

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

TUESDAY

10:00 A.M.

AUGUST 18, 2020

PRESENT:

Bob Lucey, Chair

Marsha Berkbigler, 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:

Chair Lucey thanked people for attending the digital meeting and mentioned meetings would remain digital until Governor Steve Sisolak deemed it was safe to allow them in person again.

20-0552 AGENDA ITEM 3 Public Comment.

On the call for public comment, a voicemail from Ms. Pam Roberts was played in Chambers. She stated she was a resident of Warm Springs Valley and agreed residents should vote to become a township. She mentioned a second petition was submitted but it did not include the necessary language. She pointed out that three members of the petition committee were the same for both petitions. According to the staff report, there was non-conforming language on both petitions which created concern related to tax rates, possible fee schedules, and how the town board would be appointed or elected. She thought one fully conforming petition should be brought back to the Board for consideration.

A voicemail from Ms. Maeve Ambrose was played in Chambers. She spoke about the safety of the Washoe County Deputies who put their lives on the line every day to protect citizens. She wanted them to be kept safe by ensuring adequate staffing and providing necessary vehicles and equipment. She hoped the County could make budget cuts elsewhere so law enforcement officers could keep their cost of living increases.

County Clerk Nancy Parent read an email from Ms. Elise Weatherly, who wrote about judges and the decisions they made during trials. She mentioned a story about

Scott W. Rothstein who scammed many people, noting the judge added to his sentence in a fair and unbiased manner. She thought she had been betrayed by the court system.

Ms. Parent read an email from Ms. Tammy Holt-Still, including eight photographs that were placed on the record. She expressed concern about County staff polluting the air with a known carcinogen, which she thought was a violation. She indicated this issue occurred in April 2020 and Air Quality management advised workers to contact them when work would be done on the Hesco barriers. She asserted this did not happen. She noted the material removed from the second layer of Hesco barriers had been left in a floodplain at Arkansas Street and that was another violation. She opined Lemmon Valley was not a junkyard and she wanted the County to change its policies.

Via Zoom, the following individuals spoke in support of petitions to establish the unincorporated town of Warm Springs Valley being placed on the ballot: Mr. Kenji Otto; Ms. Jennifer Martin; Mr. Brian DiMambro; and Mr. Rhett Wiggin. The reasons for the individuals' support included: residents having the right to vote on the issue; the belief that town boards and unincorporated towns fulfilled an important function in County government; assurance that the rural character was maintained; and the fact that the required number of signatures was gathered on the petitions.

Mr. Larry Chesney spoke via Zoom and stated he was on the Washoe County Planning Commission, but he indicated he was speaking as an individual. He spoke regarding Agenda Item 7, the reformulation of the citizens advisory boards (CABs), and noted he had been a participant of CABs for 14 years in some capacity. He asked that the recommendations to staff to include a hybrid style of meeting in which CABs would be brought back under the County Manager's Office and allowed to have regularly scheduled meetings. He acknowledged the issue about financing the meetings but noted the information provided to the Commission was important as it came from the citizens who paid taxes that funded the meetings. He mentioned the staff report for Agenda Item 8 had not been available for a few days and wondered if the item had been pulled.

20-0553 AGENDA ITEM 4 Announcements/Reports.

Vice Chair Berkbigler wanted to know whether the County should place a fee cap on food, pharmacy services, and any other essential deliveries. She stated Clark County imposed a 15 percent fee cap on such deliveries so drivers still received their delivery fee but the service provider was not able to profit more than they should. She wanted staff to research this because she was afraid seniors were being harmed without this cap. She did not know if this was an issue locally, but she stated it was a concern in Clark County.

Vice Chair Berkbigler expressed concern about journalist Don Dike-Anukam who was beaten on the head multiple times with the Mayor of Reno's gavel during a Black Lives Matter protest. She said the assailants were arrested in Visalia, California on unrelated charges. The journalist went to California to watch the court proceedings where the assailants saw him exiting the building and beat him again. She wondered whether the

District Attorney or Sheriff could compel the assailants to return to Reno to face charges against the journalist. She explained it was a misdemeanor to come from another state and assault a person without consequences. She commented behavior of that sort could be an invitation to troublemakers.

Vice Chair Berkbigler stated the Board would address a short-term rental (STR) bill at the next meeting. She indicated Incline Village was being inundated with parking issues and complaints about parties in vacation homes every night. She expressed concern for the devastation residents were dealing with on a nightly basis. She agreed Incline Village was a vacation destination, but short-term renters did not have the right to disrupt neighborhoods with parties while they were there. She admitted STRs could not be banned and she did not know what the solution was to the issue. She thought the County needed to require homeowners to have a local property manager available within 30 minutes in the event of a complaint. She stated people were coming to Incline Village to get away from communities with high cases of COVID-19 (C19). She encouraged the Board to consider the impacts on the residents in Incline Village and other areas who had STRs in their neighborhoods.

Commissioner Hartung congratulated Mr. Doug Thornley for being appointed as new Reno City Manager and stated he was well known in the community and would be a great addition to City of Reno. He noted Mr. Thornley came from the City of Sparks.

Commissioner Hartung stated the flashing lights at Calle de la Plata had been discussed many times at the Regional Transportation Commission Board because they flashed continually. He was disappointed that the Nevada Department of Transportation (NDOT) was not willing to make the lights only flash as an indicator the signal would be changing. He spoke to a constituent recently who indicated he was towing a horse trailer and could not stop in time when the light changed. He wanted the Board of County Commissioners to address the issue and make it consistent with other warning signal flashers. He stated he was initially told by NDOT it would be changed but it had not been.

Commissioner Hartung asked about adding the Boys and Girls Club as a recipient of Coronavirus Aid, Relief, and Economic Security (CARES) Act funding. He knew other counties had added them and they could use the assistance if it was possible. He commended the Boys and Girls Club for the outstanding job they did in the community.

Chair Lucey welcomed 45,000 students back to school. He wished each one the best of luck this year during these trying times. Washoe County School District staff was working diligently to prepare schools for students. He expressed his gratitude for the time and effort put in to making schools safe.

Chair Lucey expressed his gratitude to Human Services Agency Director Amber Howell, Human Services Coordinator Kim Schweickert, and staff for getting the women's shelter population moved into Our Place. He said the female population was added to the children and families already there, and now they were able to receive services

within the same complex.

Chair Lucey thanked Dave Aiazzi for his work as a liaison with the CARES Act funding by identifying ways to help by using goals and directives from the Board of County Commissioners. He said Mr. Aiazzi had done a significant amount of work in a short time and his wealth of knowledge of the community would make him a tremendous asset to the County.

