

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

TUESDAY

10:00 A.M.

MAY 12, 2020

PRESENT:

Bob Lucey, Chair

Marsha Berkbigler, Vice Chair

Kitty Jung, Commissioner (via telephone)

Vaughn Hartung, Commissioner (via Zoom)

Jeanne Herman, Commissioner

Jan Galassini, Chief Deputy County Clerk

Eric Brown, County Manager

David Watts-Vial, Assistant District Attorney (via telephone)

The Washoe County Board of Commissioners convened at 10:01 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:

20-0286 AGENDA ITEM 3 Public Comment.

Chief Deputy County Clerk Jan Galassini read public comments submitted by Alferd and Katie Knepper via email, a copy of which was placed on the record. The Kneppers expressed concerns regarding zoning changes which would allow a single-family residence on Ponderosa Drive in Sparks to be converted to a multi-family group care facility. The email discussed properties in the Ponderosa Drive area which had been given to Washoe County by the City of Sparks. The Kneppers alleged the City had admitted to making multiple errors with code and zoning issues, but later told them these issues were now the responsibility of the County. A photo of the property in question was provided in the email, depicting a dirt pile that had been on the property for months, trash cans left on the street five days after trash pickup, dead trees, a weed-choked lawn, and indiscriminate parking on what used to be a lawn area. The Kneppers indicated their protest of the multi-family group care facility was not against the mission of Safe Embrace, but had everything to do with proper planning and zoning.

A voicemail from Ms. Annemarie Grant was played in which she expressed disappointment regarding the number of officer-involved shootings in Washoe County over the past year. She asked why a man who had been shot nine times was currently in jail rather than at a hospital, and she expressed concerns about either the Sheriff's Office staff or Naphcare not providing the man with adequate health care. She indicated it was the Board's job to protect inmates but staff had waited ten minutes before starting cardiopulmonary resuscitation on her brother. She called on the County's elected officials to demand transparency from local law enforcement and District Attorney Chris Hicks.

Ms. Grant said 75 people had died during interactions with police in Washoe County since 2000, and she insisted it was time to make change happen.

A voicemail from Mr. Daniel Purdy was played. He identified himself as the brother of Thomas Purdy, Jr. and indicated the Board should be concerned about community member deaths in officer-involved shootings as well as accountability and transparency. He wanted to know why none of the taxpayer-funded police body camera footage had been released from officer-involved shootings and he opined the Board needed to start asking the District Attorney these questions.

20-0287 **AGENDA ITEM 4** Announcements/Reports.

County Manager Eric Brown advised Agenda Item 12 had been pulled from the agenda due to a public noticing error. He thanked Aaron's Furniture for their generous donation of 40 mattresses for the Our Place campus and he acknowledged Meals on Wheels for its funding of additional senior meals to aid in the County's emergency response to the COVID-19 (C19) pandemic.

Mr. Brown stated C19 efforts were winding down. He thanked the incident management team, led by Incident Commander Sam Hicks, saying they had done a great job making sure the region was prepared. The team was now working with the state lab and local hospitals to expand testing capacity, Mr. Brown said, and planning was underway to begin testing public safety workers, including employees of the Sheriff's Office, local police departments, and medical workers throughout the county. Testing kits were also being deployed for vulnerable populations such as the elderly and individuals living in group homes, and he hoped County employees could be tested before returning to the workplace, which was estimated to be in early June. Mr. Brown reminded the public it was important to wear face masks, continue frequent hand washing, and avoid unnecessary travel whenever possible, especially during the upcoming Memorial Day holiday weekend.

Commissioner Herman indicated she received many calls and emails regarding Agenda Item 17 from constituents in Pleasant Valley who felt the temporary closure of the Commission Chambers to members of the public had limited their ability to share public comments. She noted some had requested the hearing be postponed until everyone could attend in person; she requested the Board discuss the issue further.

Vice Chair Berkbigler described driving past Wildcreek Golf Course and seeing no one out golfing. She mentioned the course operator no longer felt business was sustainable after the C19 crisis and economic shutdown. She understood staff was seeking another operator for the golf course and requested a report on their progress.

Commissioner Jung thanked Chair Lucey, whom she felt had been a leader in the County and the State in helping reduce the spread of infection with temporary closures. She stated she began her own social distancing three weeks before the shutdown and she believed Chair Lucey's careful approach saved lives and helped protect vulnerable individuals such as her elderly parents. Commissioner Jung thanked Mr. Brown, expressing

appreciation for his subject matter expertise in healthcare and his calm approach to the C19 crisis. She thanked the Incident Command Team members for their work and communications staff for providing clear and concise updates despite plenty of conflicting information.

Regarding Commissioner Herman's comments on Agenda Item 17, Commissioner Jung felt more outreach was needed from both the County and the Governor's Office to constituents who felt their options to share public comments were limited during the C19 pandemic. She explained standard operating procedure for public hearings would be different for the foreseeable future, but hearings could not simply be postponed until a cure or vaccine became available. She commented it was not as simple as just flipping a switch and reopening the Chambers to the public. She understood some felt it more convenient to provide public comments in person, but she disagreed, noting there were now more ways than ever for constituents to share public comments remotely, such as attending meetings via Zoom, sending an email, leaving a voicemail, or even sending a letter. Commissioner Jung also opined controversial topics should not be heard by the Board prior to 6:00 p.m. to provide more opportunity for constituents who worked during regular business hours to participate.

Commissioner Jung pointed out people were stressed out. She requested leaders be more conscious of how they spoke to staff and others during this difficult time. She wished there had been more public education and discussion regarding changes in emergency triage if infection rates continued to increase and local hospitals became filled to capacity with C19 patients. She worried car accident victims or people with broken bones could be turned away from emergency rooms (ERs) whenever their needs were not absolutely critical. For a population used to being quickly rescued by the Regional Emergency Medical Services Authority and taken to the ER, she said, it would be a true emergency if infections spiked in June and families wound up being turned away for lack of hospital beds. She thanked Chair Lucey again, saying she knew he had lost a lot of sleep during the crisis.

Commissioner Hartung knew much hard work had been put into Phase 1 of reopening, and he thanked the Local Empowerment Advisory Panel for the work they and others around the state had put into reopening preparations. He expressed gratitude for the haircut he received on Saturday, saying the experience had been a model of what reopening should look like: clients waited in their cars to be contacted by the barber, everyone wore masks, staff constantly sanitized all surfaces, and the interactions were quick and easy. Commissioner Hartung looked forward to opening more types of businesses in the future, such as body art and tattoo establishments, whom he felt were already vigilant with sanitation and hygiene due to the nature of their work. He agreed with Commissioner Jung's comments that the way business was conducted had changed and everyone would need to acclimate to the new normal. He felt continued testing was essential while also keeping an eye on the number of C19 hospitalizations in the county, and that this was the true benchmark for what was going on in the community.

