

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

TUESDAY

10:00 A.M.

JULY 21, 2020

PRESENT:

Bob Lucey, Chair (via Zoom)
Marsha Berkgigler, Vice Chair
Kitty Jung, Commissioner (via telephone)
Vaughn Hartung, Commissioner (via Zoom)
Jeanne Herman, Commissioner

Nancy Parent, County Clerk
Eric Brown, County Manager
David Watts-Vial, Assistant District Attorney (via Zoom)

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:

Vice Chair Berkgigler assumed the gavel because the Chair was not physically present at the meeting.

20-0510 AGENDA ITEM 3 Public Comment.

County Clerk Nancy Parent read an email from Ms. Elise Weatherly who wrote this would be her last email as she opined no one wanted to hear what she had to say. She expressed gratitude for churches closing, casinos closing, saving gas, and not feeling guilty about staying home.

Ms. Parent read an email from Mr. David Peissner who expressed frustration about churches in Washoe County closing again when he thought the issues existed primarily in Las Vegas. He opined churches that followed safety mandates should be allowed to gather safely.

20-0511 AGENDA ITEM 4 Announcements/Reports.

County Manager Eric Brown acknowledged Washoe County was designated by the White House Coronavirus Task Force as a COVID-19 (C19) community experiencing spread. He said a color system existed and red zone counties were ones with more than 100 cases per 100,000 population. He stated Clark County was classified as a red zone and Washoe County as a yellow zone. He indicated the situation had not changed and the County asked the public to continue wearing masks, practice social distancing, and limit social gatherings. Groups were asked to reduce from a maximum of 50 people to 25

people. He mentioned bars and nightclubs were closed, recommendations were made for takeout dining, and people were asked to stay home and practice social distancing. The Washoe County website contained useful information about C19, he said, which included daily press releases with current activity. He stated he recently received an update from the State with distribution guidelines for funds received from the Coronavirus Aid, Relief, and Economic Security (CARES) Act; he expected to have a full report at the August 18 meeting. Included in those guidelines was a process for applying for the first half of the \$20 million that was awarded to Washoe County. He believed the Board had been informed of the types of costs the funds could be used for, but they must be related Coronavirus mitigation. The initial reimbursement was for expenses that had already been incurred. He stated work continued with other jurisdictions and the Cities of Reno and Sparks had shared certain C19 expenses, such as personal protective equipment, testing, and housing for quarantine. He indicated the shared expenses totaled approximately \$10 million. Comptroller Cathy Hill and Assistant County Manager Christine Vuletich were in the process of compiling the needed documentation for reimbursement. He said the Board would be asked for recommendations for the remaining CARES Act funds at the next meeting.

Mr. Brown said Commissioner Jung asked for an update on safe camps and he noted the City of Reno provided a presentation at the last Community Homelessness Advisory Board (CHAB) meeting; he noted they were researching what processes communities were using. He indicated he would send a copy of the presentation to the Board for review, but he thought the benefits were inconclusive compared to other homeless approaches. He mentioned it would be readdressed at the August CHAB meeting. He said the City of Reno announced a plan for an interim solution for the homeless population currently at the Downtown Events Center, as the Reno-Sparks Convention and Visitors Authority requested they vacate the property by August 3. The plan included moving people to a tented area on Fourth Street adjacent to a current nutritional site. He thought the property adjacent to the Governor's Bowl could be a permanent solution.

Mr. Brown recommend Agenda Item 10 be pulled due to the addition of late information the Board did not have time to review. He stated Chair Lucey wanted to pull Agenda Item 19. Chair Lucey stated he had been in contact with the appellant and they wanted to continue the item. He wanted to allow the continuance to provide time for the appellant to work with staff. Vice Chair Berkbigler stated Agenda Item 19 would need to be opened because it was a public hearing. Chair Lucey confirmed the item would be opened and public comment heard, but no action would be taken.

Vice Chair Berkbigler stated the reason Agenda Item 10 was being pulled was to allow an attorney-client meeting to provide detailed information to the Commissioners.

Commissioner Hartung indicated he requested the Regional Transportation Commission (RTC) to review Highland Ranch Parkway and Seventh Street over O'Brien Pass to Golden Valley for improvement.

Chair Lucey thanked Vice Chair Berkbigler for running the meeting in Chambers while he was taking precautions and isolating after a trip.

Commissioner Jung thanked Commissioner Hartung for his request to RTC to review those roads. She stated they were popular shortcuts but not a good way for people to get from one valley to another.

Mr. Brown stated Consent Agenda Item 9C3 had a minor change to the documentation and read the change in the language to be: "A department may also accept payment by cash or credit card if those means are readily available and deemed acceptable by the department." The corrected document was placed on file with the Clerk.

20-0512 **AGENDA ITEM 5** Presentation of Excellence in Public Service Certificates honoring Washoe County employees who have completed essential employee development courses.

