

COUNTY COMMISSIONERS
Chair, Bob Lucey, District 2
Vice-Chair Marsha Berkgigler, District 1
Kitty Jung, District 3
Vaughn Hartung, District 4
Jeanne Herman, District 5



COUNTY MANAGER
Eric P. Brown

ASSISTANT DISTRICT ATTORNEY
David Watts-Vial

COUNTY CLERK
Nancy Parent

NOTICE OF MEETING AND AGENDA

WASHOE COUNTY BOARD OF COUNTY COMMISSIONERS COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

March 10, 2020
10:00 a.m.

NOTE: Items on the agenda may be taken out of order; combined with other items; removed from the agenda; moved to the agenda of another meeting; moved to or from the Consent section; or may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time, but may be heard later. The Consent is a single agenda item and is considered as a block and will not be read aloud. The Board of County Commissioners may take breaks approximately every 90 minutes.

Accessibility. In compliance with the Americans with Disabilities Act, the Washoe County Commission Chambers are accessible and those requiring accommodation for this meeting should notify the Office of the County Manager at (775) 328-2000, 24 hours prior to the meeting.

Public Transportation. Public transportation is available to this meeting site: RTC Routes 2, 2S, 5 and 15 serve this location. For eligible RTC ACCESS reservations call (775) 348-5438.

Time Limits. Public comments are welcomed during the Public Comment periods for all matters, whether listed on the agenda or not, and are limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individually numbered items designated as "for possible action" on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. Persons may not allocate unused time to other speakers.

Forum Restrictions and Orderly Conduct of Business. The Board of County Commissioners conducts the business of Washoe County and its citizens during its meetings. The presiding officer may order the removal of any person whose statement or other conduct disrupts the orderly, efficient or safe conduct of the meeting. Warnings against disruptive comments or behavior may or may not be given prior to removal. The viewpoint of a speaker will not be restricted, but reasonable restrictions may be imposed upon the time, place and manner of speech. Irrelevant and unduly repetitious statements and personal attacks which antagonize or incite others are examples of speech that may be reasonably limited.

Responses to Public Comments. The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item "Commissioners'/County Manager's announcements, reports and updates, requested for information or topics for future agendas."

Pursuant to NRS 241.020, the Agenda for the Board of County Commissioners has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street, Bldg. A), Washoe County Courthouse-Second Judicial District Court (75 Court Street), Reno City Hall - Clerk's Office (1 E. 1st Street); Sparks Justice Court (1675 East Prater Way); www.washoecounty.us/bcc/board_committees/ and <https://notice.nv.gov>.

Support documentation for the items on the agenda, provided to the Washoe County Board of Commissioners is available to members of the public at the County Manager's Office (1001 E. 9th Street, Bldg. A, 2nd Floor, Reno, Nevada) Elizabeth Jourdin, Assistant to the County Manager, (775) 328-2000 and on Washoe County's website www.washoecounty.us/bcc <http://www.washoecounty.us/bcc>

10:00 a.m.

1. Salute to the flag.
2. Roll call.
3. Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.
4. Appearance: (Informational Only, Not for Action)
Chief Joe Ingraham
Washoe County Alternative Sentencing / Sober 24
Presentation and update on the Sober 24 program. [10 minutes.]

Attachments: [2020 DAS Presentation](#)
5. Commissioners'/County Manager's announcements, reports and updates to include boards and commissions updates, requests for information or topics for future agendas. (No discussion among Commissioners will take place on this item.)

6. Consent Items (for possible action)

- 6.A. Approval of minutes for the Board of County Commissioners' regular meetings of January 28, 2020, February 11, 2020, and February 18, 2020. Clerk. (All Commission Districts.)
FOR POSSIBLE ACTION

Attachments: [BCC2020-01-28W](#)
[BCC2020-02-11W](#)
[BCC2020-02-18W](#)

- 6.B. Recommendation to approve a cross-fund appropriation transfer for cost increases related to the roof screen structure at the Human Services Family Engagement Center (aka Visitation Center) [\$12,180]; and, if approved, direct the Comptroller's Office to make the necessary appropriation transfers [net impact to County budget is zero]. Community Services. (Commission District 4.) FOR POSSIBLE ACTION

Attachments: [BCC 03-10-20 BCC - Staff Report - Interfund transfer Family Engagement Ctr](#)