Chair Lucey hoped everyone had enjoyed safe Mother's Day celebrations. He said mothers were the glue that held families together and he described the dedication of parents who were still working while helping their children with distance education and having to completely alter their families' lifestyles because of the pandemic. Chair Lucey also thanked the Incident Command Team, including Mr. Hicks and Mr. Brown, stating that the County would not have been where it was if not for their hard work and ability to quickly respond to the crisis. The Chair said it had been an honor to work with Local Empowerment Advisory Panel team members.

Chair Lucey reminded the public it was imperative that people stay safe so businesses could stay open. He knew many individuals had been happy to get haircuts, visit restaurants, and enjoy retail establishments again, but he expressed concern regarding some of the stories he heard after the weekend reopening. He indicated the County and the Health District had put together basic reopening guidelines, but no one could anticipate exactly what customers would do. He pleaded with the public to be patient with those still adjusting to the new normal, and to work together, be friendly, and be cognizant of how they spoke to one another. He emphasized many people were still scared, noting some had not interacted with friends, family, or the public for several weeks, and he cautioned that screaming at others or instilling fear was simply unhelpful. He thanked everyone who opened Saturday and understood businesses were doing their best to adjust to the new rules. He reiterated the only way to get through these challenging times would be to do so as a community. He noted many businesses were still closed, and leaders were trying to figure out the Phase 2 steps for reopening establishments such as gyms, body art businesses, bars, gaming establishments, and youth sports organizations.

Chair Lucey reminded the audience that being cognizant, safe, wearing face coverings, and practicing social distancing and proper hygiene were the best ways Washoe County could move forward. He said he had been asked over the weekend how golf courses should allow for safe outdoor congregation. The Chair also indicated he received an email inquiring whether camping was allowed within the County, such as at Davis Creek Park. He said there were questions regarding when pools might open, and leaders would continue to work on these types of issues as reopening progressed.

CONSENT AGENDA ITEMS – 5A THROUGH 5G2

- 20-0288** **5A** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners. Clerk. (All Commission Districts.)
- 20-0289** **5B1** Recommendation to approve a Water Rights Deed to re-convey 0.4481 acre-feet of ground water rights from Washoe County to William K. Austin and Karen A. Austin, husband and wife as Joint Tenants. Community Services. (Commission District 5.)

- 20-0290** **5B2** Recommendation to approve a Water Rights Deed to re-convey 2.02 acre-feet of ground water rights from Washoe County to North Valley Holdings, LLC. Community Services. (Commission District 2.)
- 20-0291** **5B3** Recommendation to approve a Water Rights Deed to re-convey 2.00 acre-feet of ground water rights from Washoe County to Washoe Valley Christian Church, a non-profit Corporation. Community Services. (Commission District 2.)
- 20-0292** **5B4** Recommendation to approve Amendment #1 to the Lease Agreement between Washoe County and the Silver Arrow Bowmen, a Nevada non-profit organization, effective June 15, 2020, to allow the Silver Arrow Bowmen Archery Club to directly allocate user fees toward improvements and repairs at the Regional Archery Facility located in Lemmon Valley, Nevada. Community Services. (Commission District 5.)
- 20-0293** **5C** Recommendation to acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the Nine Months Ended March 31, 2020 - Unaudited. Comptroller's Department. (All Commission Districts.)
- 20-0294** **5D** Recommendation to authorize the Washoe County District Attorney's Office to issue an Offer of Judgment inclusive of attorneys' fees and costs in the amount of \$50,000 in the case of Mary Lohnes v. Washoe County, 3:19-cv-00287-MMD-WGC. (All Commission Districts.)
- 20-0295** **5E1** Recommendation to acknowledge Receipt of Status Report of Commissary Fund submitted by the Washoe County Sheriff's Office Commissary Committee for Third Quarter for Fiscal Year 19/20. Sheriff. (All Commission Districts.)
- 20-0296** **5E2** Recommendation to accept the Substance Abuse Prevention and Treatment Agency (SAPTA) Diversion funding [amount not to exceed \$48,492.00, no County match required] as administered through the State of Nevada, Substance Abuse Prevention and Treatment Agency to be used to support diversion activities within the Washoe County Regional Detention Facility, for the retroactive grant period of April 1, 2020 - June 30, 2020, and if approved direct Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 20-0297** **5F1** Recommendation to accept 300 twin mattresses and 40 full mattresses for use on the Washoe County Human Services Agency's Our Place Campus to support the women and families experiencing homelessness totaling an estimated market value of [\$133,980] generously donated by Aaron's Furniture with the support of Attorney General Ford. Human Services Agency. (All Commission Districts.)

- 20-0298** **5F2** Recommendation to approve a subgrant award from the State of Nevada Aging and Disability Services Division for a supplemental award in the amount of [\$23,871; no match requirement]; retroactive from March 20, 2020 through September 30, 2021 for Home Delivered Meals; authorize the Director of the Human Services Agency to execute the subgrant award and related documents; and direct the Comptroller to make necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 20-0299** **5F3** Recommendation to accept a grant award from Meals on Wheels America C19 Response Fund in the amount of [\$25,000; no County match] retroactive from March 23, 2020 through December 31, 2020 to purchase emergency sanitation supplies, single-use service supplies, shelf-stable meals and to cover additional fuel and maintenance costs related to increased demand on the Home Delivered Meals program due to the C19 public health emergency; authorize the Director of the Human Services Agency to retroactively execute the grant award and related documents; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 20-0300** **5F4** Recommendation to approve a grant award from the United Way of Northern Nevada and the Sierra's Emergency Assistance Fund for an award in the amount of [\$22,500; no match requirement]; retroactive from April 1, 2020 through May 31, 2021 for Emergency Shelter assistance; authorize the Director of the Human Services Agency to execute the grant agreement and related documents; and direct the Comptroller to make necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 20-0301** **5G1** Recommendation to approve purchase of SeamlessDocs license renewal in the amount of [\$55,695], making the total purchases from SeamlessDocs in fiscal year 2019-2020 [\$105,845], for promoting paperless initiatives and creating online services for citizens and staff. Technology Services. (All Commission Districts.)
- 20-0302** **5G2** Recommendation to approve sole source purchase of servers and storage from Dell, Inc. at a total cost of [\$146,864]. Technology Services. (All Commission Districts.)