County Manager Eric Brown recognized the following individuals:

Promote Yourself! Mini Certificate Program

Monica Kirkendall, Office Assistant II, Human Services Agency
Jennifer Leiker, Office Support Specialist, Sheriff's Office
Rick Nemitz, Office Assistant II, District Attorney
Corissa Riley, Office Assistant II, Human Services Agency

Essentials of SAP for Financial Staff

Alicia Berkbigler, Office Assistant Specialist, WCSO – RPSTC
Nancy Cummins, Fiscal Compliance Officer, Health District

Vice Chair Berkbigler thanked staff who took the time to improve themselves and the work they did for the County.

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

20-0513 **AGENDA ITEM 6** Appearance and presentation by Washoe County District Health Officer Kevin Dick on COVID-19 impacts within Washoe County, to include an update on community symptomatic and asymptomatic testing, contact tracing operational plan, hospital COVID-19 patient capacity and surge planning, and launch of community messaging campaign on the novel corona virus.

Via the Zoom app, District Health Officer Kevin Dick acknowledged Emergency Management Administrator Aaron Kenneston and his team, Reno and Sparks City Managers, and County Manager Eric Brown for providing support to the Health District regarding COVID-19 (C19) and this emergency response. He said the County continued to have high numbers of cases and a total of 4,173 cases to date. He commented the County surpassed 100 deaths, 2,975 people had recovered, there were 1,096 active

cases, and 64 people were currently hospitalized, all related to the C19 virus. He indicated hospital capacity remained good with 72 percent of short-term acute care hospital beds occupied, 61 percent of intensive care unit (ICU) beds occupied, and 14 percent of ventilators in use. He mentioned the data that would be released later in the day indicated a sharp drop in ICU bed use due to a change in how the Nevada Hospital Association reported the number; they would look not just at ICU beds but also cardiac beds. Moving forward the calculations would add statistics that included the capacity versus licensed beds. He explained the reason for the change was due to the amount of hospitalizations occurring in Clark County at this time. They had many fewer ICU beds available and were working on their surge plans to staff additional beds beyond their licensed bed capacity.

Mr. Dick stated they were continuing with testing and contact tracing. He commented the drive-thru recently tested 665 people on one day, with 529 people tested the previous day and 306 expected to be tested this day. He thought they would be fully staffed on Wednesday and Friday this week and were working to ramp up testing to five days a week. Unfortunately, with increased testing the State lab was backlogged reporting results to the people being tested. He said Dr. Mark Pandori reported a delay of five to six days was occurring. With the high numbers of cases coming in, they were having difficulty keeping up with case investigations. He stated they were notifying people immediately when a positive result was determined and advising people to self-isolate. He asserted contact tracing was taking longer but they brought in 30 additional contact tracing staff. He said the Nevada Public Health Training Center at the University of Nevada, Reno was helping them with recruitment, interviewing, and staff training. He mentioned they had reached the capacity of funding and were working with regional managers to secure some Coronavirus Aid, Relief, and Economic Security (CARES) Act funding. He said additional funding was needed to increase staffing so they could keep up with the volume of testing, follow up with case investigation, and perform contact tracing. The National Guard had been helping them but were scheduled to step down as of July 31, which was why they needed additional staff. He said they needed call center workers on the front line to complete paperwork for tests to be sent to the lab. The website dashboard showed a graph of the 7-day moving average of new cases occurring in Washoe County and it was below the peak hit around the July 4th weekend, which was about 90 new cases a day. They were currently below 70 new cases per day but trends had been moving upward over the past week. The State reported numbers of people that had tested positive but only 17 percent of contacts had been identified, which indicated contact tracing was not enough to control the spread. He asserted it was important to continue with urging everyone to help one another to avoid further spread of this virus.

Mr. Dick stated the County Manager was working with the Regional Public Information Officer and information center team to create a marketing campaign to promote positive messages about personal actions people could take to help protect citizens and keep the economy open. He hoped the marketing campaign would be robust in the community and able to keep people engaged to reduce the spread of C19. He stated they were working with a company to develop a sales force platform that could be used in contact tracing efforts and help streamline processes, but he expressed frustration about how long it was taking to get the platform working. He mentioned the State had several

hundred contact tracers available for cases in Clark County through the company promoting the marketing campaign. He indicated the number of new cases per capita in Clark County was almost four times more than the number in Washoe County. He stated they were working to secure additional testing capacity through private labs and he would report more on that if it was successful.

Commissioner Jung pointed out the County Manager announced that Washoe County was in a yellow zone. She asked what the parameters were for the Reno-Sparks metro area, whether each area had a color zone, and where that information was available. Mr. Dick said the metro area and County were both in the yellow zone under the guidance provided by the White House. He indicated the State provided Nevada's County C19 Elevated Disease Transmission Tracker but it did not reference the colored zones. He said areas were flagged for elevated disease transmission if they met two of the three criteria: average number of tests per day being less than 150; case rate per 100,000 being greater than 100; and a positivity rate per 100,000 greater than 25 of over 7 percent. He stated Washoe County fell into two of those categories.