Chair Lucey stated STR challenges in Incline Village needed to be addressed. He asserted visitors were treating the Tahoe Basin poorly. He thought it could be due to C19 but admitted that was no excuse for their behavior. He indicated STRs would be addressed at the next meeting.

Chair Lucey stated issues with NDOT and the flashing warning lights at Calle de la Plata needed to be addressed with the County Manager. He noted more vehicles would be on the road with schools back in session, and he asked people to use caution.

Chair Lucey thanked the Truckee Meadows Fire Protection District for their hard work on many wildfires, most recently the Loyalton Fire. He noted he saw brush trucks at Hallelujah Junction working on perimeter fire issues.

Commissioner Hartung brought up a photo shown during the local news of Truckee Meadows Fire Protection District Chief Charles Moore with Rico the dog, who was rescued by firefighters.

DONATIONS

20-0554 **5A** Recommendation to accept donations to Washoe County Regional Animal Services in the amount of [\$12,989.88] retroactive for the period April 1, 2020 through June 30, 2020, to be used for the humane care and treatment of sick and/or injured, stray, abandoned, or at-risk animals received; express appreciation for these thoughtful contributions; and direct the Comptroller's Office to make the necessary budget amendments. Animal Services. (All Commission Districts.)

20-0555 **5B** Recommendation to accept one-time appreciation gift donations [estimated value of \$9,859.00] from private citizens to the Washoe County Sheriff's Office. Sheriff. (All Commission Districts.)

20-0556 **5C1** Recommendation to (1) acknowledge various items donated totaling an estimated market value of [\$3,095.00]; (2) accept donations to Washoe County Human Services Agency to support child welfare activities in the amount of [\$150.00] retroactive for the period May 1, 2020 through June 30, 2020; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)

20-0557 **5C2** Recommendation to acknowledge various items donated to the Human Services Agency - Senior Services Fund to support operations of the Washoe County Senior Centers totaling an estimated market value of [\$890.00] retroactive for the period May 16, 2020 through June 30, 2020. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Chair Lucey, seconded by Vice Chair Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 5A through 5C2 be accepted.

CONSENT AGENDA ITEMS – 6A THROUGH 6H

20-0558 **6A** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners, including the following categories: Communications, Monthly Statements/Reports, and Quarterly Statements/Reports. Clerk. (All Commission Districts.)

20-0559 **6B** Recommendation, pursuant to NRS 278.0262 and related authorities, to reappoint Sarah Chvilicek, current member of the Washoe County Planning Commission, to the Truckee Meadows Regional Planning Commission for a term beginning July 1, 2020, and ending June 30, 2023; and, to appoint Francine Donshick, current member of the Washoe County Planning Commission, to the Truckee Meadows Regional Planning Commission to fill an unexpired term beginning July 1, 2020, and ending June 30, 2021, or until such time as successors are appointed, whichever occurs first. Community Services. (All Commission Districts.)

20-0560 **6C** Recommendation to acknowledge receipt of the 38th consecutive annual Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA) for the County's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2019. Comptroller. (All Commission Districts.)

20-0561 **6D** Recommendation to accept a 2021 Nevada State Emergency Response Commission (SERC), Operations, Planning, Training and Equipment (OPTE) grant for [\$29,000.00, no County match required] including funds to be used for food purchases. Grant Term is retroactive to July 1, 2020 through June 30, 2021. If approved, authorize the Chairperson to execute grant documents and direct the Comptroller's Office to make the appropriate budget amendments. Manager's Office. (All Commission Districts.)

- 20-0562** **6E1** Recommendation to acknowledge and accept Community Court Program Allocation from the Judicial Council of the State of Nevada to the Reno Justice Court for Community Court Program in the amount of [\$99,764.00 for FY21, no match required], paid in quarterly installments retroactive to July 1, 2020 through June 30, 2021; and direct the Comptroller to make the appropriate budget amendments. Reno Justice Court. (All Commission Districts.)
- 20-0563** **6E2** Recommendation to acknowledge and accept Specialty Court General Fund Allocations from the Judicial Council of the State of Nevada to the Reno Justice Court for DUI Court in the amount of [\$20,250.00 for FY21, no match required], paid in quarterly installments retroactive to July 1, 2020 through June 30, 2021; and direct the Comptroller to make the appropriate budget amendments. Reno Justice Court. (All Commission Districts.)
- 20-0564** **6E3** Recommendation to acknowledge and accept Court Assistance Program Allocation from the Judicial Council of the State of Nevada to the Reno Justice Court for Community Court Program in the amount of [\$100,284.00 for FY21, no match required], paid in quarterly installments retroactively July 1, 2020 through June 30, 2021; and direct the Comptroller to make the appropriate budget amendments. Reno Justice Court. (All Commission Districts.)
- 20-0565** **6F** Recommendation to accept a Grant Award from The Humane Society of the United States as part of their SpayTogether Coalition® in the amount of [\$630.00; no County match] retroactive from July 1, 2020 through August 30, 2020 to support a spay/neuter program for cats and dogs that have been backlogged due to COVID-19; retroactively authorize the Director of Washoe County Regional Animal Services [Shyanne Schull] to execute the grant agreement; and direct the Comptroller's Office to make the necessary budget amendments. Animal Services. (All Commission Districts.)
- 20-0566** **6G** Recommendation to acknowledge Receipt of Status Report of Commissary Fund submitted by the Washoe County Sheriff's Office Commissary Committee for Fourth Quarter for Fiscal Year 19/20. Sheriff. (All Commission Districts.)
- 20-0567** **6H** Recommendation to approve the Fiscal Year 2020/2021 sole source purchase of F5 web application firewall hardware through vendor ePlus in an amount [not to exceed \$119,423.10]. Technology Services. (All Commission Districts.)

Referring to Agenda Item 6C, Vice Chair Berkbigler commended the Comptroller and her staff for receiving the Certificate of Achievement for Excellence in Financial Reporting for the 38th consecutive year.

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

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 6A through 6H be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 6A through 6H are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 9 THROUGH 12

20-0568 **AGENDA ITEM 9** Recommendation to approve a FFY20 Emergency Management Performance Grant (EMPG) Letter of intent stating the State of Nevada, Division of Emergency Management (NDEM) awarding [\$170,877.00 (\$170,877.00 County match required)] for FFY 2020 including funds to be used for travel; retroactive from October 1, 2019 through March 31, 2021; If approved authorize the County Manager or his designee to sign the grant award documents when received; and direct the Comptroller's Office to reimburse the General Fund through transfer for the expense of \$58,630.19 incurred in FY20 and to make the necessary budget amendments. 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, authorized, and directed.

