

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

TUESDAY

10:00 A.M.

OCTOBER 11, 2022

PRESENT:

Vaughn Hartung, Chair
Alexis Hill, Vice Chair
Bob Lucey, Commissioner
Kitty Jung, Commissioner
Jeanne Herman, Commissioner

Janis Galassini, County Clerk
Eric Brown, County Manager
Nathan Edwards, Assistant District Attorney

The Washoe County Board of Commissioners convened at 10:00 a.m. in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, County Clerk Jan Galassini called roll and the Board conducted the following business:

22-0759 AGENDA ITEM 3 Public Comment.

Ms. Elise Weatherly mentioned the difficulty of taking care of her grandson. She opined men in this community did not care about her. She asked whether God spoke to people, noting she heard a voice when she was ill seven years prior. She wondered why she was being subjected to frustrations from other community residents.

Ms. Jody Baden thanked the Commissioners for their service to the community, noting she was a former Washoe County School District Board member. She said misinformation, disinformation, and lying had reached unprecedented proportions in the Country. She stated background checks were not required for candidates running for office, with the exception of sheriffs and judges. She mentioned the president was always exempt from background checks. She indicated voters were demanding more transparency from politicians and the government. She spoke about the Transparency in Politics Certification Program which allowed candidates to voluntarily order background checks on themselves. She asserted the public deserved to know whom they were voting for. She provided a document, a copy of which was placed on file with the Clerk.

Ms. Rebecca Stymelski said she was a resident of South Reno. She mentioned traffic issues she observed over the past three years. She said speed limits were not observed by drivers or enforced. She detected there was very little police presence in the City of Reno, noting many drivers ran through red lights. She spoke about the challenges faced by cyclists when they transitioned from the street to bike paths due to the placement of stanchions. She suggested the Commissioners ride their bikes through the

community. She said street racing was another traffic issue in Reno. She implored the Board to increase police presence and ticketing.

Mr. Paul Stymelski displayed documents, copies of which were placed on file with the Clerk. He expressed concern about Nevada's education ranking. He said he and his wife were retired and spent their time doing volunteer work, primarily in education. He indicated he and his wife were trying to establish a chess program in Washoe County schools. He said children acquired many life skills when they learned to play chess. He noted many schools in the United States had fixed chess programs. He spoke about the ease of volunteering in schools in Florida and the difficulty of doing so in Reno.

Mr. Mark Neumann mentioned he was a member of the Sun Valley Citizen Advisory Board (CAB). He said the Nevada Department of Transportation (NDOT) spoke about Pyramid Highway at a Spanish Springs meeting the prior month. He stated he worked the prior three months to get the 5 Ridges Housing Development to present at the Sun Valley CAB meeting. He hoped the bottom of Highland Ranch Parkway was cleaned up by NDOT. He spoke about the possible four-way stoplight at the intersection of Highland Ranch Parkway and Midnight Drive, noting he was working with the Washoe County School Board regarding the safety of school children crossing the street. He hoped to hear from County staff and Highland Village staff regarding the issue. He mentioned the County's \$3 million expenditure for computers and hoped computers and education programs were instituted in the different senior centers throughout the community. He expressed approval of Agenda Item 12.

Ms. Lisa Fleiner displayed documents, copies of which were placed on file with the Clerk.

Mr. Keith Hanly said Mr. Nicholas St. Jon and others had attended meetings for more than 22 months and requested public hearings and town halls. He displayed documents, copies of which were placed on file with the Clerk. He stated the public had no way to have a dialogue with the Commissioners. He believed the public had been ignored and their microphone was turned off if they spoke for more than three minutes.

Ms. Sandee Tibbett said she attended a special meeting in July but felt silenced because the Board went straight into Agenda Item 5. She stated she had things to say that day and often felt unheard. She said Mr. Nicholas St. Jon had been a voice for members of the public who did not always have time to attend meetings. She observed Mr. St. Jon had attended meetings for 22 months and the Commissioners had not requested a meeting with him to discuss a resolution of issues. She asked the Commissioners to resign if they were not going to honor their oaths.

Mr. Nicholas St. Jon stated the pandemic had ended but the actions of the Board had caused a spike in homelessness, crime, closed businesses, ruined lives, and increased child suicide rates. He displayed documents, copies of which were placed on file with the Clerk. He believed the County wasted \$2 million on printing paper ballots that had a 40 percent return rate. He said the paper ballots had no chain of custody and they

could be forged. He stated the Registrar of Voters (ROV) would not allow concerned citizens to watch the verification process. He asked which of the Commissioners would accompany him in observing the verification process.

22-0760 AGENDA ITEM 4 Announcements/Reports.