Commissioner Jung asked for the map of the country used by the Centers for Disease Control and Prevention (CDC) and wanted information about the Nevada's County C19 Elevated Disease Transmission Tracker, which she had never heard about; she thought the lobbying group that handled the County should have provided that to the Commissioners. She asked whether Mr. Dick thought everyone should be tested. Mr. Dick said Dr. Pandori wondered whether there was a strategy for testing because the County continuing to test people and send all tests to the State lab would delay results and could diminish the ability to be successful with case investigation and contact tracing. He indicated they wanted a quick turnaround so people could be contacted to properly isolate. He stated they originally proposed a strategy to test symptomatic individuals, first responders, healthcare providers, vulnerable populations, assisted living residents, and the elderly living in group housing. He noted they had been open at the call center to schedule for testing and the Governor was pushing to have testing open for everyone. He thought they needed to attempt to test as many as possible and reconsider if delays occurred at the State lab. He thought it was most important to test symptomatic people to help stop the spread.

Commissioner Jung wondered about the delay with contact tracing. Mr. Dick replied it was a matter of what could be accomplished with current staffing levels, which were overwhelmed with the number of cases being reported. He stated Washoe County was not alone and Clark County was more overwhelmed, as was the rest of the country. He explained that was the reason they were looking for CARES Act funds to supplement staffing. It did not help that the National Guard was stepping down and he said they were trying to transition new cases to be handled through new staffing so there would be case managers for all reported cases.

Commissioner Jung insisted contact tracing needed to be perfected and needed more resources. She asserted the public was being required to self-isolate, wear masks, and social distance, so the County needed to do its job by performing contact tracing

in a timely manner. Mr. Dick stated staff was working as hard as they could doing contact tracing. He asserted contact tracing was not the solution to the issue; people wearing masks and social distancing were long-term solutions to stopping the spread of the disease. He indicated testing and contact tracing did not replace masks and social distancing, and it would take everyone to be part of the solution.

Commissioner Jung asked about the daily emails the community used to receive with detailed information about C19. Mr. Dick stated a briefing took place on Tuesday and Friday and the information was posted on the website. Commissioner Jung asked staff to determine the source of the emails because she thought the lack of daily information about C19 led the community to believe the area was no longer a hot spot. She encouraged a better process to effectively communicate to constituents the importance of the virus and contact tracing. She stated community businesses would be able to go back to face-to-face interactions much sooner if communication to citizens was more effective. She noted doing the right thing would help the economy and allow businesses to continue to operate.

Commissioner Jung expressed concern about available hospital beds in the event of a significant surge in positive C19 cases and people dealing with non-C19 related emergencies. She thought people were not informed about hospital bed capacity and the region had a shortage of physicians and emergency room clinicians per capita. She wanted more communication to citizens, including the daily emails she referenced.

Mr. Dick indicated those statistics were on the Washoe County dashboard and available for everyone to view without having to be on a mailing list to receive them. He stated Mr. Brown was helping to bring a marketing firm onboard who had expertise and could provide the types of messaging Commissioner Jung spoke about. Commissioner Jung stated she was not pleased with that answer and thought the emails needed to be sent out daily. The state was very close to being in a red zone according to the White House.

Chair Lucey acknowledged Mr. Dick's point about the capacity of ICU beds, saying ICU beds were relative to the needs within the hospital and more beds could be created if needed. He stated capacity was a flexible number and one that could not be constantly relied upon. He said he was enlightened by the work they were doing in Florida. He admitted they were having massive challenges due to proper information not getting out and people were not wearing masks, social distancing, or isolating. However, the information they provided on the websites for each Florida county was impressive. He indicated they were on a different software system than Washoe County, but he wanted to work towards doing something similar. He said a map was provided by the White House and a special briefing would occur the following day with all County leaders who wanted to participate. He said the CDC would be presenting along with the White House C19 Task Force, and he would participate on the call.

Vice Chair Berkbigler stated several issues were still being worked through because no one had experienced this before. She asked about the zip codes in which people had passed away and wondered how that information was determined. Mr. Dick explained

it was difficult to provide that information because of privacy issues; there needed to be 11 cases or more in an area for that information to be released to the public. Vice Chair Berkbigler said she would refer people to Washoe 311 as the pandemic continued.

Commissioner Hartung asked whether the isolation housing on Edison was being utilized. Mr. Dick stated the Edison housing facility was not being used and Mr. Kenneston was working on plans to demobilize that site due to costs incurred despite it not being used. He said an arrangement with WellCare was in place to assist homeless individuals that displayed symptoms or tested positive for C19. He noted the WellCare facility was currently at 27 percent occupancy.

Mr. Dick thanked everyone for their partnership, support of the Health District, and efforts to help reduce the spread of C19.

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

20-0514 **AGENDA ITEM 7** Appearance by Washoe County Assistant County Manager, Kate Thomas for an update, discussion, and possible direction regarding the Washoe County Our Place project. Manager's Office and Human Services Agency. (All Commission Districts.)

