

19-0159 **AGENDA ITEM 13** Recommendation to approve the 2017 Continuum of Care Grant Agreement for the Shelter Plus Care Program from the United States Department of Housing and Urban Development (HUD) in the amount of [\$112,128; \$27,552 county match], retroactive to August 1, 2018 through July 31, 2019; authorize the Department to execute the Grant Agreement; authorize a Subgrant Agreement for Continuum of Care services between Washoe County and Volunteers of America, Greater Sacramento and Northern Nevada, Inc., [in an amount not to exceed \$172,403], approve Resolution necessary for same; direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

There was no response to the request for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be approved, authorized, and directed. The Resolution for same is attached hereto and made a part of the minutes thereof.

19-0160 **AGENDA ITEM 14** Recommendation to approve the FY19 Community Case Managers grant from the State of Nevada Division of Public and Behavioral Health (DPBH) to assist clients with a serious mental illness moving from chronic homelessness into transitional and permanent housing in the amount of [\$240,000; no county match] retroactively from October 1, 2018 through September 30, 2019; authorize the Director of Human Services to execute the grant; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts)

There was no response to the request for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 14 be approved, authorized, and directed.

19-0161 **AGENDA ITEM 15** Recommendation to approve Amendment #5 to the Agreement for Child Protection Facility Operator at the Kids Cottages which will extend the current contract for up to 90 days effective March 1, 2019 - May 29, 2019 with the current vendor Core Dynamics, LLC, formally known as Adams and Associates, LLC, in an amount not to exceed [\$715,000] thereby allowing time for the Human Services Agency (HSA) to conduct good faith contract negotiations to determine the viability of a potential contract award under Request For Proposal (RFP) 3079-19, titled “Child Programs Facility Operator at the Kids Cottage Campus;” and authorize the Purchasing and Contracts Manager to sign the Amendment #5. Human Services Agency. (All Commission Districts)

There was no response to the request for public comment.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 15 be approved and authorized.

19-0162 **AGENDA ITEM 19** Introduction and first reading of an ordinance establishing the Washoe County Affordable Housing Trust Fund and providing that the fund will receive monies from various sources to be used consistent with a later publically-approved plan to facilitate the supply of housing affordable to households of low income. If supported, set the public hearing for second reading and possible adoption of the Ordinance for March 26, 2019. Manager. (All Commission Districts.)

Nancy Parent, County Clerk, read the title for Bill No. 1818.

Assistant County Manager Kate Thomas reminded the Board that on August 28, 2018 Commissioner Jung recommended two hours of staff time to research this issue. On November 27, 2018, staff received direction from the Board which was incorporated in the ordinance. She summarized section 1 outlined the purpose of the Affordable Housing Trust Fund (AHTF). Pursuant to direction received in November, the AHTF would not provide rental assistance like the Washoe County Home Consortium (WCHC) did. Instead money would be used to improve the supply of housing projects affordable to households of low income.

Ms. Thomas noted section two of the ordinance dealt with the administration. She recalled the discussion in November where it was determined the WCHC would be the representative for the region since they were experts. The ordinance gave staff flexibility and, after it was passed, they would contract with the WCHC. She indicated the Consortium approved the item earlier in the month and were moving forward at the technical review committee. She said they would be the authority to govern the appropriation of funds.

Ms. Thomas stated section three dealt with the funding source, though no funding source was named at this time; the ordinance set up the framework for those funds to come in. Once it was determined which public funds to use, they would be deposited with the Community Foundation of Western Nevada. She added staff did not want to wait until deciding which funds to use in case there were bequests, donations, or private investments.

Ms. Thomas indicated the plan to disburse funds would come before the Board. The plan would establish a solicitation and award process administered by the WCHC, which would enable the Board to continue to govern the fund. She explained the plan was not included in the ordinance to allow more flexibility to adapt to the changing needs of the community. She said the intent was to reflect those goals and publicly-adopted housing plans in the region in the plan.

Ms. Thomas stated section five explained all land in Washoe County would be included in the AHTF, not just unincorporated areas. She mentioned the fund's performance would be reviewed annually by the Board to determine whether adjustments needed to be made and to celebrate successes. She thanked Acting in Community Together in Northern Nevada, the District Attorney's Office, and the WCHC.

Chair Hartung pointed out he did not see anything about rent assistance. Ms. Thomas replied that was being performed by the WCHC; the AHTF would be used to incentivize large projects.

Commissioner Herman indicated she supported the bill but wondered if there was a legal description of affordable housing. Ms. Thomas said the priority for projects would be given to low-income households, or those making 80 percent or less than the median income level. Very low-households were 50 percent or less. She anticipated projects with higher levels of affordability would get higher preference to receive money from the AHTF.