20-0569 **AGENDA ITEM 10** Recommendation to approve a FFY20 Emergency Management Performance Grant Supplemental (EMPG-S) from the State of Nevada, Division of Emergency Management (NDEM) awarding [\$99,893.00 (\$99,893.00 County match required)]; retroactive from January 27, 2020 through January 26, 2022; If approved authorize the County Manager or his designee to sign the grant award documents when received; and authorize the Comptroller's Office to make the necessary budget amendments. 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 authorized.

20-0570 **AGENDA ITEM 11** Recommendation to accept the 2021-2023 Incline Traffic Motor Unit Grant from the Dave and Cheryl Duffield Foundation [amount not to exceed \$1,089,090.44, no match required] to be used to pay for two full time deputies, equipment and a winter vehicle to be stationed in Incline Village for the grant period of September 1, 2020 - August 31, 2023, and if approved direct Human Resources to create 2.0 FTE Deputy Sheriff positions, and direct Comptroller's Office to make the necessary budget amendments. Sheriff. (Commission District 1.)

Vice Chair Berkbigler and Commissioner Hartung recognized Dave and Cheryl Duffield for their generous grant.

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 accepted, approved, and directed.

20-0571 **AGENDA ITEM 12** Recommendation to approve the submission of the following grants to the State of Nevada Community Development Block Grant (CDBG) program for COVID-19 funding consideration: Food Bank of Northern Nevada COVID Response, in the amount of \$174,300; and Washoe County Human Services Agency (WCHSA) - Rural COVID-19 Response for Seniors in the amount of \$11,747; priority ranking for the applications recommended as follows: FBNN priority one, and WCHSA priority two; and if approved, authorize the Board chair to execute the documents concerning same. Manager's Office. (All Commission District.)

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 12 be approved and authorized.

20-0572 **AGENDA ITEM 7** Recommendation to accept a presentation on Citizen Advisory Boards and related or supplemental community engagement resources such as the 3-1-1- program within unincorporated Washoe County, confirm board vision for engagement, and provide direction to staff to pursue one of three options for Advisory Boards and related supplemental community engagement resources which may include 1.) expand the Managers Office Communications Team to create a comprehensive community engagement program as a supplemental or additional community engagement resource to the CABs, or; 2.) expand the existing CAB program to include items that are not development related, or; 3.) continue with the existing program with no changes. Manager's Office. (All Commission Districts.)

Assistant County Manager Dave Solaro and Communications Director Nancy Leuenhagen conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: Gathered Commissioner Input; Commissioner Informal Responses; Vision; Value; Program Options; Decision Tool; and Key Discussion Questions.

Ms. Leuenhagen said they would present information about expanding community engagement and how the current citizen advisory boards (CABs) could be enhanced. She explained they would not provide a solution during this meeting but would gather input and direction from the entire Board to move forward. She noted multiple departments and staff were working on many programs. She and Mr. Solaro were looking into ways to expand community engagement for the Commission to make it more comprehensive for 2020 and beyond.

Mr. Solaro stated they were also looking to the community for input and direction. He said they were gathering information from the Board as one entity for the five Commission Districts. It was important to understand that the current CAB structure was set up only for unincorporated Washoe County. He indicated these advisory boards were defined to provide the Commission and the community advice on certain topics. However, Washoe County services were not specific to the unincorporated areas and input should be gathered from all residents of the county. He stated Washoe County represented everyone in the county, including Animal Services, Libraries, Human Services, and even the detention center, yet the Nevada Revised Statute (NRS) that defined CAB programs left those departments out.

Ms. Leuenhagen said they gathered information from each Commissioner about what was important to them as well as district-specific concerns.

Mr. Solaro referred to the Commissioner Informal Responses slide and said detailed responses were listed as Commissioner A, C, E, G, and I to ensure they were not attributed to any specific district. The information included what the Commissioners thought success would look like in their districts.

Ms. Leuenhagen stated each Commissioner wanted to create opportunities to engage with residents related to community issues without jurisdictional limitations. She said misinformation could be clarified during CAB meetings.

Mr. Solaro wanted the Board to discuss the program options displayed on the slide. He thought it was important to obtain feedback from each Commissioner to assist Ms. Leuenhagen with direction for the CABs.

Chair Lucey stated challenges consistently occurred with CAB programs because each was different and faced area-specific issues. A CAB in Warm Springs had different issues and structure than one in south Reno or Incline Village. He brought up one change to the CAB structure over the past few years was to focus on development, which was not as effective as intended. He thought citizens were disconnected with the Board

because they felt they were not being heard and did not have access to discussion related to community issues. He indicated a formal CAB meeting was required to adhere to open meeting laws without the flexibility to discuss off-topic issues openly. He thought routine scheduling and flexible formatting were important but participation and feedback were more important than a formalized board. He remarked these had been his challenges from the beginning of the CABs and he hoped staff could create a format that would help the community and staff make informed decisions about issues.

Vice Chair Berkbigler stated she was one of the Commissioners impacted by change because Incline Village was so far out of the community and not part of the mainstream like the rest of Washoe County. She said she supported Washoe 311, but they were not able to answer specific questions about Incline Village. She noted bear and other animal problems were not regular occurrences in most areas of the county. She thought CABs in outlying areas needed the opportunity to discuss issues that were not related to development. She noted Incline Village and Gerlach had few development issues to discuss at CAB meetings but their constituents needed be able to provide input related to specific areas. She wanted to see the CAB program expanded but noted she did not have a strong opinion about whether the program needed to move back under the County Manager's Office. She thought that could be left up to the County Manager to decide. Some communities could have a shortage of people wanting to be on CABs but Incline Village did not have that issue.

Commissioner Hartung expressed concern about the constraints of open meeting laws. He wanted to hear ideas from staff about processes to discuss issues without violating open meeting laws. He referred to Attachment A of the staff report and noted Commissioners' responses to participation included the offices of the Sheriff, District Attorney, Code Enforcement, School District, Regional Transportation, hospitals, and fire services, but most of those entities did not fall under the County's direct budget. He was unsure how some of the issues could be resolved. He stated open conversations would not fit into open meeting laws and the Legislature did not impose the same open meeting laws on itself. Referring to page 2 of the staff report, he asked how the costs for each CAB meeting were calculated. Mr. Solaro indicated it was not the cost for staff to attend meetings, but the cost of the staff member associated with the meetings as well as the cost to perform the necessary tasks for each meeting, such as taking minutes, scheduling and preparing meetings, and post-meeting items.

Commissioner Hartung brought up the fiscal impact section of the staff report and wondered where the additional amount to cover CAB meetings would come from. Mr. Solaro stated they had not fully concluded if that was an accurate number or where the money would come from. He indicated more questions would be asked after discussion and direction from the Board so it could be put through the budget process.