Assistant County Manager Kate Thomas conducted a PowerPoint presentation via Zoom, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Our Place Project Update; Project History/Board Action (2 slides); Project Status; Project Population Impact/Data; Vulnerable Populations Strategic Goals; and Future Needs/Issues.

Ms. Thomas stated the Board of County Commissioners approved the ability for her to sign contracts for design and construction to stay on track with the Our Place project. Part of that included her providing regular updates on the progress. Discussions for this project started more than two years before, when several members of staff visited the Northern Nevada Adult Mental Health Services (NNAMHS) campus to research the possibility of moving the men's shelter there. Staff and Human Services Agency (HSA) Director Amber Howell determined the buildings on the NNAMHS campus could also accommodate women and children. The vision was brought before the Community Homelessness Advisory Board (CHAB) in August of 2018 and they moved quickly into a lease process to get the project started. She said they experienced some delays, but staff did a great job keeping the forward progress going. She stated the women were placed into a temporary shelter in downtown instead of the Reno Events Center until they could move into permanent shelter in the middle of August. She added the Daybreak program was placed on hold due to COVID-19 (C19) and the budget situation. She asked the Board for direction on how frequently they wanted updates.

Vice Chair Berkbigler thanked Ms. Thomas for the presentation and commended her and Ms. Howell on the great job with Our Place.

Commissioner Hartung asked about working with Nevada Senior Services (NSS) and was hopeful Daybreak would reopen because there was a significant need for adult daycare services for those with memory care issues. Ms. Thomas stated she continued to stay in touch with President and Chief Executive Officer of NSS Jeffrey Kline. She noted the building for Daybreak was very large and they were writing it into the lease currently being negotiated. She stated staff was working with the Department of Health and the HSA to ensure the lease that would keep building 2A for senior services was moving forward. She indicated the HSA had submitted a recommendation for the facility build-out, but it did not pass through the capital improvement process. Her understanding was NSS could possibly raise the capital necessary to put the program in place since the County had the structure. Once the rest of the campus was running, she thought they could focus on other services such as Daybreak. Commissioner Hartung asked whether the Daybreak program at the Ninth Street complex had been de-funded. Ms. Thomas replied it had not but there were questions about the number of people they were able to service with the program and guidelines for social distancing.

Commissioner Hartung inquired about the Crossroads program for women and wanted to know what was being offered for addiction services to residents of Our Place. He thought individuals in the Our Place facility should be required to enroll in an addiction program to advance them towards self-stability.

Ms. Howell stated funding had not stopped for the current Daybreak program or the facility. She noted it was difficult to determine when the program could be phased back in based on the vulnerability of the population, but they were starting to phase in a hybrid-type model to bring back those who benefitted most from the program.

Ms. Howell said the Crossroads program had extended its bed capacity tremendously with the help of Grace Church. She stated there were currently seven homes used for addiction services, which provided a good transition from an emergency shelter to another location on campus.

Commissioner Hartung recognized there were real challenges in the Daybreak program with social distancing and other requirements. He did not know how the County was able to respond to the community with such a huge need for adult daycare. He expressed appreciation that staff was still considering the program and he hoped it could become more robust in the future.

Vice Chair Berkbigler inquired about how many people had moved into Our Place. Ms. Thomas replied there were currently 28 families and the daycare center had the ability to service 85 children. She thought those numbers could fluctuate from day to day. She remarked the future capacity for women was 105 beds and there were currently 60 to 80 beds utilized at the overflow shelter. She brought up that County Manager Eric Brown spoke about the City of Reno and what they were doing to expand capacity for males and low barrier individuals.

Commissioner Jung wanted to highlight Ms. Thomas' point that Washoe County had expended \$15 million and invested in a property that former Governor Brian Sandoval made sure was passed to the County for \$1. She stated they had increased capacity, and subject matter experts were able to identify and modify needs of unsheltered individuals rather than making do with what was provided, which had been the history of the region. She thought daycare was the most important to her because of the enhancements and location. She said the environment surrounding resident children had drastically changed and the new situation benefited them so much. She thanked staff for the work put into this project.

Commissioner Jung brought up the Crossroads model and wondered how the region could use C19 funds to utilize a hybrid-type of social worker with authority to perform case management but also be a respected leader to ensure the safety of residents. She thought the entire region had a stake in this project and keeping an unsheltered facility running would require law enforcement and social workers. She wanted all law enforcement agencies to be involved in changing the model to the Crossroads model, which had been adopted at the regional level and recognized by former First Lady Hillary Clinton. She added awards had been won regionally for the model. She stated C19 did not seem to affect the progress of this project, and Ms. Thomas and staff did an outstanding job. She thought the frequency of updates should be left up to the subject matter experts and what they believed was best for the Board to make meaningful conclusions from the data.

Chair Lucey agreed with Commissioner Jung. He thanked the Board and staff for the support and vision put forward for children, who were the most vulnerable in an environment such as Record Street. He stated Our Place was beautiful and that was where children learned the world was beautiful outside of difficult experiences. He believed children at Our Place would have a true start to a new life. He expressed excitement for the changes in these children's lives and remarked the region was providing a helping hand to something better.