County Manager Eric Brown provided an update on the progress made on the regional emergency medical services (EMS) and fire dispatch project. He mentioned the concurrent meeting held on July 22 during which a list of stakeholders and some guiding principles were agreed on. He said the managers met weekly and the stakeholders met every other week to work on the guiding principles. He indicated the stakeholder group had agreed to move to a common computer-aided dispatch (CAD) platform and agreed on which platform to use. He said an independent facilitator had been selected to help the stakeholders. He expected more rapid progress with the facilitator on board and suggested a presentation to the Board be agendized after the facilitator was retained.

Manager Brown acknowledged multiple errors occurred on the sample ballot issued the prior week which were discovered on October 5. He outlined the four errors and understood those kinds of errors should not have happened, particularly in the current environment. He said additional resources from around the County had been assigned to the Registrar of Voters (ROV) Office specifically to focus on things like proofreading ballots. He noted many ROV employees were new which resulted in a significant amount of inexperience, but he would not make excuses for the errors. He said the focus of ROV employees would turn to the election and activities at the polls. He apologized for the errors that occurred on the sample ballots.

Chair Hartung said he spoke with Assistant County Manager Dave Solaro about licenses for small home-based businesses. He noted the license fees provided a small income for the County, but he thought that abating those fees could be beneficial if it encouraged people to run small home-based businesses. He wanted staff to present on the license fees to the Board for discussion.

Chair Hartung asked about the tower on the northeast corner of Sunset Springs Lane and Pyramid Way. He thought the tower was a LiDAR (light detection and ranging) tower installed by the Nevada Department of Transportation (NDOT), but NDOT said it was not their tower. He asked for information from staff. He asked staff to contact Mr. and Ms. Stymelski about how to engage with the Washoe County School District and the City of Reno. He thanked Mr. and Ms. Stymelski, stating he liked the idea of teaching chess and suggested the County provide chess board tables in the lobby of the administrative complex. He thanked Mr. Neumann for mentioning the intersection of Highland Ranch Parkway and Pyramid Highway. He expressed concern about the 17,000 trips per day which would be added as a result of the development project. He said Manager Brown had conversations with Mr. St. Jon and would be happy to have more such discussions.

Mr. St. Jon was asked to leave the Chambers as a result of his disruptive behavior.

PROCLAMATIONS

22-0761 **5A1** Proclaim October 11, 2022 as National Hero Day, in honor of Don Pelt.

Commissioner Herman read the Proclamation noting the town of Gerlach had fire protection coverage as a result of Chief Pelt and County Manager Eric Brown's efforts.

22-0762 **5B1** Proclaim October 2022 as National Italian-American Heritage and Culture Month.

Commissioner Lucey read the Proclamation and presented it to Reno Sons and Daughters of Italy Ex-President Barbara Wisniewski. He said many of the hard-working Italian families in the community helped sculpt Northern Nevada.

Ms. Wisniewski said the Proclamation meant a lot to the Italian-American community in Washoe County. She stated the acknowledgment was gratifying to community members whose families contributed to the County, the State, and the Country.

10:45 a.m. **The Board recessed.**

10:50 a.m. **The Board reconvened with all members present.**

On the call for public comment, Reverend Augustine Jorquez congratulated the Italian-American community on the Proclamation. He said Native Americans in the County acknowledged Italian-Americans in the community.

On motion by Commissioner Herman, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 5A1 and 5B1 be adopted.

10:53 a.m. **Assistant District Attorney Nathan Edwards left the meeting.**

CONSENT AGENDA ITEMS – 6A1 THROUGH 6E2

22-0763 **6A1** Recommendation to authorize the Tax Collector to strike names and amounts identified on delinquency/uncollectible Personal Property Tax list for fiscal years 2014-2015 through 2021-2022, totaling [\$143,599.95]. Comptroller. (All Commission Districts.)