Commissioner Hartung explained a robust CAB training program existed in the 90s and he still had two of the huge training manuals. He noted they were used when CABs were an extension of the Planning Commission, Regional Planning, Board of Adjustment, and the Board of County Commissioners (BCC).

Commissioner Herman commented her district had the most CABs and her constituents were very active in the meetings. She thought CABs were a training ground for future Commissioners and said she had been on CABs for years before she was a Commissioner. Over the past six years, she remarked, she had the Sheriff's Office and the District Attorney's Office come to CAB meetings to inform community members about local issues. She noted Sun Valley had many requests for agencies to inform them of issues and explain what the future held for them. She said former Deputy District Attorney Paul Lipparelli spoke at CAB meetings frequently to provide informative content to citizens. She thought communication in the community was very important and it helped solve issues before they escalated. She thanked Mr. Solaro and Ms. Leuenhagen for the presentation and hoped they could establish processes that would work for the entire community. Budget was an issue, but she thought taxpayers needed something to show for their money. She noted the CAB program ran well from the Manager's Office for many years.

Commissioner Jung thanked the County Manager, Mr. Solaro and Ms. Leuenhagen for the data collected from each Commissioner. She explained CABs were cut drastically due to the last recession and the Board decided to make cuts and use money elsewhere, but in hindsight she believed it was the wrong decision. She remarked communication should never be cut in any situation because it was needed in good or bad situations. Given the emergency the County was facing, she thought more communication from CABs and the Communications Department was needed for the community.

Commissioner Jung said it was mentioned that NRS's definition of CABs left most of her constituents out. She believed CABs should be broader as a County service in charge of public health and safety. She thought the program did not belong in the Community Services Department, but moving it there was an easy fix. She stated Washoe 311 was powerful for centralized data collection, which was important for the Commissioners to know issues happening in the region.

Commissioner Jung thought Commissioners needed to be trained on how to run a CAB meeting, noting she ran neighborhood advisory boards (NABs) when she worked at the City of Reno. She thought the recommendation of the CAB should be sought out any time money was requested for a project. She wanted constituents with good ideas to bring them to CAB meetings and be provided with information about the next scheduled meeting. Representatives of CABs had the eyes and ears of their specific neighborhood, which was important.

Commissioner Jung believed all elected department heads, not proxies, should be at available for CAB meetings to answer questions that pertained to their department. She agreed hospital representatives needed to be at CAB meetings because they could not survive in the county without indigent care funds. She thought it was important to have meetings on a set day and time each month to ensure consistent attendance. She asserted the Chair of the CAB had the right to cancel a meeting if there was a valid reason, but she believed it should not be up to the Commissioner of the district to make that determination. She thought development issues were not the only items CABs

should address. She indicated the NABs of the cities of Reno and Sparks had no say in development issues, whereas CABs had the right to recommend approval or denial of development to the BCC. She expressed concern about the annual costs for CAB meetings and thought a hybrid style of meeting could be determined. She noted her district was all incorporated, so community issues were addressed by NABs.

Commissioner Hartung stated he had allowed Sparks citizens to serve on the Spanish Springs CAB, but there was frustration when residents wanted to know about development occurring in their area because the CAB had no purview over the City of Sparks.

Commissioner Jung reassured staff this did not reflect negatively on them, it just meant they had not been provided the necessary resources. She thought the Communications Department and the County Manager had not been empowered to employ data collection so they could determine exactly what the community was encountering rather than resolving issues with the most complaints. Many times, she said, Commissioners only heard the opinions of people who attended meetings; people who had not voiced their opinions were not considered.

Commissioner Hartung requested a discussion with the Cities of Reno and Sparks about establishing a hybrid CAB model to provide information that would include overlapping areas. He thought all residents should know what was occurring in their areas because development, fire service, and law enforcement affected the entire community.

Chair Lucey thought one model would not accommodate the entire region and a blended model could be the solution. He emphasized the importance of bringing CABs back under the Manager's Office. He expressed concern about the Cities of Reno and Sparks not having the capacity to resolve issues during this emergency and they were reliant on the County to do so. He wanted staff to present different options for structuring meetings, but he was still concerned about open meeting law issues as they had proved to be a challenge in the past. He believed discussions should include the continuance of virtual meetings because it was easier for people to attend meetings safely and meetings could still be highly functional.

On the call for public comment and via the Zoom app, Mr. Kenji Otto stated he was pleased to hear discussion about CABs being opened to more issues than just development. As a former CAB member, he heard many people say they felt they were not being listened to by County Commissioners about what they wanted to see in their communities. He stated people moved to Lemmon Valley to be in a rural area and he understood development could not be stopped because it was necessary. He thought citizens would be happier if development could be done in a controlled manner where community input was allowed.

Via Zoom, Mr. Jeff Kuhn expressed concern about open meetings versus closed meetings. He opined public meetings were held for the express purpose of providing information to constituents and elected officials. He thought issues should not be discussed

in an open forum unless funds were allocated for them.

Via Zoom, Mr. Larry Chesney stated the presentation was excellent. He referred to the Key Discussion and Issues slide, saying it covered much of the discussion that needed to take place. He thought CABs and NABs should not be compared to each other because they were completely different. He said a good recommendation would be for CABs to meet again with staff, and the community be allowed to provide input about topics they wanted discussed at meetings.

A voicemail from Ms. Pam Roberts was played in Chambers. She stated she attended Warm Springs CAB meetings when they were held. She supported the expansion of topics CABs could discuss and the ability to provide feedback to County staff. She said CABs allowed residents to attend local community meetings and not have to commute to the County Complex for public meetings. She believed many people were not computer savvy and unable to attend virtual meetings. She asserted agencies were utilizing other options to educate the community, such as the Nextdoor app and Facebook. She urged the Board to allow CABs in Washoe County a broader role, such as the one filled by the Citizens Advisory Council in Clark County.

A voicemail from Ms. Maeve Ambrose was played in Chambers. She mentioned the goal response from Commissioner I on Attachment A of the staff report. She stated communication from the County needed to be about what was happening at a neighborhood level, but citizens also needed the same opportunity to communicate back to the County. She stated the current Washoe 311 system was not experienced enough to handle that type of information. She shared the opinion of the same Commissioner related to defining success. She looked forward to citizens receiving questionnaires or surveys like the Truckee Meadows Regional Plan used when gathering public opinion. She said the issues about Warm Springs becoming an unincorporated town could have been discussed at the May or July CAB meetings if they had not been cancelled due to agenda restrictions.

County Clerk Nancy Parent read an email from Ms. Sharon Gustavson about her experience with the Washoe 311 system. She said she was disappointed with the service and processes. She did not believe staff worked full days answering the phone and expressed concern that people were not receiving the best service from this department.