Vice Chair Berkbigler said she watched a video of children playing at the new facility and it brought tears to her eyes. She asked whether Ms. Thomas needed any further direction from the Board. Ms. Thomas stated she had the information and said they would bring back some meaningful data on a regular basis.

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

DONATIONS

20-0515 **8A** Recommendation to accept donations [\$320,000] from the Wilbur May Foundation (retroactive to date of receipt): \$220,000 restricted for FY21 general operating support of the Wilbur D. May Center, excluding all County overhead and \$100,000 restricted to support FY21 temporary exhibits at the Wilbur D. May Museum. Community Services. (Commission District 3.)

20-0516 **8B** Recommendation to accept one-time appreciation gift donations [estimated value of \$2,935.00, including a \$25.00 cash donation] from private citizens to the Washoe County Sheriff's Office, and if approved, authorize Comptroller's Office to make appropriate budget amendments. Sheriff. (All Commission Districts.)

There was no response to the call for public comment.

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

CONSENT AGENDA ITEMS – 9A THROUGH 9E3

20-0517 **9A** Approval of minutes for the Board of County Commissioners' regular meetings of June 16, 2020 and June 23, 2020, and the special meetings of June 19, 2020 and June 30, 2020. Clerk. (All Commission Districts.)

20-0518 **9B1** Recommendation to approve a Temporary Construction Agreement and Temporary Construction Deed between Washoe County and Mayberry Gardens, LLC for the installation of underground gas and electrical lines in a ±5,225 square foot area on Betsy Caughlin Donnelly Park; and approve an Electrical Easement Deed and Gas Easement Deed between Washoe County and NV Energy for the installation and maintenance of those same gas and electrical lines; and, if approved, authorize the Chair to sign the associated documents on behalf of Washoe County. Community Services. (Commission District 1.)

20-0519 **9B2** Recommendation to approve an Easement Deed between Washoe County and Mayberry Gardens, LLC, to accept a ±1,267 square foot utilities easement that would allow Washoe County to manage and maintain underground water and electrical lines to serve future recreational development at Betsy Caughlin Donnelly Park. Community Services. (Commission District 1.)

20-0520 **9B3** Recommendation to approve a Grant of Easement between Washoe County and NV Energy, to allow for the relocation of an overhead utility line within a described easement totaling ±2,468 square feet on Washoe County Parcel APN 164-022-02. Community Services. (Commission District 2.)

20-0521 **9C1** Recommend Acknowledgement of Annual Report from the Internal Audit Division for Fiscal Year Ending June 30, 2020. Manager's Office. (All Commission Districts.)

- 20-0522** **9C2** Recommend acknowledgement of the three-year schedule of audits for the Internal Audit Division. Manager's Office. (All Commissioner Districts.)
- 20-0523** **9C3** Recommendation to approve and execute the Public Records Policy pursuant to Nevada Revised Statutes Chapter 239 and to incorporate changes made by the 2019 Nevada Legislature. Manager's Office. (All Commission Districts.)
- 20-0524** **9D** Recommendation to approve the retroactive purchase of public safety tasers and auxiliary equipment offered by Axon Enterprise, Inc, that exceeds [\$100,000.00] but remains within available adopted FY20 Budget Authority in the amount of [\$137,312.00]. This purchase is exempt from competitive bidding requirements per NRS 332.115. Sheriff. (All Commission Districts)
- 20-0525** **9E1** Recommendation to approve an extension to the agreement with the Regional Transportation Commission (RTC) for a Non-Urbanized Paratransit Program to provide for the transportation of senior citizens and people with disabilities in the amount of [\$29,000], retroactive to July 1, 2020 through June 30, 2021; and authorize the County Manager to execute the agreement. Human Services Agency. (Commission Districts 1 and 5.)
- 20-0526** **9E2** Recommendation to accept the FY21 Differential Response subaward from the State of Nevada Division of Child & Family Services in the amount of [\$142,545; no County match], retroactive to July 1, 2020 through June 30, 2021 to support Differential Response services to at-risk families in the child welfare system; authorize the Director of the Human Services Agency to execute the Award; and direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 20-0527** **9E3** Recommendation to approve a subgrant award from the United Way of Northern Nevada and the Sierra's Emergency Food and Shelter Program in the amount of [\$18,480; no match requirement]; retroactive from January 1, 2020 through April 30, 2021 for emergency food assistance; 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.)

There was no response to the call for public comment on the Consent Agenda Items listed above.

On motion by Commissioner Herman, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 9A through 9E3 be approved.

BLOCK VOTE – 11, 12, 13, 14, 15, 16 AND 18

20-0528 **AGENDA ITEM 11** Recommendation to approve a request to initiate proceedings to amend the Washoe County Code (Chapter 50 - Public Peace, Safety and Morals) pursuant to a request by Commissioner Herman to identify that Parcel 087-021-20 is exempt from the congested shooting boundary to allow legal target shooting; and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance, pursuant to Washoe County Code Section 2.030 and 2.040. Community Services. (All Commission Districts.)