Ms. Annemarie Grant provided public comment regarding Agenda Item 5E1 via voicemail, acknowledging it was an update on commissary funds being spent at the jail. She wanted to know when a report concerning recent inmate deaths at the jail would be provided. She said Nevada Revised Statute 211.030 required the Sheriff to provide a biannual report on the deaths of prisoners. Regarding the lawsuit which was the subject of Agenda Item 5D, Ms. Grant opined it was the result of bad behavior by the Washoe County Sheriff's Office and she expressed disappointment that taxpayers had to pay for this as well as the lawsuit which occurred after her brother's death.

Chair Lucey explained he had recently been to the Sheriff's Office to meet with Sheriff Darin Balaam, who reviewed the special policies in place during the COVID-19 (C19) emergency. He indicated the Sheriff had presented to the Board and submitted updates to each Commissioner regarding the jail's C19 emergency response. Chair Lucey also indicated another presentation by the Sheriff's Office was being planned for a future meeting.

On motion by Vice Chair Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 5A through 5G2 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5G2 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – ITEMS 7, 9, 10, and 11

20-0303 **AGENDA ITEM 7** Recommendation to hold discussion and give possible direction to staff to conduct a boundary line adjustment to exchange a portion of Washoe County's River Bend property (currently identified as APN 038-100-34) with portions of the adjacent properties (currently identified as APNs 038-112-02, 038-112-03, 038-112-04, and 038-112-12) owned by River Bend Mobile Home Park and Storage, LLC; authorize Community Services Department staff to publish all required notifications; and, if approved, authorize the Community Services Department Director to sign all documents associated with the boundary line adjustment on behalf of Washoe County. Community Services. (Commission District 5.)

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 7 be directed, authorized, and approved.

20-0304 **AGENDA ITEM 9** Recommendation to approve the attached resolution to augment the Health Benefits Fund in the amount of [\$3,100,000] to increase Fiscal Year 2020 budget expenditure authority for unbudgeted expenses; and direct the Comptroller's Office to make the necessary budget amendments (no General Fund impact). Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 9 be approved and directed. The Resolution pertinent to Agenda Item 9 is attached hereto and made a part of the minutes thereof.

20-0305 **AGENDA ITEM 10** Recommendation to: (1) approve the use of General Fund Contingency in the amount of [\$5,397,000] and [\$264,000] of net zero budget appropriations transfers for unbudgeted expenditures for Fiscal Year 2020; (2) approve unbudgeted transfers of [\$3,550,000]. If approved, direct the Comptroller’s Office to make the necessary budget appropriation transfers and unbudgeted transfers. Manager’s Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10 be approved and directed.

20-0306 **AGENDA ITEM 11** Recommendation to approve the attached resolution to transfer [\$3,000,000] from the County’s Stabilization Reserve Account into the General Fund Coronavirus (C19) Cost Center to pay expenses incurred by Washoe County to mitigate the effects of the Coronavirus (C19) pandemic disaster, declared in March 2020, and direct the Comptroller’s Office to make the necessary budget appropriation transfers. Manager’s Office. (All Commission Districts)

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 11 be approved and directed. The Resolution pertinent to Agenda Item 11 is attached hereto and made a part of the minutes thereof.

20-0307 **AGENDA ITEM 6** Recommendation to approve, pursuant to NRS 278.040 and on the recommendation of the Chair, the reappointment of Francine Donshick to the Washoe County Planning Commission to represent Commission District 3 as an At-Large member (District 3 generally includes Sun Valley south of 7th Ave., and east of O’Brien Pass [Dream Catcher Dr.]), to fill a term beginning on July 1, 2020, and ending on June 30, 2024, or until such time as Ms. Donshick no longer serves on the Planning Commission or a successor is appointed, whichever occurs first. Community Services. (Commission District 3.)

There was no response to the call for public comment.

Commissioner Jung spoke in support of Ms. Donshick’s appointment. She said Commissioners and appointees on advisory boards needed training on span of control and what hearings should look like. She stated hearings could not be in-and-out and all ‘no’ votes, as that would indicate to her that Open Meeting Law had been broken. She said proper discussion was the only way to inform her as a Commissioner.

Chair Lucey opined members of advisory boards should be trained in hosting public hearings. He said that, although they should be allowed to have an independent voice, they should also communicate with the Commissioners of the Districts they represented. He desired ongoing conversations regarding challenges and processes that might be outside of an advisory board's purview or which could be helpful to them when in those types of meetings. The Chair requested this from all Planning Commissioners, the Board of Adjustment, and any other boards that represented the Commission directly. He thought it would be helpful for those individuals to understand some of the other challenges that were going on within the community.

On motion by Commissioner Jung, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Francine Donshick be reappointed to the Washoe County Planning Commission to represent Commission District 3 as an At-Large member.

20-0308 **AGENDA ITEM 8** Presentation of Washoe County Crime Lab Fee Review study, discussion and direction to staff or other action thereon. (All Commission Districts.)

Attending via Zoom, Consultant Russ Branson of Municipal Resource Group, LLC, conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. He reviewed slides with the following titles: Washoe County Crime Lab Fee Review and Analysis; What is Funded Through the Crime Lab Fee; Total Crime Lab Costs; Current Fee-Setting Practice; Submissions History; Forensic Investigation Services (FIS) Submissions – 2018 & 2019; Allocation of Fees for FY21; Crime Lab Fee Goals; Fee Changes In Process or In Place; Recommendations to Capture Full Cost of Services; Major Targeted Recommendations; Impact of Implementing Recommendations; and Questions.

Mr. Branson explained the purpose of the study was to review the process methodology of the Washoe County Crime Lab fee study to better reflect a fair allocation of costs between Washoe County and other contracted agencies such as the Cities of Reno and Sparks and the State of Nevada. He reviewed the three options offered by the County for crime lab fee contracts with outside agencies, noting there had been a few recent changes. Toxicology was always provided separately, no matter which option was chosen. Historically, the County only charged direct costs for services. A few years ago, Forensic Investigation Services (FIS) were broken out from non-FIS services. One recommendation was to include overhead in those costs, which would add approximately 2.5 percent to the cost of services.

Regarding the current fee-setting practices outlined on slide 4, Mr. Branson explained there might be several individual submissions for each crime, so tracking each agency's share of submissions did not measure time, cost, or type of service. With cost allocation, he noted, costs for Option B, non-FIS services, would be reduced across the board from 35 to 25 percent the following year.

On slide 7, Mr. Branson said, the green section of the pie chart represented the portion of County-funded costs which were not paid for by any other agency and ended up being subsidized by Washoe County. These costs, totaling \$973,461, were further broken out in the pie chart on the right side of the page. The goal was to eliminate the County subsidy of voluntary services to outside agencies.