Ms. Parent read an email from Ms. Sharon Korn. She urged the Board to select the recommendation to expand the CAB program within the Community Services Department to include items that were not development related. She thought the costs to extend a CAB meeting should not be significant because the Truckee Meadows Fire Protection District managed the meeting place in Warm Springs. She said citizens would get the word out about which local issues they wanted to discuss. She stated they needed to help the community pull together and not push them farther apart since the area was so spread out with 40-acre minimum parcels.

Ms. Parent read an email from Mr. Marshall Todd, who stated he was the Vice Chair of the Warm Springs CAB. He recommended the Board adopt option number

two, expanding the existing CAB program to include items that were not development related. He thought it would be beneficial to have more community involvement since there were matters of concern beyond development. He opined the cost of conducting meetings in Warm Springs Valley would be much lower than discussed.

Ms. Parent read an email from Mr. Scott Mills. He thought the role of CABs should be expanded, indicating he believed NABs were as important as CABs. Advisory boards provided citizens the ability to directly communicate with County staff, which was not otherwise accessible. He thought citizens would find other ways to reach out to staff, including attending other board meetings if CABs were downgraded or dissolved. He asserted CABs needed an expanded role beyond development issues in order to meet citizens' needs. He said CABs were one of the few places in this county where questions were promptly answered. He found the timing of this agenda item interesting as the August CAB meeting was cancelled and there was no opportunity to provide feedback about CABs. He noticed that two Manager's Office staff put together the presentation and the first option was to expand the Manager's Office staff. He thought this agenda item was to promote Washoe 311 as the outreach and engagement program, which it was not. He said he could drive to a CAB meeting and wait to speak in less time it would take to complete the lengthy Washoe 311 online form. He opined he would wait a few days for a vague response from them and would never hear back when a follow-up question was asked.

Commissioner Jung stated the District Attorney's Office and the City of Reno Attorney's Office had always said a meeting could not be held without a quorum, and specific items not on the agenda could not be openly discussed according to open meeting law. She disagreed, saying things could not be deliberated if there was not a quorum or a recorder, but presentations with no action taken could occur. She mentioned open meeting laws prohibited a quorum of an agency's members from gathering to deliberate about items while not in a public setting with a recording of the dialogue. She asserted Boards could be disciplined for trying to comply with law by providing citizens an open forum to speak in. She thought a hybrid version could be the way to go and would make everyone happy. She said a quorum and recording was necessary on agenda items that needed action.

Commissioner Hartung stated his understanding was that any topic discussed but not agendized would be a violation of open meeting laws. He wondered about the definition of deliberation and whether it included discussion without any formal action taken. He thought it was a difficult scenario and not meant to silence citizens in any way.

Chair Lucey stated this was a complicated issue the Board often discussed, and he thought the only way to make CABs successful was in a hybrid manner. When people were appointed to the boards, whether it was structured or a hybrid model, he thought they needed formalized training prior to their first meeting. He stated there needed to be a person who knew to stop discussions if a topic was being discussed that was not agendized. He thought CABs were a useful forum to gather information and gauge citizen response to issues related to development projects. He noted discussion of a topic could be added to a future agenda if it needed to be addressed further.

Commissioner Hartung said the Sparks Citizens Advisory Committee was not appointed by the City Council. He asked staff to research their process for placing members on the committee.

Commissioner Herman noted most rural CABs were not involved with other cities. She said CABs needed to expand to fit all areas, but she did not believe they should move away from the open meeting laws they followed. She wanted CABs to be consistent.

Chair Lucey said there was no possible way to have one idea work for all CABs in Washoe County. He stated a model that worked for Warm Springs would not work in Washoe Valley, Incline Village, or Gerlach. He thought a hybrid model that allowed people to communicate openly back and forth was needed. At BCC meetings, he said, the Board was not able to respond to people providing public comment, but he enjoyed being able to converse over issues in a non-structured meeting because information could be lacking on either side. He thought structure prohibited that type of conversation. He said a standard CAB meeting could be held every other month, with open forum type meetings held on the other months.

Vice Chair Berkgigler said she would propose a motion to have staff bring back information about a blended CAB model. She stated there were clearly issues that would require a vote, but there were significant amounts of general information that could be discussion worthy. If the District Attorney continued to maintain that public comments could not contain discussion, she thought an agenda item could possibly be set for discussion at the next meeting. She stated many different types of issues existed within the County, including all of Commissioner Jung's constituents who lived in incorporated cities, but citizens still wanted to know what was going on in the County. She thought a blended model was necessary.

Commissioner Jung mentioned the taxes paid by people in Reno and Sparks for additional police, city functions, and infrastructure, were not the same amount as those paid by unincorporated County residents, who did not have an extra CAB. She explained the County received the same amount of money no matter where taxpayers lived, unless they lived within the Truckee Meadows Fire Protection District area because they were charged a fire tax. She understood about communities being different, but taxpayers in metro areas had every right to know where their tax dollars were being used for government services.

Chair Lucey stated another public commenter was waiting to be heard via the Zoom app and he reopened public comment.

Via Zoom, Ms. Gretchen Miller said she understood that CABs were eliminated in order to cut spending when the budget was tight. She understood cuts needed to be made; however, CABs did not get reinstated when the economy recovered. She stated money was tight again and staff was looking at reinstating CABs, which sent a message that they were not important enough to maintain. She thought the County feared citizens voices being heard more. She asserted there would have been CAB meetings every month

if the County thought it was a priority. She noted people would attend the meetings and not be so frustrated about unheard concerns.

Chair Lucey thought Mr. Solaro, Ms. Leuenhagen, and Mr. Brown received enough direction from the Commission.

Commissioner Hartung asked whether a motion was needed. Chair Lucey stated he believed enough direction had been provided but wanted to know if there was a motion to be supported. He asserted more discussions needed to occur, especially about budgetary concerns.

Mr. Solaro stated he appreciated the conversation and had a few pages of direction, but he recommended a motion be made so staff could work with the details of a specific motion.

Vice Chair Berkbigler thought it was important to provide a motion containing specific details that had been discussed. She knew Commissioner Herman had a motion ready to go. She said the last public commenter had a valid point about constituents being the most important part of the operations of the County, and they had a right to know what was going on. She said the budgetary requirements needed to be addressed along with areas that would be cut to make up the budget. She agreed this needed to move forward.

Commissioner Herman moved to bring CAB management back to the Manager's Office, expand the program, have basic once-a-month business meetings for each CAB as soon as financially possible, and include all items necessary for the individual CABs. Chair Lucey restated the motion was to bring management of the CAB program back into the Manager's Office, set a one-time-a month CAB meeting structure for all districts, and expand the program to allow for further discussion. Commissioner Herman added open meeting laws needed to continue to be followed. Vice Chair Berkbigler seconded the motion.