Chair Hartung wondered whether debt structure would be factored into affordability, giving the example of a student who made \$4,000 a month but owed \$2,500 in student loans. Ms. Thomas said the fund would focus on the projects themselves and not the renters. The County would look to the WCHC to determine the affordability level of projects. Chair Hartung clarified obligations were not always due to improper spending and said affordable housing was an issue for students.

On the call for public comment, Ms. Megan Rockefeller with the Human Services Network said she supported the AHTF because the housing crisis prevented families from being food secure. She the amount of people pushed into homelessness would only increase the longer the crisis continued. She urged the Board to help by establishing the fund.

Ms. Jessica Wise, representing the Food Bank of Northern Nevada, thanked the Board for their work on the fund. She agreed the housing crisis was

impacting families' abilities to maintain food security. She asked the Board to help the most vulnerable populations by supporting the AHTF.

Ms. Pam Roberts stated her father was a Korean war veteran who lived in subsidized housing in Reno; without this he would not have been able to live near her. She complimented the Board for thinking ahead and encouraged the Board to consider housing projects near public transportation. She recited a quote from Hubert H. Humphrey about taking care of children, the elderly, and the needy.

Mr. J.D. Klippenstein stated there was no local component for the affordable housing issue which prevented the completion of projects. He cited a statistic that every dollar invested by a County in an affordable housing trust fund leveraged an additional \$8.50. This helped more projects get built. He remarked the second reading was scheduled for March 26, which was housing and homeless awareness day. He requested changing the date of the second reading to April 9 to allow advocates to attend the second reading.

Mr. Erik Holland explained he lived in subsidized housing which enabled him to live in the area without fear of eviction. He defined affordable housing as housing which could be sustained with a full-time minimum-wage job. He presented a copy of a movie to the Board written by a loftmate of his. Chair Hartung accepted the gift on behalf of the County and said it would be available through the Manager's Office. Mr. Holland thanked the County for the free lunch at the Senior Center. He expressed concern about emergency rooms being filled with homeless residents who he felt should be in mental health facilities. He expressed support for the AHTF.

County Clerk Nancy Parent said she received a letter from Mr. Altmann with A Better Building Company, which she placed on the record.

Commissioner Lucey thanked staff for the time they invested in this, which he declared a testament to what local government should be doing. He felt it would benefit the community as a whole and there had been an outpouring of support. He looked forward to finding potential revenue sources to support the initiative since there were challenges finding housing in the region. He thought the work being done with the Northern Nevada Adult Mental Health Services campus would address many of those concerns.

Chair Hartung asked about the flexibility of the second reading date. Assistant District Attorney Paul Lipparelli responded Nevada Revised Statute mandated the procedure for the adoption of ordinances, which required an introduction and first and second readings. He said there was no mandated timeframe for the second hearing though there could be issues if notice of the second hearing was already published. Chair Hartung stated the hearing would proceed as planned because it was more of a formality to finalize the process

Commissioner Jung said staff set the timing on these issues and she did not want to get in the habit of managing the agenda. She reassured Mr. Klippenstein the ordinance could not be changed in any material way before adoption. She said staff would reach out to advocates if anything changed but thought delaying the second reading was not in the best interest of anyone in the community.

Bill No. 1818 was introduced by Commissioner Jung, and legal notice for final action of adoption was directed.

19-0163 **AGENDA ITEM 20** Public Hearing: Second reading and adoption of an ordinance amending the Washoe County Code at Chapter 110 (Development Code) within Article 810, Special Use Permits, Section 110.810.60(a)(3)&(4) Modifications of a Special Use Permit, to update the reference to the department name in that section to Planning and Building Division; and to change two of the requirements for the director to approve modifications of approved special use permits that involve “more” than a 10% increase in the floor area covered by existing structures associated with the use, and “more” than a 10% increase in site area covered by the use, by replacing the word “more” with the word “less”; and for other matters necessarily connected therewith and pertaining thereto. Community Services. (All Commission Districts.)

Nancy Parent, County Clerk, read the title for Ordinance No. 1630, Bill No. 1817.

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Ordinance No. 1630, Bill No. 1817, be adopted, approved and published in accordance with NRS 244.100.