Mr. Branson reviewed the fee changes in process or already in place, pointing out the trade-off of crime lab services for dispatch services with the City of Reno was unequal; this was still being reviewed. He described the recommendations and explained issues with the second recommendation on slide 10, including concerns regarding the cost of certain grant-funded equipment and other equipment not covered by grants. He discussed how changes might need to be implemented over the course of several years, as many contracted agencies were experiencing budget and economic issues even before the COVID-19 pandemic. He noted the elimination of the service-trade disparity with the City of Reno could have a major impact; the cost of Washoe County doing its own dispatch or paying the City of Reno for those services would need to be evaluated separately.

Chair Lucey thanked Mr. Branson for his concise presentation and for digging deep into a complex topic many Commissioners had been asking about over the years. He felt the timing was appropriate given the need to review budgets moving forward.

On the call for public comment, Chief Deputy County Clerk Jan Galassini read an email by Mr. Thomas G. Daly, a copy of which was placed on the record. Mr. Daly felt the Crime Lab Fee Review study confirmed earlier reports recommending the dissolution of the 1990 interlocal agreement which traded forensic and dispatch services between the City of Reno and Washoe County, which left the County subsidizing a large portion of the services provided to the City. He felt it was Washoe County's fiduciary responsibility to end this agreement and requested the Board take action as soon as possible.

Chair Lucey thought staff was looking for direction on the recommendations provided. Vice Chair Berkbigler expressed appreciation for the fee review, agreeing it had been on the Board's radar for some time. She said she had some ideas regarding crime lab fees but wanted to hear others' thoughts as well. Commissioners Herman and Hartung also agreed the fee review was appreciated and long overdue.

Commissioner Hartung recalled former Sheriff Mike Haley had presented to the Board in 2013 and pointed out a large disparity between what Washoe County was getting out of the lab and what it paid to run it. Commissioner Hartung hoped the Cities of Reno and Sparks were fully aware of the anticipated changes, saying this was not really about Washoe County, but about the Sheriff's Office's ability to run the lab effectively and efficiently. Commissioner Hartung believed the renowned crime lab provided much-needed resources to the community and to many other counties in Nevada and California, but it also needed to be self-sustaining.

Commissioner Jung wanted to know which fund or budget paid for crime lab costs. Assistant County Manager Christine Vuletich stated the lab was part of the Sheriff's Office budget as well as the General Fund. She clarified the Sheriff's Office budget was the largest department in the County and it was also part of the General Fund, as were many other departments. Commissioner Jung asked who had span of control over the crime lab budget; Ms. Vuletich responded the Board of County Commissioners ultimately approved the crime lab budget. Commissioner Jung asked whether the Sheriff decided where to allocate crime lab monies, and Ms. Vuletich confirmed that was correct. Commissioner Jung felt the Board needed more input from the Sheriff as it was his department's budget. She opined he should be present during the fee review discussion because he was responsible for the allocation of crime lab monies.

Commissioner Jung asked which entity did not pay crime lab fees. Ms. Vuletich said the City of Reno currently had an interlocal agreement with the County which allowed the exchange of crime lab services for dispatch services. Commissioner Jung indicated the agreement was outdated and unfair, and she suggested enacting the Government Services Act rather than continuing to subsidize the City of Reno's usage.

Chair Lucey pointed out recommendation No. 5 suggested capturing the full cost of services. He opined that all capital replacement costs, such as the cost of equipment replacement and other overhead, should be included, regardless of whether the Sheriff was available to speak or not. He suggested that equipment amortization schedules be prepared if costs were not being built into the crime lab's fees, and these should be implemented immediately.

The Chair agreed with Commissioner Jung regarding the outdated and inequitable interlocal agreement with the City of Reno; he felt every entity should pay a fair share of the services used. He wanted to know what the Sheriff thought would be the best way to move forward based on the detailed information provided by the study.

Vice Chair Berkbigler expressed support for all recommendations listed on page 23 but agreed the Sheriff's input was needed. She believed the Board of County Commissioners had been responsible for putting in place the original interlocal agreement with the City of Reno and would also need to be responsible for ending it if it was no longer fair. She hoped the issues with the City could be resolved amicably, and she expressed concern it had taken too long to get to this point. She indicated the Sheriff should be included in the discussion. She asked whether he supported the recommendations on page 23 and what else he might like to see changed moving forward.

In the interest of considering all options, Commissioner Hartung said the crime lab could also be pulled from the Sheriff's Office and an enterprise fund created where every agency paid for services. He noted crime labs in many areas were funded by states instead of counties. He clarified he was not suggesting asking the State of Nevada to do this, but it was an option to be considered; the crime lab could become a standalone entity which did not answer to any law enforcement agency.

Chair Lucey said the Board seemed to be in agreement that an amicable dissolution of the interlocal agreement with the City of Reno was the preferred option, but Commissioners wanted to hear the Sheriff's opinion regarding the fee review study results. He thought many options had been provided and management could assess these with staff and participating parties.

On motion by Vice Chair Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 8 be accepted.

20-0309 **AGENDA ITEM 13** Recommendation to acknowledge status report and possible direction to staff on the County Managers recommended Fiscal Year 2021 Budget; and direct the County Manager to return to the Board of County Commission with a Tentative and Final Budget incorporating the approved County Managers recommendations for adoption at a public hearing to be scheduled on May 19, 2020. Manager's Office. (All Commission Districts.)

County Manager Eric Brown advised that Governor Steve Sisolak declared a fiscal state of emergency in the State of Nevada the previous day, with an anticipated \$700 to \$900 million deficit for the fiscal year (FY) ending June 30, 2020. Mr. Brown clarified Agenda Item 13 dealt with FY 2021, which would begin July 1, 2020. He acknowledged the County faced a challenging fiscal year ahead and staff was following through with many of the mitigation recommendations which had been made in March. Mr. Brown introduced Assistant County Manager Christine Vuletich, who would conduct a presentation via telephone along with Budget Manager Lori Cooke.

Ms. Vuletich and Ms. Cooke conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. They reviewed slides with the following titles: Washoe County FY 2021 Recommended Budget; FY 2021 Budget Timeline; FY 2021 Budget Process; FY 2021 Budget Assumptions; Economic Outlook – Unprecedented (2 slides); Continuing Concerns; General Fund Significant Financial Impact; Washoe County's Goals; Washoe County Strategic Goal: Fiscal Sustainability; General Fund Financial Impact Mitigation FY 2020; Updated FY 2020 General Fund Year End; Fiscal Year 2021 County Manager Recommended Budget; FY 2021 Recommended Budget All Funds; FY 2021 Recommended Budget by Fund; FY 2021 Recommended General Fund Budget; General Fund Property Tax Revenue; General Fund Consolidated Tax Revenue; FY 2021 General Fund Recommended Measures; FY 2021 Recommended Budget General Fund Expenses/Uses; FY 2021 General Fund Recommended Budget; FY 2021 General Fund Transfers Out; FY 2021 Budget Recommendations General Fund New Positions; FY 2021 Budget Recommendations General Fund Reclassifications; Other Funds New Positions and Reclassifications; Capital Improvements; Capital Improvement Fund 402; Capital Improvements – Utilities Fund 566; Capital Improvements – Parks 404, Roads 216, and Equipment Services 669 Funds; Washoe County FY 2021 Recommended Budget; and Questions.