Commissioner Jung stated she could not support this because it was not determined where funds would come from; she wondered whether COVID-19 money could be used. She indicated this program would cost more than \$100,000 in funding so it was required to come back to the Board for approval.

Commissioner Hartung thought the motion revolved more around District 5 and expressed concern about options for other districts. He was unsure how to encompass this without options. He wondered about the effect to other CABs because the motion would fit for the Wadsworth CAB but not the Spanish Springs CAB. He wanted more information from staff about the workings of each CAB because they each had their own needs.

Vice Chair Berkbigler said she was supportive of the motion but thought it was important to recognize the motion confirmed direction to staff for some items that

needed to be put into the CABs. She indicated staff would be required to bring the item back to the Board for final approval and she hoped the financial information to fund the program would be included. She opined the motion to change the program was a start but not a final decision. She found it interesting that anyone would be opposed to constituents having a voice.

Chair Lucey reiterated the motion was for CAB operations to be moved back to the Manager's Office, regularly scheduled monthly meetings to occur, and options for the CAB program be expanded.

On motion by Commissioner Herman, seconded by Vice Chair Berkbigler, which motion duly carried on a 3-2 vote with Commissioner Jung and Chair Lucey voting no, it was ordered that CAB operations be moved back to the Manager's Office, regularly scheduled monthly meetings occur, and options for the CAB program be expanded.

Mr. Solaro agreed a motion was needed for crafting a program to bring back to the Board for final approval. The program did not have a budget or staffing, which would need to be developed. He stated staff needed concrete direction around which to develop the program.

Chair Lucey believed this formation of a CAB could not be made in a motion with the complexities that were needed for every district. He stated his district was different than Commissioner Herman's. He hoped the details provided to staff would come back to the Board at a future meeting. He stated he was not implying the County did not support a CAB program, but he wanted to ensure a program was identified for each district, as well as how they would be run.

Commissioner Herman commented the people from the Cities of Reno and Sparks already had NABs, and the CABs would represent Washoe County residents that were not otherwise represented.

20-0573 **AGENDA ITEM 8** Recommendation to accept Registrar of Voters' submission of a second Petition to Establish the Unincorporated Town of "Warm Springs Valley" per NRS 269.540; discussion and possible action on this Petition and the previous Petition submitted to the Board on July 21, 2020 which may include (1) approval of a resolution placing either or both Petitions on the upcoming ballot for consideration by the voters pursuant to NRS 269.540(2) and NRS 269.550(2); or (2) direction to staff to draft and return with an ordinance for the Board to approve forming an unincorporated town consistent with the second petition pursuant to NRS 269.540(1) and NRS 269.550(1); or (3) Exercise the discretion granted in NRS 269.550(1) and (2) and decline to place either petition on the ballot or to create a town by ordinance; or (4) other direction as deemed appropriate by the Board. Registrar. (All Commission Districts.)

Registrar of Voters (ROV) Deanna Spikula stated the first petition to establish Warm Springs Valley as an unincorporated town was submitted to the Board on July 21 and a second petition was received later. The item was requesting direction about how to proceed with the petitions. She indicated Nevada Revised Statute (NRS) recommendations were included in the staff report and a decision would need to be made by end of the week for the petition or petitions to appear on the ballot.

Assistant District Attorney David Watts-Vial stated extensive discussion occurred about how a town was formed and any possible issues. He indicated two petitions to form an unincorporated town were in front of the Board of County Commissioners (BCC). He said there were many issues presented in both petitions. The Statutes the petitions were brought pursuant to were not particularly well drafted and included Statutes incorporating other Statutes by reference. He stated those Statutes incorporated by reference did not particularly fit within the processes described in NRS Chapter 269. He said the level of confusion about this item was understandable. He suspected that was the reason for the significant amount of public comment. Nothing in the staff report suggested a recommendation for the Board to place or not place either of these items on the upcoming ballot. He explained the staff report was a discussion of the issues and it identified concerns and provided a brief analysis of what NRS required when forming an unincorporated town. He stated he could respond to specific questions if needed.

On the call for public comment, voicemail messages were played in Chambers and the following individuals spoke in support of petitions to establish the unincorporated town of Warm Springs Valley being placed on the ballot: Ms. Rebecca Dissmore; Ms. Mariah Barbado; Ms. Susan Arnold; Ms. Julie Brandt; Ms. Jane Louis; Mr. Jason Arnold; Ms. Vicky DiMambro; Mr. Brian DiMambro; and Mr. Michael Evans. The reasons the individuals were in support of this item included: people having the right to vote for what they wanted; the potential for action to be taken against the County if the petitions did not appear on the November 3 ballot; the commitment of Warm Springs residents to have the unincorporated town established; and the desire for residents to have a voice in what happened to the valley.

Voicemails of the following individuals speaking in opposition to petitions establishing the unincorporated town of Warm Springs Valley being placed on the ballot were played in Chambers: Ms. Pam Roberts; Ms. Julie Murphy; and Ms. Mauve Ambrose. The reasons for the individuals' opposition included: unclear boundaries; the raising of taxes; and the lack of time people had to consider the options.

County Clerk Nancy Parent read emails from individuals who wrote in support of petitions to establish the unincorporated town of Warm Springs Valley being placed on the upcoming ballot: Mr. Mark Luis; Mr. Shawn Dissmore; Ms. Teri Evans; and Mr. Robert Gunn. The reason the individuals' supported the item included: the potential for action to be taken against the County for unlawful practices if the petitions were not placed on the ballot; and the fact that the required number of signatures were received to place the petitions on the ballot.

Ms. Parent read emails from individuals who wrote in opposition to establishing the unincorporated town of Warm Springs Valley: John and Cathy Glatthar; Ms. Sharon Gustavson; Ms. Kathy McCovey; and Mr. Mark Burnett. The reasons for these individuals' opposition included: petitions not conforming with NRS; the specifics for petitions being unclear; the failure to include all areas in the petitions; and a lack of resident desire for this action to occur.

Ms. Parent read emails from individuals who thought no action should be taken at the current time to place petitions to establish the unincorporated town of Warm Springs Valley on the ballot: Ms. Sharon Korn; Mr. Marshall Todd; Mr. Tom Prentice; and Mr. Dave Biggs. The reasons they wanted no action taken included: the specifics being unclear; a lack of abundant water; occurrences of fatal accidents involving horses and deer; and residents needing more time to review the options.