On the call for public comment, County Clerk Nancy Parent read an email from Ms. Carol Fineberg who encouraged the Board of County Commissioners to approve the recreational shooting area.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 11 be approved and directed.

20-0529 **AGENDA ITEM 12** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the 2020/2021 Slurry Seal for Selected Streets in Washoe County, PWP-WA-2020-270 project [staff recommends Sierra Nevada Construction in the amount of \$2,234,007.00]; and approve a separate project contingency fund [in the amount of \$250,000]. Community Services. (All Commission Districts.)

Commissioner Hartung wondered where the funds came from for this item. Director of Engineering and Capital Projects Dwayne Smith indicated the funds came from the same source as the overall project and were captured within the roads fund. Commissioner Hartung asked whether this was funded through the County's portion of the Regional Transportation Commission 5 gas tax. Mr. Smith stated the fuel tax did support a significant portion of all road projects related to the operation and support of the roads. Commissioner Hartung said he wanted to ensure general funds were not being used.

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 12 be awarded and approved.

20-0530 **AGENDA ITEM 13** Recommendation to award Washoe County Bid No. 3137-20 and authorize the Purchasing and Contracts Manager to execute a 1-year purchase order agreement for the rental, operation, and maintenance of flood water and seepage pumping and piping systems around Swan Lake and at the Lemmon Valley Waste Water Treatment Plant, effective August 1, 2020, [staff recommends Cashman Equipment, in the amount not to exceed \$740,000.00] and if approved, further authorize the Purchasing and Contracts Manager to execute possible future renewals to the purchase order agreement for up to 4 additional years, contingent on budget availability and approval from the County Manager, [an annual amount not to exceed \$740,000.00 plus any change for the CPI-U based on preceding years 12-months index change, effective July 1st of each year, and applied to the previous years adjusted base fee]. Community Services. (Commission District 5.).

Commissioner Hartung stated he was pleased this item included language that funding was contingent on budget availability.

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be awarded, authorized, and approved.

20-0531 **AGENDA ITEM 14** Recommend to accept FY21 Victims of Crime Act (VOCA) Innovative sub-grant award from the State of Nevada, Division of Child and Family Services to support services for Commercial Sexual Exploitation of Children (CSEC) in the amount of [\$150,000; \$37,500 County match] retroactive for the period of July 1, 2020 to June 30, 2021; authorize Director of Human Services Agency to retroactively execute the sub-grant and related documents; and direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.).

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 14 be accepted, authorized and directed.

20-0532 **AGENDA ITEM 15** Discussion and possible recommendation to appoint Sergeant Justin Roper as the Acting Chief of the Department of Alternative Sentencing (DAS) per Washoe County Code 11.030 and approve a 10% salary adjustment due to the retirement of Chief Joseph Ingraham effective August 7, 2020. 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 Hartung, which motion duly carried on a 5-0 vote, it was ordered that Sergeant Justin Roper be appointed as Acting Chief of the Department of Alternative Sentencing.

20-0533 **AGENDA ITEM 16** Recommendation to approve contract for armed and unarmed professional security services via the State of Nevada contract CETS#19049, awarded to Allied Universal Security, retroactive to July 1, 2020 through June 30, 2021. Estimated annual expenditures are anticipated as [\$2,526,189] for FY21. If approved, authorize the Purchasing and Contractors Manager to execute the agreement. 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 Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be approved and authorized.

20-0534 **AGENDA ITEM 18** Recommendation to approve Fiscal Year 2020/2021 annual renewal of Accela product subscriptions in an amount [not to exceed \$467,000]. Technology Services. (All Commission Districts.).

There was no response to the call for public comment.

On motion by Vice Chair Berkbigler, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 18 be approved.

20-0535 **AGENDA ITEM 17** Accept Registrar of Voters' submission of the Petition to Establish the Unincorporated Town of "Warm Springs Valley" per NRS 269.540(2) and confirmation that the Registrar of Voters has verified that the petition presented to the Board of County Commissioners contains the requisite number of signatures for this petition to be brought to the Board for further action, and direction to staff to review and return to the Board with recommendations for further Board action which may include the placement of the question on the 2020 General Election Ballot by resolution, per NRS 269.550(2). Registrar of Voters. (All Commission Districts.)

Registrar of Voters (ROV) Deanna Spikula stated she was bringing forward a petition to establish the unincorporated town of Warm Springs that was filed with her office in February 2020. She indicated 269 signatures were received, though only 74 were required for this petition to move forward to the Board of County Commissioners (BCC) for direction.

Vice Chair Berkgigler stated the purpose was for BCC direction, not to approve the action to be placed on the ballot. She noted the approval for placing the item on the ballot would occur in August.