Ms. Vuletich explained the economic impacts of the COVID-19 (C19) pandemic had changed many of the preliminary revenue assumptions in the tentative budget for FY 2021. She stated slide 4 provided an idea of the budget process staff was involved in. She discussed the unprecedented economic impacts of the pandemic and hoped new development, which had been robust prior to the pandemic and was now coming onto the tax rolls from the previous year, would continue to be a revenue source for the County. She noted early action had helped reduce expenditures, but a good portion of Washoe County's reserves were still needed to get through the short-term crisis. She cautioned that these reserves could not be spent down too much as they needed to last for several years and were required for cash flow.

Referring to slide 11, Ms. Vuletich stated the orange line could be thought of as expenditures and the blue line as revenues. She discussed the County's attempts to keep expenditures lower than revenues in order to build up reserves, but she cited the Great Recession, the flooding disasters of 2017, and the C19 pandemic as times when that was not possible. For FY 2021, staff projected a slight decrease in expenditures, but also a sharper decline in revenues, necessitating the continued use of reserves.

Commissioner Hartung asked whether the unemployment figures cited in the presentation were based on the actual number of individuals who filed claims for unemployment. Ms. Vuletich confirmed this and stated 33.5 million people nationally had filed for unemployment; in Nevada, the number of claims for jobs covered by unemployment insurance had resulted in a 19.9 percent unemployment rate. Commissioner Hartung cautioned the real number of individuals who had lost income due to the pandemic could be much higher, recalling he had not been eligible for unemployment when he was self-employed. He shared a story of another self-employed friend who had been impacted by the economic downturn but was not eligible to file an unemployment claim. Ms. Vuletich agreed the actual numbers were likely higher than 19.9 percent, but it was difficult to account for individuals who were not eligible to file.

Commissioner Hartung also asked whether the amount of C19 reimbursements Washoe County would be eligible to claim from the federal government had been calculated. Ms. Vuletich responded C19 expenditures were being tracked and the County was working with the Nevada Division of Emergency Management to apply for reimbursement; the application had not yet been completed, but the County could be reimbursed for up to 75 percent of those costs if they were determined to be eligible for reimbursement by the Federal Emergency Management Agency (FEMA). Commissioner Hartung asked whether the reimbursement funds would be paid to the State of Nevada and then distributed to individual counties. Ms. Vuletich stated the reimbursement application process went through the State, which would help the County work with FEMA. If the application for reimbursement was approved, Ms. Vuletich indicated, the funds would come directly to the County.

Commissioner Hartung wanted to know if any FEMA reimbursements for the 2017 flooding disasters had yet been received by the County. Ms. Vuletich answered Washoe County received approximately \$1 million of the \$7 million in expenses it had

claimed for reimbursement, and that \$1 million was part of the fund balance now being utilized in response to the C19 pandemic. She noted it was quite a long process, and Commissioner Hartung indicated disappointment it had taken so long to receive even a partial reimbursement from FEMA.

Commissioner Jung echoed Commissioner Hartung's comments and stated staff and the County Manager had done a great job keeping the Board informed. She said Washoe County had one contact, Congressman Mark Amodei, who had a relationship with the President of the United States, and she wanted to know what Congressman Amodei was doing to help Washoe County get reimbursed as soon as possible and to improve the efficiency with which FEMA reimbursements were paid. She expressed frustration with the lack of timely payment and indicated emergency response reimbursements needed to be paid much more quickly in order to help affected claimants remain operational. She suggested the funds belonged to the taxpayers, and federal income taxes should not be paid if reimbursements were not provided to disaster-affected municipalities in a reasonable amount of time. Commissioner Jung also wanted constituents and Commissioners to remember that, for every request for funding, something else would need to be cut in order to maintain a stable budget; not doing this would be a recipe for disaster.

Ms. Cooke explained the red Special Revenue Funds section of the pie chart on slide 16 included all special revenue funds combined, such as the Health District, Child Protective Services, and the Roads Fund. She explained that staff focused a lot on the general fund budget because it was the largest operating fund. She noted C-tax revenue impacts also directly affected the general fund. Some special revenue funds, such as Child Protective Services and the indigent fund, received an ad valorem rate. She briefly expanded on the anticipated reduction in the C-tax portion of the budget due to C19.

Ms. Cooke stated staff updated the property tax revenue chart on slide 18 every year. She pointed out the steep decline during the Great Recession and the moderate increase based on abatement tax caps. She said the purple lines represented the property tax abatement based on assessed valuations that were not paid by taxpayers. She noted the blue lines represented what was received by the County for property taxes. She stated next year's tax cap limits were at 3 percent for residential and 5 percent for non-residential, resulting in a blended rate of approximately 4 percent. New construction was expected to increase and would be about 3 percent the following year.

Ms. Cooke recalled Ms. Vuletich's comment about a possible decline in construction or assessed valuations. Ms. Cooke said reduced valuations could be good for first-time homebuyers and would result in reduced property tax bills. She also said almost \$31 million in property tax had been abated since 2006, and abatements impacted all funds that received property taxes. The outlook of impacts for FY21 and FY22 was still uncertain.

Ms. Cooke said staff anticipated seeing the greatest impact in sales and use taxes; she explained the County had been doing pretty well in FY20 prior to the C19 pandemic, with a 9.6 percent increase in C-tax distributions over FY19, but this had since

changed to negative 8.5 percent, and the forecast for FY21 was negative 29.9 percent. She noted most entities or economists were using FY19 as a basis year.

Ms. Cooke said the FY 2021 General Fund Recommended Measures slide reflected steps being taken to get the County through June 30, 2020; these were included in the recommended budget. She noted some measures could be carried forward into future years and some could not. Staff did not know whether there would be another costly surge in C19 cases or permanent changes in consumer spending habits. The figures for March would be available after Memorial Day. She advised that the recommended budget did not include the additional mitigation measures listed on the left side of the slide, which might be needed if the economic situation worsened.

Ms. Cooke said slide 22 was a different way to look at the numbers. She reviewed the information and noted staff had accounted for fines and forfeitures, or a reduction of revenue, to account for the possibility of delinquent or unpaid property taxes. She noted the unrestricted ending fund balance of \$48 million, or 13.6 percent, would still be within the Board's policy level of 10 to 17 percent, and it would provide approximately 49 days of operating capital.