Individuals who spoke via Zoom in support of the unincorporated town of Warm Springs Valley being placed on the ballot included: Mr. Kenji Otto; Mr. Kevin Cook; and Mr. Jeff Kuhn. The reasons for the individuals' support included: the failure to place petitions on the ballot being anti-American; the fact that NRS guidelines were met and the need for laws to be enforced; the people having a right to vote; and the potential for action to be taken against the County if the petitions did not appear on the ballot.

Via Zoom, Ms. Gretchen Miller stated she was not opposed to the petitions to establish the unincorporated town of Warm Springs Valley being placed on the ballot, but she asserted the information needed to be factual.

Mr. Watts-Vial stated two things were being requested for this item. He said one was to accept the certification of the ROV and the signatures that were placed on the petition; the Board could act on that at this meeting. He stated the second issue was whether to place the matter of the formation of the unincorporated town on to the ballot. He wanted to clarify there were two ways to form a town: by ordinance or by resolution of the Board. The staff report broke down the processes for formation by a ballot initiative. He cited that, under NRS 269.540 (2), which contained language without reference to the Board of County Commissioners (BCC), a petition signed by 10 percent of the voters who voted in the last general election in this area of the County would be sufficient. The staff report covered another option under NRS 269.550 (2), which specifically noted and referenced NRS 269.540 (2). If the petition presented to the Board contained the requisite number of signatures pursuant to NRS 269.540 (2), he explained, the Board may by resolution provide for the submission of the formation of the town on the ballot and put it to a vote. He said that was significant because that section specifically referenced NRS 269.540 (2), the one under which both sets of petitioners stated they were proceeding, which specifically used the word "may" rather than the word "shall". He clarified "shall" was mandatory, "may" was not. He said a section of the Legislative history was also provided that made clear it was probably mandatory in 1975 for the Board to submit this to voters; in 1979, a large section of that Statute changed due to a request from Clark County. Prior to 1979, the BCC did not have discretion, but since then the language in Statute indicated they did have discretion.

Mr. Watts-Vial said the next issue, which many commenters mentioned, was the contents of the petitions. That too was discussed in the staff report and he noted the concerns raised by the language in the petitions. He stated petitions were supposed to have language specifically described in NRS 269.545, yet both petitions deviated from that and provided a tax rate which might not be accurate and omitted the language that there could be a fee or fee schedules, both of which were provided in NRS 269.545. The petitions talked about how the board would be appointed and where they would come from, but neither of those appeared in NRS 269.545 and were contrary to the law which stated the BCC would decide whether to appoint members or have them elected. At least one speaker noted that the second petition contained the same language as the first, making the tax rate provided doubly incorrect. He said no one knew whether any of those things affected the judgement of anyone who signed the petition, but there were public comments that strongly suggested some people were confused by the language. He stated those were the larger issues. Due to problems with the language and the lack of conformance with the petitions, the Resolutions provided tracked with the language of the Statutes, but not necessarily with the language of the petitions. He noted it described the area the correct way, but the other portion of the Resolutions describing how the board members would be elected or appointed by the BCC tracked with NRS 269.545.

Vice Chair Berkgigler asked what would happen if both petitions appeared on the ballot and both passed since they overlapped each other. Mr. Watts-Vial referred to NRS 295, which he said was an imperfect fit because it was directed at initiative petitions to change ordinances, but that was not what this item was; it was an initiative petition to create a town. He said trying to make Chapter 295 fit was an ongoing issue. The petitions would need to garner majority, then whichever one received the most votes would prevail.

When initiative petitions were put on the ballot, Vice Chair Berkgigler stated, pros and cons were written along with an explanation of the petition. She wondered whether the outlined deficiencies would be fixed in that information should this pass. Mr. Watts-Vial stated they could be discussed in the pro and con committees and mentioned by both sides. Vice Chair Berkgigler wondered whether people who would be voting on this could see on the ballot if an additional tax would be imposed on them if this passed. She thought some people who testified seemed unclear of the process. Mr. Watts-Vial replied that would be made known because there was a fiscal impact with either of the petitions; that would be appropriate for the pro and con committees.

Vice Chair Berkgigler stated she was fascinated by people who came before the BCC and threatened them. She indicated the Board was committed to do the right thing. She said she received several emails accusing her of being opposed to this but she had never stated any opposition to it. She said she believed the BCC would not be opposed to this since they had always allowed petitions to be placed on the ballot if it was what the citizens wanted. She stated she had no issue with this being on the ballot.

Commissioner Herman, having been involved with petitions for years, said she noticed not many were written perfectly or written by attorneys. She referred to a comment about the areas overlapping and noted one area was within the other area. She

said the first petition had 269 signatures and the second had 27. She noted it was representative of the valley. She stated 22 percent of possible residents' signatures were obtained in the larger area but the smaller area did not need that many signatures. She said costs were addressed to be higher for the smaller area because there were fewer people among which to divide costs. She wondered whether people noted the second petition mimicked the wording from the first petition. She thought both petitions should be placed on the ballot and the people should be allowed to vote.

Out of the 269 signatures included in the original petition, Ms. Spikula stated, some of the signatures appeared on the petition but not the amended petition. Based on that she could not verify or use the petition signatures on the first petition submitted due to it being amended. Of the verified pages, there were 177 eligible signatures. Chair Lucey questioned whether that still represented 10 percent. Ms. Spikula replied it did.

Commissioner Hartung wanted to address some tactics being used. He stated Mr. Otto reached out to him and he informed Mr. Otto he wanted to read the staff report prior to having conversations. He said that led Mr. Otto to believe he was opposed to the process, which was not true. Commissioner Hartung stated he had no issue with this being added to the ballot. He mentioned someone said he was working with developers to annex the Warm Springs area into Sparks. He stated he had no discussions with developers and did not have the purview to do such a thing. He referred to page 112 and 113 of the Regional Plan that addressed future annexation. He wondered whether petition 1 or 2 or both should be on the ballot. He did not know how it would work because areas were overlapping. He wondered whether the CAB in Warm Springs would be dissolved if an unincorporated town was created because they should have a town council. If people wanted to tax themselves and have this item on the ballot, he said then it should be. He thought fiscal impacts should be considered.

Commissioner Jung asked whether one or both petitions included language substantially complying with NRS. Mr. Watts-Vial stated the reason this was being asked was there a special provision under NRS 269.545 which stated the language needed to substantially comply. He stated that could be something decided in another forum. It was something worth considering and the County could opine that they did not believe the language on the petitions substantially complied due to the reasons described in the staff report.

Commissioner Jung asked whether the District Attorney or the BCC made the determination if the language substantially complied. Mr. Watts-Vial stated he advised the Board, which could then determine whether the language complied. He said the staff report pointed out concerns with the language in the actual petitions, particularly the second petition which carried forward the error on the tax rate. The tax rate, however, did have a disclaimer on it that stated it could be a different rate. Whether it substantially complied would be the ultimate decision of the Board.