- 6.C. Recommendation to approve purchases in the approximate amount of [\$130,000.00] from Merck Sharp & Dohme Corporation for vaccine in support of clinic operations on behalf of the Community and Clinical Health Services Division of the Washoe County Health District. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [Staff Report - Merck PO \\$130,000.00](#)

- 6.D. Recommendation to approve a FFY18 Supplemental Emergency Management Performance Grant (EMPG) from the State of Nevada, Division of Emergency Management (NDEM) awarding [\$10,031.35 (\$10,031.35 County match required)] including funds to be used for meals for non-County employees; retroactive from October 1, 2017 through May 30, 2020; If approved authorize the County Manager or his designee to sign the grant award documents; and authorize the Comptroller's Office to make the necessary budget amendments. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [EMPG Supp Staff Report - \\$10,031.35](#)
[Washoe County FFY18 EMPG Supplemental Award signed_scanned](#)

- 6.E. Recommendation to acknowledge receipt of Status Report of Commissary Fund submitted by the Washoe County Sheriff's Office Commissary Committee for the Second Quarter for Fiscal Year 19/20. Sheriff. (All Commission Districts.) FOR POSSIBLE ACTION.

Attachments: [BCC 3-10-20 - Sheriff - Commissary Status Report QTR 2 FY20.doc](#)

End of Consent Items

7. Presentation: Second Judicial District Court Family Division Assessment presented to the Washoe County Board of County Commissioners by Presiding Judge Bridget Robb. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [2020.03.10 BCC Presentation](#)

8. Discussion and approval to authorize the Washoe County District Attorney's Office to assert a counterclaim for Breach of Contract and Breach of the Covenant of Good Faith Dealing in the case of Gaudy Parento v. Washoe County, 3:19-cv-00303-MMD-WGC (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [Staff Report- Approval of Counterclaim - Parento](#)

9. Recommendation to approve amending the Washoe County 457(b) Deferred Compensation Plan Document retroactive to July 1, 2019, to allow that if a collective bargaining agreement which allows for an automatic enrollment or contribution arrangement contains an automatic contribution increase provision, an Employee covered by that collective bargaining agreement hired on or after the date specified in such collective bargaining agreement shall automatically be deemed to have elected to increase his deferral election each year by such percentage of the employee's compensation designated by his or her collective bargaining agreement, not to exceed the maximum amount of Compensation specified in his or her collective bargaining agreement; and if approved, authorize Director of Human Resources/Labor Relations to execute same. [No fiscal impact.] Human Resources. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [Staff Report - Deferred Compensation 457 Amendment](#)

10. Recommendation to approve the use of General Fund Contingency in the amount of [\$353,000] for unbudgeted expenditures for Fiscal Year 2020 and if approved, direct the Comptroller's Office to make the necessary budget appropriation transfers (net impact to County is zero). Manager's Office. (All Commission Districts). FOR POSSIBLE ACTION

Attachments: [3-10-20 - Managers Office - Use of Contingency](#)

11. Recommendation to adopt a Resolution of Intent, proposing the issuance of, and authorizing the publication of notices relating to General Obligation (Limited Tax) Nevada Shared Radio System Bonds (additionally secured by pledged revenues) in the maximum principal amount of \$15,000,000 to acquire, construct, improve and equip building projects as defined in NRS 244A.019 within the County; providing the manner, form and contents of the notices thereof; providing other matters properly related thereto; and providing the effective date hereof. Manager's Office. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [Staff Report NSRS Bonds 2020 Reso of Intent Intent resolution \(51065001v2\) \(002\)](#)
[Form of Notice of Resolution of Intent \(51313557v1\)](#)
[Form of Notice of Public Hearing \(51313546v1\)](#)
[Washoe DMC Package.pdf](#)
[DMC Resolution \(51064999v2\).pdf](#)

12. Recommendation to accept the 2020 Opioid Narcotics Treatment Program funding [amount not to exceed \$207,005.50, no County match required] as administered through the University Of Nevada, Reno to be used for the creation of an Opioid Treatment Program within the Washoe County Regional Detention Facility, for the retroactive grant period of September 30, 2019 - August 31, 2020, and if approved, authorize Non-County Travel expenses of approximately [\$12,503.50] to provide training with these grant funds for one (1) Discharge Planner and two (2) Behavioral Health Specialists and if approved, authorize Sheriff Balaam to execute grant award documentation, and direct the Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.) FOR POSSIBLE ACTION.