Ms. Cooke reviewed the new positions requested in the general fund for FY21, the need supporting each request, and how staff planned to shift costs, offset costs with revenue, or abolish certain positions to free up funds for others. She noted that, prior to C19, there were 49.88 full-time equivalent (FTE) positions requested for the fiscal year, and there were now 10.36 FTE positions recommended in the budget with a net zero impact. She detailed new positions and reclassifications recommended for other funds, stating 3.26 of the requested 28.12 FTEs were being recommended. Recommendations included adding clinical and epidemiology support positions for the Health District and the abolishment of a Deputy Director position in the Truckee River Flood Management Authority. She discussed the recommended reclassification of nine existing positions, including positions in Public Works and Community Services which were partially funded by utilities.

Ms. Cooke reviewed capital improvement project recommendations which had been reprioritized for FY21 after C19. She highlighted the prioritization of health, safety, and emergency management projects. She said parks, roads, and equipment services funds included carry-over to finish projects that had already begun.

There was no response to the call for public comment.

20-0310

AGENDA ITEM 17 Public Hearing: Appeal of the denial, by the Washoe County Planning Commission, of Tentative Subdivision Map Case Number WTM19-001 (Pleasant Valley Estates) which sought approval of a 58-lot single-family residential, common-open-space tentative subdivision map, with lots ranging in size from 12,507 to 74,591 square feet. The subject site includes slopes greater than 15% on 20% or more of the site and is subject to Hillside Development standards. The maximum allowable number of dwelling units on the site is 58.

In this appeal, the applicant now seeks reversal of the Planning Commission's denial as well as certain modifications of the map submitted below, including but not limited to, reducing the number of lots from 58 to 45, reducing the minimum lot size from 12,507 square feet to 12,000 square feet, and increasing the maximum lot size from 74,591 to 196,020.

The applicant is Pleasant Valley Estates, LLC. The proposed project is located between the eastern terminus of Chance Lane and the southern terminus of Rocky Vista Road. The Assessor's parcel numbers of the subject properties are: 017-410-39, 017-410-38 and 017-200-30, the parcels are ±19.67, ±19.67 and ±2.0 acres in size. The master plan categories are Suburban Residential (SR) and Rural Residential (RR), the regulatory zones are Medium Density Suburban (MDS), Low Density Suburban (LDS) and Medium Density Rural (MDR). The proposed project is located within both the Southeast Truckee Meadows and South Valleys planning areas and within the boundaries of the South Truckee Meadows/Washoe Valley Citizen Advisory Board. This project may be authorized under Washoe County Development Code Article 608, Tentative Subdivision Maps and article 424, Hillside Development.

The Board of County Commissioners may take action to:

- 1) Remand the item back to the Washoe County Planning Commission with instructions given during the hearing on the appeal;
- 2) Affirm the decision of the Washoe County Planning Commission and deny the appeal based on the deliberations during the hearing on the appeal;
- 3) Reverse the decision of the Washoe County Planning Commission and approve the subdivision with conditions based on the deliberations during the hearing on the appeal; or
- 4) Modify the decision of the Washoe County Planning Commission and approve the subdivision with conditions and with the modifications based on the deliberations during the hearing on the appeal. Community Services. (Commission District 2.)

Chair Lucey explained Senior Planner Roger Pelham would provide staff's presentation via Zoom. After this, the appellant's representative, Mr. John Krmpotic, also attending via Zoom, would be allowed to present.

Mr. Pelham displayed an aerial photograph depicting the proposed project's location and explained why the appeal was somewhat unusual. He reviewed the plans outlined in the applicant's original request, which had been modified since being denied

by the Planning Commission (PC). He discussed the developer's reduction of the number of proposed lots, residential and emergency access challenges in the area, the grading required, which was in excess of major grading permit thresholds, and modifications made to the proposed street design and slope. He also briefly reviewed issues raised by the South Truckee Meadows/Washoe Valley Citizen Advisory Board in their recommendation to deny the proposed project, including concerns that the bridge on Rhodes Road would not be able to support emergency vehicles. Mr. Pelham stated staff had contacted the Truckee Meadows Fire Protection District (TMFPD) regarding these concerns and the TMFPD agreed the bridge was not currently acceptable for emergency equipment access. If emergency vehicles were required to take an alternate route, response times would exceed the area's normal standard of 10 minutes. Subsequently, the TMFPD recommended every home be equipped with a residential fire sprinkler system if the subdivision was approved. Additional conditions of approval had also been recommended by other Washoe County reviewing agencies, including the Planning and Building Division and the Health District/Emergency Medical Services.

Mr. Pelham said there were findings required for approval of the tentative subdivision map. He advised that each finding and an explanation of staff's position on each were included in the staff report, and he noted the PC had not been able to make those findings. He reviewed the options for possible action available to the Board. He added there had been a number of criticisms brought forward by the public and the PC, primarily concerning the character of the subdivision in relationship to the existing development pattern around it and issues regarding access.

Commissioner Hartung inquired whether the underlying zoning on the parcel was low density suburban. Mr. Pelham confirmed this and added that the zoning was mixed, also consisting of high density rural and general rural. Commissioner Hartung asked whether equestrian uses were allowed. Mr. Pelham responded equestrian uses were based upon the size of the parcel rather than the zoning, and any parcel greater than one-half acre could have livestock such as horses. Commissioner Hartung said this concerned him as he knew there was a lot of equestrian use in that area.

Commissioner Hartung noted the unusual nature of the request and wanted to know why the decision had come before the Board of County Commissioners rather than being remanded back to the PC after changes to the project were made. He clarified he was not asking Mr. Pelham to speak for the applicant directly. Mr. Pelham indicated it might be best if the applicant's representative answered the question, adding the applicant had expressed a preference to bring the issue to the Board rather than taking an amendment back to the PC. Commissioner Hartung asked Assistant District Attorney David Watts-Vial if the project would need to go back before the PC if the Board approved it. Mr. Watts-Vial said the Board of County Commissioners had the ability to proceed or not, or could even push the decision back down to the PC. Commissioner Hartung asked how long it would be before the applicant would be allowed to bring the project back to the PC if the Board denied it. Mr. Watts-Vial advised that the Board could choose to deny the project without prejudice and the applicant could then take it back to the PC for review, or deny the project

with prejudice, which would result in the applicant having to wait one year before bringing it back for any approval.

Mr. Krmpotic, representative for the applicant Pleasant Valley Estates, LLC, conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. He reviewed slides with the following titles: Pleasant Valley Estates (WTM19-001) Tentative Subdivision Map; Circulation & Fire Access Routes; an untitled slide with an aerial photo depicting the subject property's location and zoning; Lot Size Fit to Zoning; and New Access Easements Created by PVE Project.