- 22-0764** **6A2** Recommendation to approve the modification of financial services provided to NevadaWorks detailed in the agreement between NevadaWorks and Washoe County dated June 26, 2018 as requested by NevadaWorks in a letter dated September 23, 2022. Services to be terminated to include: Exhibit A - Scope of Services Section A. Payroll - removal of this section in its entirety; Section B. Retirement Benefits - removal of this section in its entirety; Section C. Health and Life Insurance Benefits - subparagraph C(a)(ii) removal of “Provide to NevadaWorks monthly financial reports to include, but not limited to, account balances, journal entries, detailed general ledger transactions, and pooled investment reports. Termination of services to be effective January 1, 2023. Comptroller. (All Commissioner Districts.)
- 22-0765** **6B1** Recommendation to approve the reclassification of a Recreation Coordinator, pay grade I, to the new classification of Museum Program Coordinator, pay grade J; the reclassification of a Senior Accountant, pay grade P, to the new classification of Fiscal Manager - CSD, pay grade R; a change in pay grade for the Business Intelligence Program Manager from pay grade O to pay grade Q (Community Services Department); reclassification of a Supervising Criminalist, pay grade QR, to Administrative Secretary Supervisor, pay grade K (Sheriff’s Office); creation of one new full-time Office Support Specialist position, pay grade H and one new full-time Legal Secretary position, pay grade I (Alternate Public Defender); the reclassification of three Office Assistant II positions, pay grade E to Office Support Specialist positions, pay grade H (Human Services Agency); the reclassification of an Appraiser II, pay grade L to Appraiser III, pay grade N (Assessor’s Office); the reclassification of an Administrative Assistant I, pay grade K to Administrative Assistant II, pay grade L; a change in pay grade for the Fiscal Analyst I from pay grade L to pay grade M; a change in pay grade for the Fiscal Analyst Trainee from pay grade K to pay grade L (Manager’s Office), as reviewed and evaluated by the Job Evaluation Committee (JEC) and/or Korn Ferry; a change in the job classification title from Director of Sustainability to Sustainability Manager; a change in job classification title from Inmate Classification/Inmate Assistance Specialist to Inmate Classification Specialist; and authorize Human Resources to make the necessary changes. [Total fiscal impact \$224,813; net fiscal impact \$-0-] Human Resources. (All Commission Districts.)
- 22-0766** **6C1** Recommendation to accept a FY23 Adult Day Health subgrant award from the State of Nevada, Aging and Disability Services Division (ADSD) in the amount of [\$71,107.00; \$10,666.00 county match] retroactive from July 1, 2022 to June 30, 2023 to provide medically based care for cognitively and physically impaired adults, to provide social, nursing and community support, and to serve as an alternative to institutional care; and

authorize the Director of the Human Services Agency to execute the grant award documents. Human Services Agency. (All Commission Districts.)

- 22-0767** **6C2** Recommendation to accept the 2023 Agreement to Use Account for Affordable Housing and Welfare Set-Aside Program by Washoe County between Washoe County and the Nevada Housing Division of the State of Nevada Department of Business and Industry in the amount of [\$142,471.00; no county match] retroactive to July 1, 2022 to June 30, 2025 to provide emergency housing assistance; authorize the Director of the Human Services Agency to execute the grant agreement; and direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 22-0768** **6D1** Recommendation to approve Commission District Special Fund disbursement, pursuant to NRS 244.1505, in the amount of [\$26,500.00] for Fiscal Year 2022-2023; District 1 Commissioner Alexis Hill recommends a [\$25,000.00] grant to the Downtown Reno Partnership through the Community Foundation of Western Nevada -- a non-profit organization, created for religious, charitable or educational purposes -- to support the funding of a T3 Patroller, a micro-mobility vehicle that will enable the Ambassador team to respond faster to hotline calls and emergency situations - similar to a Segway, for the Downtown Reno Partnership Ambassadors; and a [\$1,500.00] grant to the Truckee Meadows Bike Alliance -- a non-profit organization, created for religious, charitable or educational purposes -- to support the Dutch Cycling Embassy ThinkBike Workshop; approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursement of funds. Manager's Office. (Commission District 1.)
- 22-0769** **6E1** Recommendation to approve the request to establish a bank checking account for the Health Benefits Self-Funded High Deductible Health Plan, PPO, and Self-Funded Dental for the purpose of paying health provider claims. No fiscal impact. Treasurer. (All Commission Districts.)
- 22-0770** **6E2** Recommendation to accept Treasurer's status report for the period ending September 30, 2022, of payment of refunds and interest since last update in the amount of \$1,459,479.14 on certain property tax overpayments for residential properties at Incline Village/Crystal Bay, in compliance with the October 21, 2019 Order issued by the District Court in Village League to Save Incline Assets, Inc., et.al. vs. State of Nevada, et.al., Case No. CV03-06922, as modified and clarified by the settlement agreement regarding the processing of refunds. Treasurer. (All Commission Districts.)

Commissioner Lucey mentioned Agenda Item 6D1 and acknowledged Vice Chair Hill's disbursements to the Downtown Reno Partnership to support a T3 Patroller and a grant to the Truckee Meadows Bike Alliance.

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

On motion by Vice Chair Hill, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 6A1 through 6E2 be approved. Any and all Resolutions pertinent to Consent Agenda Items 6A1 through 6E2 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 7, 8, 10, 11, 12, 13, 14, 15, 16

22-0771 **AGENDA ITEM 7** Recommendation to acknowledge receipt of Change Log shown in Exhibit A for the 2022/2023 Assessment Roll that results in a net increase of \$775,194,568 in assessed values. Assessor. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 7 be acknowledged.