Commissioner Hartung inquired whether staff would bring back a presentation to the Board with more details about the financial impact. Vice Chair Berkgigler stated that question had been asked several times and staff indicated Ms. Spikula was not qualified to answer the questions; answers should come from staff. She said there were several questions including the cost to the County's budget, and staff would have answers in August when the Board needed to vote on the item. She noted staff had also asked the District Attorney to look into if it would be required to place a question related to a tax increase on the ballot.

Commissioner Hartung asked for the pros and cons for both parties and the reason for this item. He thought an explanation needed to come from the District Attorney's Office.

Deputy District Attorney David Watts-Vial stated they were looking into the issue and would provide detailed information to the Board. According to him, the Statute indicated the Board may place an item on the ballot by Resolution. He asserted they wanted to ensure the accuracy of the information before submitting to the Board. He stated they would research the statutory provisions and report details, including the processes that would occur if the item was approved and how it would be placed on the ballot.

Commissioner Hartung wondered whether the District Attorney's Office would articulate the pros and cons and the possible effects to the County. Mr. Watts-Vial indicated they would do their best to produce as many answers as possible in advance.

Commissioner Jung said a definitive legal decision about the need to place this on the ballot should be made before staff spent time and effort researching. The Board needed to know whether it had discretion or not. Mr. Watts-Vial agreed with Commissioner Jung and said other aspects would not be an issue if it was not required.

Vice Chair Berkgigler thought there was still an issue because, even if it was not required to be on ballot, there could be Commissioners who wanted it on the ballot. She wanted those questions answered. Commissioner Jung stated that was a good point and said they needed answers.

Commissioner Herman brought up Paradise as an unincorporated town near Las Vegas; in addition, Minden, Garnerville, and approximately 40 other areas in Nevada were all unincorporated towns.

Ms. Spikula stated a decision to place this question on the ballot needed to be made at the meeting of August 18 to guarantee it would be included on the ballot. She could not ensure it would be printed on the ballot if direction was given after that date. She indicated they could start the process by creating an arguments committee and allow them

to present at the August 18 meeting.

On the call for public comment, a voicemail from Ms. Kathleen McCovey was played in Chambers. She was unclear about the process of circumventing the petition for this item. Another layer of government was not wanted in the region and she stated she had been in the same location for 27 years. She expressed her annoyance at people moving to the area and wanting to change their way of life.

A voicemail from Ms. Maeve Ambrose was played in Chambers. She said she heard from residents on both sides of the issue and thought the managing members of the community needed more time to research the issue. She indicated she supported placement of this item on the ballot by Resolution. She thought the upcoming election would have a higher voter turnout and motivate more of the community to let their voices be heard. The current number of verified signatures was 74, which was not representative of the entire population who voted within their boundaries in the 2018 general election, which was 734.

A voicemail from Mr. Marshall Todd was played in Chambers. He stated he was the Vice Chair of the Warm Springs Citizen Advisory Board. Since this was a presidential election year, he felt the unincorporated town effort should be considered for the ballot. He believed enough signatures had been collected.

A voicemail from Ms. Gretchen Miller was played in Chambers. She stated she was a resident in Warm Springs Valley, also known as Palomino Valley. She mentioned she declined to sign the petition because she thought this action was not necessary and she did not support it being on the ballot.

County Clerk Nancy Parent received an email from Ms. Sharon Gustafson, which read that she opposed the proposal of forming an unincorporated township because she did not want another layer of government imposed upon them. She asserted this was equal to a homeowners association (HOA) imposed on them, which she opposed.

An email was received from Ms. Pam Roberts, which Ms. Parent read. Ms. Roberts wrote she did not sign the petition because she did not believe adequate research had been done about the costs to form and run another layer of government. She noted a Citizen Advisory Board was already established that provided input to the BCC. She expressed concern about wanting to limit the number of board positions within the specific plan area to two positions. She questioned the legality of limiting the representation of one area within the boundaries of an unincorporated town. She thought the BCC should allow voters to decide whether the question should be on the ballot. Because the proponents collected enough signatures to meet the 10 percent threshold, she said, the law allowed the authority of the BCC to put the question on the next ballot.

An email from Ms. Laurel Cote was received and read by Ms. Parent. She wrote that she and her husband had lived in Palomino Valley for more than 22 years. She stated they were opposed to the unincorporated township and asked the Board not to

approve the item to be placed on the ballot. She thought this was only wanted by a few disgruntled residents.

Commissioner Hartung wanted the District Attorney to ensure that the Board understood the potential affects to the existing general improvement district in Warm Springs.

Vice Chair Berkgigler stated the purpose of this item was to accept the submission of the petition which confirmed that the ROV had verified the petition presented to the BCC contained the requisite number of signatures, or 10 percent.

On motion by Commissioner Herman, seconded by Vice Chair Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 17 be accepted.