Mr. Krmpotic introduced himself and said Civil Engineer Jason Gilles was also available to answer any technical questions. Mr. Krmpotic asked whether he would be given rebuttal time in addition to the 10 minutes allowed for his presentation; Chair Lucey confirmed he would. Mr. Krmpotic discussed slide 1, acknowledging previous public comments regarding fire access and evacuation. He said that, if approved, the subdivision would establish new easements north of Rocky Vista Road and at Secret Pass Road and Star Pointe Drive, which would enhance public circulation for anyone needing to exit the area.

Mr. Krmpotic recalled Commissioner Hartung's question regarding zoning and displayed an aerial photo depicting the different zones within and surrounding the subject property. He explained he had recommended the developer reduce the number of proposed lots in the subdivision from 58 to 45 without clustering to conform with zoning requirements in order to make the project more cohesive with surrounding properties. He described the proposed new access easements, reiterating these would benefit the project and enhance circulation and evacuation capabilities for the surrounding community. He said the developer also addressed issues with the character of the proposed development before requesting permission to bring the appeal directly to the Board of County Commissioners rather than returning to the PC.

Mr. Krmpotic stated the proposal was now entirely compliant, with a new, softer redesign and other changes to conform with the development code and the surrounding community. He said the applicant was willing to be part of the solution regarding the deficiencies of the existing bridge, suggesting the developer would support a special assessment if one was needed in the District to fund bridge improvements. He added the developer would accept whatever conditions of approval were required, such as installing fire sprinklers in the homes. He explained actual construction on these higher-end homes, if approved, would be approximately a year and a half to two years away, but in the meantime the applicant would be accountable to the rules and processes set forth by the County. He hoped he would be able to earn the Board's support on the project.

The Chair opened the public hearing by calling on anyone wishing to speak regarding the proposed development. He stated he received 56 public comments submitted via email regarding Agenda Item 17, with all but one opposing the development; copies of these emails would be placed on file with the Clerk. The Chair also indicated public

comments had been submitted via email directly to the Clerk, via voicemail, and there were also citizens waiting to comment via Zoom.

Chief Deputy County Clerk Jan Galassini stated a copy of the reference document from the Fire Department was provided to the Commissioners and would be placed on file with the Clerk.

A voicemail from Ms. Karen Logan was played where she stated she lived on Willomonte Road off Rhodes Road. She described the area as very rural, with frequent equestrian, pedestrian, and bicyclist traffic on Rhodes Road. She opined approval of the development would change the entire atmosphere of the neighborhood. She wanted to know why the property could not be accessed from Toll Road, and she expressed concern the meeting was not held at a time when all residents could attend.

A voicemail from Mr. Roger Dauffenbach was played in which he identified himself as a resident of Willomonte Road and stated he was completely opposed to the proposed development. He described the roads in the area and opined they were already unsafe for the speeds at which some individuals drove on them. He expressed concern regarding significant traffic impacts if many more homes were built and stated the bridge would not be sufficient to handle the traffic, even if improvements were made. He felt increased traffic, especially in the Chance Lane area, would create a terrible situation, and he urged the Board to deny the appeal.

A voicemail from Ms. Amy Haskell of Rocky Vista Road was played. Ms. Haskell said she moved to the neighborhood two years prior and had chosen it due to its distance from other developments. She described feeling devastated when she received the notice indicating a developer wanted to build near her property. She did not feel the proposed development and the many homes, cars, people, and streetlights it would bring fit the character of the area, nor could the roads handle the increased traffic. She concluded massive houses should be built elsewhere and asked the Board not to support the appeal.

Ms. Peta Ross of Paddock Lane provided public comment via Zoom. She alleged the developer had repeatedly attempted to gain approval on the project without fully involving and informing the residents of the surrounding community. She indicated the developer's request to bring the appeal before the Board of County Commissioners, rather than returning to the PC, was simply another attempt to surreptitiously gain approval since the public was currently unable to attend Board meetings in person due to COVID-19 concerns. She described problems in the Chance Road area, including limited emergency access and flooding issues, which she felt would be exacerbated by the proposed development. She requested the Board deny the appeal with prejudice.

Via the Zoom app, Ms. Elizabeth Schuler stated she lived on Rhodes Road and said she was speaking for herself and neighbors who were not comfortable with Zoom to ask the Board to deny the appeal with prejudice. She described existing flood issues in the area which necessitated the use of sandbags and tractors to protect homes when rain was anticipated. She believed this would only worsen if the development proceeded

because neighbors in Steamboat Valley were not taken into account. She said residents liked the rural and transitional area the way it was and she opined the development was fraught with issues and should be built in the Toll Road area as originally proposed. She requested the Board deny the appeal with prejudice.

Mr. Curtis Coulter provided public comment via Zoom. He stated he was a resident of Rhodes Road, the primary route to the proposed development. He described the road as rural, lacking streetlights and sidewalks, and residents liked it the way it was. He recalled that residents of Toll Road, an area where the appellant had recently built other homes, had complained to the Board regarding the developer's broken promises and lack of follow-through. He echoed concerns regarding increased traffic and the project's density being inconsistent with the surrounding properties despite the proposed feathering. He stated residents were not opposed to all development, only development that was bad and inconsistent. He expressed frustration that community members had repeatedly provided this same feedback at Citizen Advisory Board (CAB) and County Commission meetings, yet the developer continued to push for approval. Mr. Coulter requested the Board deny the appeal with prejudice, saying residents would appreciate a break from having to fight the proposed development almost perennially.

Via the Zoom app, Mr. Cliff Low stated he lived in Washoe Valley and expressed opposition to the proposed development. He encouraged the Board to uphold the findings of the PC and the opinions of the CAB, boards whose members were appointed by the Commissioners, by denying the appeal. He felt the issues brought up by the CAB had not all been addressed in the proposed amendments and the development would change the character of the neighborhood, even with the reduction in the number of homes. He believed the Board had a fairly consistent record of overruling decisions of the PC in favor of developers, but he asked them not to do so in this instance. He stated former Commissioner Bob Rusk gave him permission to convey to the Board that Mr. Rusk reviewed the proposal and did not feel the situation warranted overruling the findings of the PC. Mr. Low opined the Board should deny the appeal and stand by the citizens of Washoe County.