Attachments: [BCC 3-10-20 - Sheriff - DSU -Opioid-Narcotics Treatment Program \[\\$207,005.50\].doc](#)
[Opioid Program Award doc.pdf](#)

13. Recommendation to approve a professional services agreement with Farr West Engineering Inc. for the Washoe County Sanitary Sewer and Reclaimed Utilities Infrastructure and Customer Base Alternatives and User Rate/Connection Fee Analysis. [\$166,800.00]. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 03-10-20 - Staff Report - Utility Rate Study](#)
[BCC 03-10-20 - PSA Farr West Engineering User Rate Connection Fee Analysis](#)
[BCC 03-10-20 Farr West Eng - Exhibits A, B, C, D](#)
[BCC 03-10-20 - Insurance Exhibit E - Sewer and Utilities Fee Analysis - Farr West](#)

14. Introduce and conduct a first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), by adding new language in Section 110.324.50(e), Monopole Antenna, and Section 110.324.50(f), Lattice Towers, to establish placement standards regulating emergency communication facilities which are owned and operated by governmental agencies. These amendments include the removal of a special use permit requirement for government entities for certain monopoles or lattice towers operated for purposes of emergency communication systems; and other matters necessarily connected therewith and pertaining thereto. If supported, set the public hearing for second reading and possible adoption of the Ordinance for March 24, 2020. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 3-10-20 - Staff Report - 1st Reading WDCA19-0005](#)
[BCC 3-10-20 - Attachment A - Draft Ordinance WDCA19-0005](#)
[BCC 3-10-20 - Attachment B - PC Resolution](#)
[BCC 3-10-20 - Attachment C - PC Staff Report](#)
[BCC 3-10-20 - Attachment D - PC Draft Minutes](#)

15. Introduce and conduct a first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), replacing Article 220, Tahoe Area Plan modifiers with two new articles, Article 220 Tahoe Area Plan modifiers and article 220.1 Tahoe Area Design Standards. These amendments are meant to ensure the express conformance of Washoe County's plans with the 2012 Regional Plan adopted by the Tahoe Regional Planning Agency (TRPA) and are generally not intended to increase densities or intensities beyond what is currently permitted by the Regional Plan. The changes include but are not limited to the following: Adopting the TRPA's permissible uses set forth in TRPA Regional Plan Chapter 21, Permissible Uses, in lieu of Washoe County's allowed uses set forth in Article 302 of the Washoe County Development Code; Adopting design standards that are in conformance with the requirements set forth in the TRPA Regional Plan Chapter 13 Area Plans and Chapter 36 Design Standards; Adopting development standards that are consistent with the developments standards set forth in the TRPA Regional Plan; Adopting neighborhood plans utilizing the boundaries and allowed uses of TRPA's plan area statements and community plans in lieu of Washoe County's regulatory zones set forth in Article 106 of the Washoe County Development Code; and including the Washoe County Planning Commission's direction to expand an available density incentive from only memory care only to all residential care and nursing care uses; and other matters necessarily connected therewith and pertaining thereto. If supported, set the public hearing for second reading and possible adoption of the Ordinance for March 24, 2020. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 03-10-20 - Staff Report - 1st Reading WDCA19-0007](#)
[BCC 3-10-20 - Attachment A - PC Resolution](#)
[BCC 3-10-20 - Attachment B - PC Staff Report](#)
[BCC 3-10-20 - Attachment C - Draft PC Minutes](#)
[BCC 3-10-20 - Attachment D - Draft Ordinance WDCA19-0007](#)
[BCC 3-10-20 - 1st Reading WDCA19-0007 - Combined Staff Report and Attachments](#)

***Due to the large size of the supporting material for agenda item #16, hard copies are not being provided to County Commissioners. Electronic copies are available on Washoe County's website at: https://www.washoecounty.us/bcc/board_committees/index.php*

Public Hearing. (Note: Due to public testimony and discussion, time expended on the item in this category can vary.)

(Note: Items listed under this heading only will be heard at or after the noted time. In no case will it be heard before the stated time. Due to public testimony and discussion, time expended on the item in this category can vary.)