Commissioner Herman said communication in Palomino Valley had been struggling for the past few years and the CAB was hardly existent. She indicated that was

the reason people in the valley decided to pursue this method of governing themselves. She explained the CAB would be eliminated, saving the County close to \$50,000 per year.

Chair Lucey asked about the current voting population. Ms. Spikula stated she would message the information to him.

Chair Lucey said he understood by reading the Resolutions and petitions that the intent of these individuals was to have a more secure voice in the decision of all governance within Warm Springs. He asked Mr. Watts-Vial to assist him with NRS 269.575, which had to do with town services. He understood the citizens wanted to have participation in governance and shift from a CAB model to a more prevalent town advisory board model. He wondered about where the governance terminated, asking whether it was a clear line or if there would be a divide in specific governance that still relied on the BCC. He wanted to know who decided where the governance lay. Mr. Watts-Vial stated the staff report provided an explanation about how members of the town advisory board (TAB) were appointed. The duties of the TAB were laid within NRS 269.577 (3), and the TAB would assist Commissioners in governing the unincorporated town by acting as liaisons between residents and the BCC and advising the Board on matters of importance to the unincorporated town and its residents.

Chair Lucey stated he read that but wondered whether the BCC could make decisions that would supersede the TAB in matters relating to the township. Mr. Watts-Vial stated that was correct, but Statutes were clear that the BCC needed to consult with the TAB. Chair Lucey said he read the Statute relating to assisting the BCC in governing the unincorporated town as acting as a liaison between residents of the town and the BCC. He thought their ability could grow by finding financing to pay for fire protection, fuels management, or increased police based upon their ability to increase tax rates. Mr. Watts-Vial confirmed that was correct with the consent of the BCC.

Chair Lucey said it was his understanding that petition 1 was brought before the Board on July 21 and passed unanimously, but the acknowledgement of receiving the petition was the only discussion about that item. Ms. Spikula stated yes, that was the action of the Board.

Chair Lucey asked whether all residents would be impacted with additional taxes based on the first petition. Mr. Watts-Vial stated all landowners within the description of the land in the unincorporated town would be included. Chair Lucey stated the tax rate was currently at the allowed maximum of \$3.66. This would be a levied tax on those individuals identified within the unincorporated town and the boundaries described in the Resolution to impose a fee to pay for its own advisory board to act as a liaison between the BCC and the residents of Warm Springs, though it could potentially be superseded by the BCC. Mr. Watts-Vial stated that question would require some research. The questions could be placed on the ballot and, if voters approved one town or the other, an ordinance would be drafted to address the issue of how the potential taxes would be imposed.

Commissioner Hartung asked whether both petitions were being placed on

the ballot. He thought they should both be on the ballot but it was the desire of the Board to do what it thought was appropriate.

Chair Lucey asked who would be writing the pros and cons for the ballot questions. Ms. Spikula indicated one writer for each side had expressed interest in the committee for pros and cons. She said it would be announced that volunteers were needed for the committees. The goal was to have three writers for each side. She noted the work needed to be done extremely quickly for printing of the sample ballots. She stated the writers were ready as soon as approval was given and she thought the committees could be formed swiftly and work started prior to appointment. She said an agenda item would be brought to the BCC at a future meeting for formal approval of the committee writers.

On motion by Commissioner Herman, seconded by Commissioner Hartung, which motion duly carried on a 5-0 vote, it was ordered that the second petition be accepted and both petitions and Resolutions be placed on the ballot. Any and all Resolutions are attached hereto and made a part of the minutes thereof.

Ms. Parent asked whether both Resolutions would be signed. Mr. Watts-Vial stated both Resolutions would be signed and both petitions would be on the ballot.

PUBLIC HEARING

20-0574 **AGENDA ITEM 13** Public Hearing: Second reading and possible adoption of an ordinance approving a Development Agreement between Washoe County and Ridges Development Inc / Ridges at Hunter Creek III LLC, regarding tentative subdivision map case number TM16-005 (Ridges at Hunter Creek) which approved (on July 5, 2016) development of a 53-lot, single-family residential, common open space subdivision. Lots range in size from ± 0.37 acres ($\pm 16,117$ square feet) to ± 2.3 acres ($\pm 100,188$ square feet). This agreement extends the deadline for filing the first in a series of final subdivision maps from July 5, 2020 to July 5, 2022. The subject site is located south of Woodchuck Circle and Hunters Peak Road and west of Hawken Drive. The subject site consists of four parcels totaling ± 155.01 acres in size. The master plan designations include Suburban Residential (SR), Rural Residential (RR) and Rural (R). The regulatory zones include General Rural (GR), Low Density Suburban (LDS) and High Density Rural (HDR). The parcel is located within the Southwest Truckee Meadows Area Plan, and is situated in portions of Sections 19 and 30, T19N, R19E, MDM, Washoe County, Nevada. (APNs: 041-650-07, 041-650-03, 041-671-02 & 041-662-12). Community Services. (Commission District 1.)

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.

Nancy Parent, County Clerk, read the title for Ordinance No. 1656, Bill No.

1845.

On motion by Vice Chair Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, Chair Lucey ordered that Ordinance No. 1656, Bill No. 1845, be adopted, approved and published in accordance with NRS 244.100.

20-0575 AGENDA ITEM 14 Public Comment.

On the call for public comment, a voicemail from Ms. Annemarie Grant was played in Chambers. She indicated she was the sister of Thomas Purdy, who died after being hogtied by law enforcement. She played a recording of Mr. Purdy pleading for help. She did not believe the Commissioners cared or listened to families of victims.

County Clerk Nancy Parent read an email from Daniel Purdy, brother of Thomas Purdy. He stated his brother was killed by law enforcement officers and asked for something be done to protect community members.

Via the Zoom app, Mr. Larry Chesney stated a blanket email with incorrect information was sent out. He said he tried to rectify the information on his side, being the Chair of the Planning Commission, that any annexation by the City of Sparks was false. He stated the Regional Plan would not allow Sparks to annex Warm Springs Valley, much less extend services to the area except wastewater resources for agriculture. He believed the second petition was propagated by people with development interests in the area and, if the first petition did not pass, it would be the backup. He asserted the Regional Plan still applied to the Warm Spring area.

County Clerk Nancy Parent read an email from Mr. Greg Dennis stating he was opposed to the creation of an unincorporated town on the west side of Highway 445. He opined this was a way for developers to skirt around normal processes for land use and area plans, and it would place the burden of a fire station on the backs of residents.

20-0576 AGENDA ITEM 15 Announcements/Reports.

There were no announcements or reports.

* * * * *

2:05 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*