Chair Lucey listed the individuals who had emailed public comments directly to the County Clerk in opposition to the proposed development: Ms. Marilyn Naylor, Mr. William Naylor, Ms. Sharol Erickson, Ms. Deborah Ribnick, Bill and Linda Bauer, Ms. Sonja Cuffe, Mr. Aaron Deutsch, Patrick and Lisa O'Sullivan, Ms. Delia Greenhalgh, Mr. Donald Waite, Ms. Colleen Morissette, Mr. John Rhodes, Ms. Ginger Pierce, and Ms. Stephanie Larsen. The Chair remarked these emails would be placed on the record.

Mr. Jeff Cuffe, via Zoom, expressed concern residents would not have an opportunity to respond to new information which had been presented. He wanted to know why the appellant did not return to the PC for approval if the project had indeed been modified and met all required conditions. He felt some concerns had been glossed over or not fully addressed, such as issues regarding access on Chance Road and the 12 percent

slope. He expressed doubt that all of the concerns of the PC or the comments of the CAB had been mitigated.

Chair Lucey expressed empathy for individuals who felt challenged by the changes in the way the Commission addressed issues during the C19 pandemic. He assured those watching on television or joining via Zoom that all Commissioners had been briefed by staff on this item, specifically regarding the issues and changes which had been made to the proposed development.

Chair Lucey discussed multiple concerns regarding the appeal. He advocated for smart development which was affordable, close to services, had appropriate access, and supported continued growth in Washoe County; he did not feel the proposal in question was smart development. He indicated that, as a higher-end development, it would not address the community's need for affordable housing. He also felt the appellant had failed to adequately address the issues regarding access and slope, and he said the reduction in planned units from 58 to 45 was insubstantive. He pointed out the proposed development had originally been planned in the Toll Road area, but had been moved to Rhodes Road, a two-lane country road which would require significant improvement to accommodate additional homes. He expressed concern regarding the area's history of flooding and believed grading on the hillside would put homes in the valley at increased flood risk. Chair Lucey indicated he was not comfortable moving forward with a project that could have unforeseen consequences and would place the onus on Washoe County to address them. He expressed concern that such issues could be financially catastrophic for the County, especially during a recession.

Commissioner Hartung agreed, indicating he was also concerned about the possible unintended consequences of these types of developments. He indicated the changes did not fully address concerns with the project and he expressed disappointment that the appellant chose to bring the request to the Board rather than returning to the PC. Commissioner Hartung proposed a motion to deny the appeal with prejudice.

Chair Lucey invited Mr. Krmptic to provide a rebuttal. Mr. Krmptic stated he was not currently with Dr. Harry Fry, the developer and appellant, who made the decisions regarding the project. Mr. Krmptic indicated he could only request that the Board allow an opportunity for the appellant to make further changes and return to the PC for approval.

Chair Lucey said the Board had asked many times for the developer to work with the community and come back with viable projects and substantive changes that would receive public approval. He opined this had never been addressed, and the project was instead repeatedly appealed looking for a different answer. The Chair said that, although he could appreciate Mr. Krmptic's request, he supported denying the appeal with prejudice.

On motion by Commissioner Hartung, seconded by Chair Lucey, which motion duly carried on a 5-0 vote, it was ordered that the appeal be denied with prejudice.

20-0311 **AGENDA ITEM 14** Second reading and adoption of an Ordinance amending the Washoe County Code by repealing Chapter 60 in its entirety, and by enacting a new chapter 60 concerning fire, buildings, and wildlands, containing provisions of the 2018 international fire and wildland-urban interface codes, with modifications, and violations, and providing other matters necessarily connected therewith and pertaining thereto with an effective date of June 1, 2020. (All Commission Districts.)

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 Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Ordinance No. 1650, Bill No. 1838, be adopted, approved, and published in accordance with NRS 244.100.

20-0312 **AGENDA ITEM 15** Recommendation to hold an introduction and first reading of an ordinance amending Ordinance No. 1535, revising the Washoe County requirements and schedule of rates and charges for reclaimed water service within Washoe County by temporarily reducing reclaim water use rates by 50 percent for the 2020 irrigation season with retroactive effect; by adding a provision to temporarily reduce future reclaim water use rates by Resolution of the Board of County Commissioners; by changing the physical address of the County's operating office, and other matters properly relating thereto; and set the second reading and adoption for May 26, 2020. Community Services. (All Commission Districts.)

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.

Jan Galassini, Chief Deputy County Clerk, read the title for Bill No. 1839.

Bill No. 1839 was introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

20-0313 **AGENDA ITEM 16** Public Hearing and possible action to hold the first reading of an ordinance: (1) amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); (2) providing for a notice of a public hearing and other matters relating thereto; and (3) setting the public hearing for the second reading and possible adoption on June 16, 2020; AND, Hold the first reading of an ordinance: (1) imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; (2) providing for a notice of a public hearing and other matters relating thereto; and (3) setting the public hearing for the second reading and possible adoption on June 16, 2020. Community Services. (All Commission Districts.)

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

Jan Galassini, Chief Deputy County Clerk, read the titles for Bill Nos. 1840 and 1841.

Bill Nos. 1840 and 1841 were introduced by Commissioner Berkbigler, and legal notice for final action of adoption was directed.

20-0314 **AGENDA ITEM 18** Public Comment.

There was no response to the call for public comment.

20-0315 **AGENDA ITEM 19** Announcements/Reports.

County Manager Eric Brown clarified that Aaron's Furniture had donated 340 mattresses to the Our Place campus, not 40. He apologized for any confusion. He stated he would schedule an item to update Commissioner Berkbigler on the status of the Wildcreek Golf Course. He noted the County was looking for a new operator for the course who would be a good steward of the public's assets.

Commissioner Jung thanked Aaron's Furniture and indicated that would be the first place she called when her home office was ready for furnishings. She knew many people were working from home with their spouses and families, and she felt it was important to have a functional and separate workspace. She noted Aaron's was locally owned and operated. She then asked that presenters be reminded of the need to work out any technological issues with remote presentations ahead of time. Addressing Washoe County's more than 2,000 full time equivalent staff members, Commissioner Jung emphasized the Board would do everything it could to maintain employees' socioeconomic status and ability to pay their bills. She indicated implementation of a general services tax would not be out of the question if one was needed to maintain the County's staff.

Commissioner Hartung wanted to know what options the Board would have if staff was unable to find someone to operate Wildcreek Golf Course without additional funding. He suggested considering all options and wondered if the property could be deed-restricted and turned into a regional park. He wanted the land preserved for public use, not sold for development, and he expressed concerns regarding the property's zoning.

Chair Lucey said he had received an email about working with Governor Steve Sisolak's Local Empowerment Advisory Panel to develop plans for the reopening of Phase 2 businesses including gyms, estheticians, body art practitioners, and massage businesses. He reminded everyone to stay safe, open, humble and kind, and to shop locally.

* * * * *

1:09 p.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
LJ Burton, Deputy County Clerk*