19-0164 **AGENDA ITEM 21** Public Hearing: Possible adoption of resolution adopting Master Plan Amendment Case Number WMPA18-0008 (Warm Springs Specific Plan) - Which amends the Washoe County Master Plan, Warm Springs Specific Plan to eliminate “Appendix G - Financing Plan.” The financing plan was meant to serve as the mechanism for funding a variety of community infrastructure items in the Warm Springs Specific Plan Area over time, including roads, community water or sewer services and limited recreation (parks) and fire and police facilities. Since 1995 when the plan was adopted, it has required developers to pay fees to the County for future use in the construction of the infrastructure based on a formula per unit. Currently, only \$796,000 is available for use under the financing plan, but little or none of the contemplated infrastructure has been built due to a lack of adequate funding and/or need, and funds are in the process of being refunded to current property owners. The Board may adopt, not adopt, or modify the Master Plan Amendment. The affected area is the Warm Springs Specific Plan (WSSP) of the Warm Springs Area Plan. And if approved, authorize the Chair to sign the resolution adopting the amendment, subject to favorable conformance review by the Regional Planning authorities. Community Services. (Commission District 5.)

On the call for public comment, Ms. Sharon Korn, resident of the Warm Springs/Palomino Valley area, said she attended a meeting on October 19 where the County sought public input. She read several quotes which stated the financing plan should not be removed until the area plan was updated and developers who recorded final maps should be held responsible for constructing improvements. She said developers were putting in small clusters of homes but not any infrastructure. She pointed out the master plan said the risk of flooding from winter snowmelt and summer cloudburst was high. She showed a map of flood areas and reviewed pictures from the February 14 flooding event, copies of which were placed on file with the Clerk.

Ms. Pam Roberts, a resident of the Warm Springs Special Plan Area (SPA), pointed out her home was not flooded but both roads leaving the area were. She said the financing plan was meant to address roads, flood mitigation, and drainage systems, and without that there would be problems. She said SPA documents contemplated major development would build out roads and drainage, and the homeowners association (HOA) would assume responsibility for maintaining those private roads. She said there was no HOA and people did not want one. She claimed the Palomino Valley General Improvement District (PVGID) was responsible for maintaining the roads leading to the SPA but they said they were not responsible for roads in the SPA. She said the PVGID was underfunded and could not keep up with maintenance on 95 miles of roads. She asked for a commitment from the Board to require planning staff to address the revision of the Warm Springs Specific Area Plan.

Ms. Susan Ambrose stated the Warm Springs Community Task Force came before the Board in June 2018 and they hoped to see finalization of the finance plan at this meeting. She reviewed a number of pictures of flooding, copies of which were

placed on file with the Clerk. She mentioned residents lost a substantial amount of property and the flooding of Cottonwood Creek would cause a big cost to the PVGID. She expressed concern about flooding impacts that could result from future development.

Ms. Katherine Snedigar commented well casings for houses in the area were built four feet above grade to protect wells from becoming contaminated yet houses were not built above grade. She claimed four feet of water flooded the area in the 1980s and expressed frustration there was no protection for homeowners there or in Lemmon Valley. She said the money taken from individuals was to be used to mitigate flooding concerns.

County Clerk Nancy Parent stated notice of the hearing was provided by the Community Services Department and she would place it on the record.

Commissioner Herman stated there was a problem with flooding in the County and she thought it was time to rethink planning in certain areas. She thought people were being put in danger and the Board should not allow developers to develop in areas that could cause danger to people.

Chair Hartung asked Assistant District Attorney Paul Lipparelli what the Board's options were with this item. Mr. Lipparelli explained the item was to change the master plan including the WSSP and Appendix G of the Specific Area Plan. He said the financing plan did not work and if it remained the County would need to continue collecting fees from developers pursuant to development agreements. Those fees would sit in an account because there was not enough to fund the backbone infrastructure envisioned in the original plan.

Mr. Lipparelli further explained litigation in this matter had resulted in a court order which declared the fees to be impact fees, something they were never intended to be. As such they could only be held for ten years, at which point they would need to be refunded. He remarked staff's recommendation was to remove the financing plan so it would not continue to create this problem. The second step would be to examine the Warm Springs Area Plan since it had not been amended in 25 years, but that was not on the agenda. This item was the first step.

Commissioner Lucey felt the intent was good but perhaps it was poorly executed. He said this was a finalization of a problem that needed correction and he thought this was a way to address the concerns brought up by Commissioner Herman. He felt the financing plan did not benefit residents of the SPA in any way and said he would move to adopt the Resolution.

Commissioner Herman indicated she understood the history of the situation but wanted a guarantee the item would not change anything except the financing plan. She wanted to work on a new plan with the involvement of the people in that valley.

Commissioner Berkgigler agreed the master plan needed revision and thought the motion listed in the staff report addressed that by adopting the resolution to remove the financing plan and also directing staff to submit a master plan amendment to the Truckee Meadows Regional Planning Agency for review. She thought that would be the appropriate time to ask the planning agency to review the master plan.

Senior Planner Roger Pelham corrected Commissioner Berkgigler's assertion, saying the update of the master plan would take place after the financing plan was removed. He would return to the Board to request the initiation of work on the Warm Springs Area Plan and the WSSP. He assured the Board it would be an extensive process with substantial public input.