16. Public Hearing: Second reading and adoption of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), Article 406, Building Placement Standards, to add a new section, Commercial and Industrial Building Placement Standards, which will allow for variance or modification of the building placement standards including setbacks, minimum lot size, or minimum lot width for commercial and industrial regulatory zone parcels in conjunction with the approval of a special use permit or tentative subdivision map applicable to the subject property and without the need to file a separate application for a variance or modification, provided that the standards to be varied or modified are included in the notice for the hearing on the special use permit or tentative map application; and other matters necessarily connected therewith and pertaining thereto. Community Services. (All Commission Districts.) FOR POSSIBLE ACTION

Attachments: [BCC 3-10-20 - Staff Report - 2nd reading WDCA19-0006](#)
[BCC 3-10-20 - Attachment A - Draft Ordinance](#)
[BCC 3-10-20 - Attachment B - PC Resolution](#)
[BCC 3-10-20 - Attachment C - PC Staff Report](#)
[BCC 3-10-20 - Attachment D - Draft PC Minutes](#)
[BCC 3-10-20 - WDCA19-0006 Staff Presentation](#)

End Of Scheduled Public Hearings

17. Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and/or Truckee Meadows Fire Protection District per NRS 288.220. FOR POSSIBLE ACTION
18. Public Comment. Comment heard under this item will be limited to three minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to three minutes per person. Comments are to be made to the Commission as a whole.
19. Commissioners’/County Manager’s announcements, reports and updates to include boards and commissions updates, requests for information or topics for future agendas. (No discussion among Commissioners will take place on this item.)

Adjournment

Various boards/commissions the Washoe County Commissioners may be a member of or liaison to:

Chair Lucey

Community Homelessness Advisory Board
Economic Development Authority of Western Nevada (EDAWN) (alternate)
Nevada Association of Counties Board of Directors (NACO)
Regional Transportation Commission
Reno-Sparks Convention & Visitors Authority
Tahoe Regional Planning Agency Governing Board (alternate)
Tahoe Transportation District Board of Directors (alternate)
Tahoe Transportation Commission (alternate)
Truckee Meadows Water Authority (alternate)
Truckee River Flood Management Authority (alternate)
Washoe County Criminal Justice Advisory Committee
Washoe County Investment Committee
Washoe County Legislative Liaison
Washoe County School District Capital Funding Protection Committee
Washoe County School District Oversight Panel
Washoe County Stadium Authority (alternate)
Western Regional Water Commission

Vice-Chair Berkbigler

Community Homelessness Advisory Board
EDAWN (Economic Development Authority of Western Nevada) (liaison)
Nevada Tahoe Conservation District Board of Supervisors
Tahoe Prosperity Center Board of Directors
Tahoe Regional Planning Agency Governing Board
Tahoe Transportation District Board of Directors
Tahoe Transportation Commission
Truckee Meadows Regional Planning Agency Governing Board
Truckee Meadows Water Authority Board (alternate)
Truckee River Flood Management Authority (alternate)
Washoe County District Board of Health
Washoe County Stadium Authority (alternate)

Commissioner Jung

Nevada Works (alternate)
Statewide Partnership on Opioid Crisis
Truckee Meadows Water Authority Board (alternate)
Truckee River Flood Management Authority (alternate)
Washoe County Animal Services Board
Washoe County Legislative Liaison
Washoe County Open Space and Regional Parks Commission
Washoe County Senior Services Advisory Board Liaison
Washoe County Stadium Authority

Commissioner Hartung

Community Homelessness Advisory Board (alternate)
Nevada Association of Counties Board of Directors
Regional Transportation Commission
Truckee Meadows Regional Planning Agency Governing Board
Truckee Meadows Water Authority Board
Truckee River Flood Management Authority
Washoe County Internal Audit Committee (alternate)
Washoe County Investment Committee
Washoe County Stadium Authority
Western Regional Water Commission

Commissioner Herman

Nevada Association of Counties Board of Directors (alternate)
NevadaWorks
State Land Use Planning Advisory Council (SLUPAC)
Truckee Meadows Regional Planning Agency Governing Board
Truckee Meadows Water Authority Board
Truckee River Flood Management Authority
Verdi Television District (Liaison)
Vya Conservation District
Washoe County Debt Management Commission
Washoe County Internal Audit Committee
Washoe County Senior Services Advisory Board Liaison (alternate)
Washoe County School District Capital Funding Protection Committee
Washoe County School District Oversight Panel
Washoe County Stadium Authority (alternate)
Washoe-Storey Conservation District
Western Nevada Development District
Western Regional Water Commission