20-0536 **AGENDA ITEM 19** Public Hearing: Appeal of the Washoe County Planning Commission's denial of Regulatory Zone Amendment Case Number WRZA20-0003 (Reno Christian Fellowship) to amend the Southwest Truckee Meadows Regulatory Zone Map, a component of the Southwest Truckee Meadows Area Plan, to change the regulatory zone for 3 parcels (APN: 049-153-10, 11 & 12) totaling 12.55 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum- allowing up to 12 units) to Medium Density Suburban (MDS) (3 dwelling units/acre maximum- allowing up to 36 units) for Reno Christian Fellowship, Inc. The parcels are located adjacent to and west of the church. And, if approved, authorize the chair to sign a resolution to this effect. Community Services. (Commission District 2.)

Vice Chair Berkgigler opened the public hearing. Because the item was pulled, she stated public comment would not be presented but the names of the commenters would be read into the record.

County Clerk Nancy Parent stated there were 28 emails in favor and 7 emails opposed. Those in favor included: Mr. Brent Brooks; Mr. Eric Henry; Mr. Dennis Pelham; Mr. Brandon Evans; Mr. John Turcich; Fred and Margaret Nollen; Mr. Mike Grover; Mr. David Stieg; Mr. Myron Banwart; Ms. Marge Greenfield; Meri and Ed Gscheidle; Mr. Charles "Hurstons" Roberts; Chris Chimits; Kermit and Claudia Sharenbrock; Ms. Kathryn Erickson; Mr. Robert Erickson; Largrances Roberts; Mr. Joe Rajacic; Bruce and Marcia Baswell; Ms. Susan Stewart-Hicks; Mr. Jerry Center; Mr. Mike Pieretti; Mr. Brad Chinn; Ms. Laurie Perez; Ms. Sue Grammy; Mr. Robbie Bryan; Mr. Justin Norvick; and Mr. Steven Anderson. Those opposed: Mr. Joseph Caravello; Ms. Rosemary Holliday; Mr. David Schweer; Mr. Chad Nichols; Mr. Ken Greene; Mr. Robert Wakefield, and Mr. Lars Jensen.

The following individuals spoke via the Zoom app to voice opposition to the proposed zoning change: Mr. Steve Leddy; Ms. Jennifer Chilton; Mr. Lars Jensen; Mr. Paul Juhnke; Ms. Lisa Mitchell; Mr. Adam Auerbach; Dr. Gerald Lent; Mr. Chad Nichols;

Mr. Ken Greene; Mr. Michael Black; Ms. Cheryl Jordan; Ms. L. Schneider; Mr. Steve Erger; and Mr. Rick Bareuther.

The above listed individuals provided the following reasons for their opposition to the zoning change: the Planning Commission's denial of the change; rumors that the Board of County Commissioners (BCC) were in support of zoning change; the feeling that residents did not have a voice with the BCC; the belief that people in support of the change were members of the church, many of whom did not reside in the area; damage to the character of the area; opposition not to building, but to a change in zoning to medium density suburban; the choice of current residents to purchase their homes because of the low density suburban zoning; a lack of evacuation routes in the event of a wildfire; increased traffic; a negative impact on property values; the perception that a zoning change would be an insult to homeowners who followed the rules; infrastructure insufficient to accommodate medium density suburban; a blockage of existing homeowners' views; medium density suburban being a bad fit for the neighborhood; the availability of property elsewhere to build in medium density without zoning changes; a lack of any acknowledgment of the opposition letters that were sent to the Planning Commission; the small size of the resulting parcels: the claim that many items included in WRZA20-0003 were untrue; the fact that all parcels surrounding the property in question were zoned low density; lot sizes being larger than alleged in the request for the zoning change; the intent of low density suburban zoning to create and preserve, which would not happen with the zoning change; and the failure of the proposed lot sizes to meet medium density suburban standards according to the development code.

Vice Chair Berkgigler mentioned the number of comments submitted from the previous meeting were not included in the tally for this meeting but were tallied for the Commissioners. She stated comments which were directly submitted to Commissioners would be sent to Washoe 311 if they had not already been. All comments would be placed on the record.

No action was taken on this item.

20-0537 **AGENDA ITEM 20** 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 Eric Brown stated a closed session not necessary.

20-0538 **AGENDA ITEM 21** Public Comment.

Via the Zoom app, Mr. Paul Juhnke stated 376 Southwest Vista homeowners would be affected by a decrease in home value. He opined a decrease in value of \$100,000 to \$200,000 per parcel would result in approximately \$50 million for the entire association. He wanted people who supported the change to compensate the Southwest Vista homeowners if this change passed.

Via the Zoom app, Mr. Mike Jordan stated he strongly opposed the proposed rezoning. He indicated his property was one of 37 homes that bordered the Reno Christian Fellowship (RCF) property. He opined the proposed zone change would allow for 24 additional homes, but RCF could build 12 homes on the property which would adhere to the low density suburban designation and add value to the established area. He asked for the zoning request to be denied.

County Clerk Nancy Parent stated a document received from the Washoe County School District would be placed on the record.

20-0539 **AGENDA ITEM 22** Announcements/Reports.

There were no announcements or reports.

* * * * * * * * * *

12:37 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:
Doni Gassaway, Deputy County Clerk*