Commissioner Berkgigler said Commissioner Herman's concerns were valid and the Board did not want to create another Lemmon Valley situation.

Chair Hartung stated he looked forward to a plan update including elevating pad sites above the base flood elevation. He indicated the same flooding situation used to happen in Spanish Springs but that was dramatically reduced with a storm water utility at the expense of residents in the valley.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that the Resolution included as Attachment A to the staff report be adopted, which adopted Master Plan Amendment Case Number WMPA18-0008 (Warm Springs Specific Plan), and staff be directed to submit Master Plan Amendment Case Number WMPA18-0008 (Warm Springs Specific Plan) to the Truckee Meadows Regional Planning Agency for review for conformance with the Truckee Meadows Regional Plan. The Resolution for same is attached hereto and made a part of the minutes thereof.

19-0165 **AGENDA ITEM 22** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and Truckee Meadows Fire Protection District per NRS 288.220.

County Manager John Slaughter said there was no need for a closed session.

There was no public comment on the item.

19-0166 **AGENDA ITEM 23** Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County, Truckee Meadows Fire Protection District, 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. Manager. (All Commission Districts.)

County Manager John Slaughter said a legislative report was distributed to the Board and a copy was placed on file with the Clerk. He noted staff would watch Assembly Bill 220, which would provide for issuance of \$8 million in bonds at the State level for environmental improvement programs at Lake Tahoe. He asked if there were questions about any of items listed in the report. Commissioner Lucey retorted everything could remain status quo at this time.

Mr. Slaughter said updates would be provided to the Board as items progressed.

19-0167 **AGENDA ITEM 24** Public Comment.

Mr. Ray Lake, Chair of the North Valleys Citizen Advisory Board (CAB), clarified a statement he made earlier in the meeting, saying he did not mean to imply various agencies appeared at every CAB meeting. He said the Sheriff's Office (SO) would send someone when they had someone available. He noted a Sheriff once came to make a presentation but it was not listed on the agenda. Another meeting was cancelled but the Sheriff showed up because he had not been notified. Mr. Lake said he had requested a Sheriff's presentation item be placed on every agenda but was told it would not be placed on any agendas anymore. He gave examples of other agencies who expected to make presentations but did not appear on agendas. He pointed out the Reno Ward 4 Neighborhood Advisory Board had quarterly presentations made by the Reno Police Department and thought something similar with the SO would be great with the understanding that their first priority was public safety. He requested control over and flexibility with the agenda.

Ms. Katherine Snedigar echoed the sentiment for CAB meetings to allow for discussion of topics like flooding and roads. She pointed out Assistant District Attorney Paul Lipparelli provided an initiation at a CAB meeting where he stressed the importance of having regular meetings. She asked why the SO could not make presentations and expressed concern about contractors recording meetings. She requested CAB meetings occur on the same day every month and they follow agendas drafted by the Chair and the CAB Board.

19-0168 **AGENDA ITEM 25** Announcements/Reports.

Commissioner Herman echoed the statements made by the public and said she hoped to return to the old Citizen Advisory Board (CAB) format. Commissioner Berkgigler asked County Manager John Slaughter why an item about CABs had not appeared on an agenda because these complaints needed to be addressed.

Chair Hartung stated he did not want to be in violation of the Open Meeting Law (OML), which he described as a hobbling set of rules, by sanctioning CABs. He suggested other formats such as open community forums and welcomed a further discussion on the topic.

Commissioner Lucey indicated he had discussions with Reno Mayor Hillary Schieve and Sparks Councilman Ed Lawson about working together on special events and event funding. Discussions included whether these responsibilities should fall solely on the Reno-Sparks Convention and Visitor's Authority (RSCVA) or a combination of the RSCVA and a municipality, as well as procuring police forces. He wanted staff to participate in these discussions.

Chair Hartung asked whether Commissioner Lucey was suggesting having a joint meeting between the County and the municipalities. Commissioner Lucey replied that might not yet be necessary but he suggested a Memorandum of Understanding between the three entities deferring all special events to the RSCVA might be appropriate. He mainly wanted to note these discussions would be happening and wanted staff to engage Reno, Sparks, and the RSCVA.

Commissioner Jung expressed concern with the CABs and thought citizens needed to be better educated that it was the Sheriff's Office's job to decide whether to send officers to meetings. She agreed they should be on the agendas. She wanted staff to return with three options regarding CABs. She felt the Board needed to use the CABs to advise them like they used the Regional Parks and Open Space Board and the Animal Control Board. She looked forward to having multiple CABs in her district.

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3:02 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, 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