10:59 a.m. **Assistant District Attorney Nathan Edwards returned to the meeting.**

22-0772 **AGENDA ITEM 8** Recommendation to approve a Settlement Agreement between Washoe County and the Truckee Meadows Water Authority (TMWA) and authorize the corresponding Water Rights Deed conveying 52.13 acre feet of general fund water rights [value of \$401,519.00] from Washoe County to TMWA to satisfy the Settlement Agreement terms. Community Services. (All Commission Districts.).

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 8 be approved and authorized.

22-0773 **AGENDA ITEM 10** Recommendation to accept additional incentive funds for the District Attorney's Family Support Program from the State of Nevada, Child Support Enforcement Program (CSEP) in the amount of [\$1,130,546.35] based on our performance during Federal Fiscal Years 2018, 2019, and 2020 for the purpose of supporting or benefiting the Family Support Program and authorize Comptrollers to make the necessary budget amendment. District Attorney. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10 be accepted and authorized.

22-0774 **AGENDA ITEM 11** Recommendation to accept a Federal Title IV-E Subgrant award from the State of Nevada, Department of Health and Human Services, Division of Child and Family Services in the amount of [\$20,724,454.00; \$9,544,764.00 county match] for Washoe County Child Welfare Services retroactive July 1, 2022 through June 30, 2023; authorize the Director of the Human Services Agency to execute the Resolution for sub-grant award and related documents; authorize a Subgrant Agreement between Washoe County and the Washoe County School District to pass through Title IV-E federal funds to reimburse for actual expenses incurred to provide out-of-zone transportation for children in foster care allowed under Title IV-E of the Social Security Act which is estimated to be an annual cost of [\$450,000.00] for a retroactive period from July 1, 2022 through June 30, 2023; direct the Comptroller's Office to make the necessary budget amendments; and authorize the Purchasing and Contracts Managers to sign the agreement between Washoe County and the Washoe County School District and approve the Resolution necessary for same. Human Services Agency. (All Commission Districts.)

Indigent Assistance Division Director Steve McBride explained this item was the federal portion of funding for foster care and adoptions that the Human Services Agency had received for years. He said the County would need to pay for those costs out of the General Fund without the grant. Commissioner Herman noted many people were concerned about what was happening in the County.

There was no response to the call for public comment.

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

22-0775 **AGENDA ITEM 12** Recommendation to accept a FY23 Homemaker subgrant award from the State of Nevada, Aging and Disability Services Division (ADSD) in the amount of [\$364,000.00; \$54,600.00 county match] retroactive from July 1, 2022 to June 30, 2023 to provide Homemaker services to seniors aged 60 or older in Washoe County; authorize the Director of the Human Services Agency to execute the grant award 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 Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 12 be accepted, authorized, and directed.

22-0776 **AGENDA ITEM 13** Recommendation to accept Community Project Funding from the United States Congress through the Department of Health and Human Services Health Resources and Services Administration in the amount of [\$2,335,000; no county match], to support the design and assessment of expanding the Washoe County Sheriff's Office Infirmary, with a retroactive period from August 1, 2022, through July 31, 2025. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be accepted.

22-0777 **AGENDA ITEM 14** Recommendation to approve allocation of American Rescue Plan Act (ARPA) funds through the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund (SLFRF) in a total amount of \$312,000 to support installment of Project #40 National Fitness Courts at Rancho San Rafael and South Valleys Regional Park and direction to the Comptroller's Office to make necessary net zero cross-fund and cross-functional budget appropriation transfers. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

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

22-0778 **AGENDA ITEM 15** Recommendation to 1) Accept two National Fitness 2022 Renown Campaign Grants of \$50,000 each totaling [\$100,000; \$312,000 county match] for the purchase and installation of two fitness courts, with a performance period from November 1, 2022, through September 30, 2023; 2) Approve the purchase of two National Fitness Courts in the amount of \$307,000 for the purchase of two fitness courts to be located at Rancho San Rafael and South Valleys Regional Parks, as required by the grant terms and conditions; and direct 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 Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 15 be accepted, approved, and directed.

22-0779 **AGENDA ITEM 16** Recommendation to approve a Professional Services and Funding Agreement Amendment/Extension per one-year renewal between Washoe County, the Cities of Reno and Sparks, the State of Nevada, Northern Nevada Adult Mental Health Services, Northern Nevada Medical Center, Renown Regional Medical Center, Renown South Meadows Medical Center and Medtrans Casal (Reno) Pllc, DBA Well Care Medical and Behavioral Clinic (Well Care) engaging Well Care to oversee the operation of a twenty-bed Community Triage Center for those in need of crisis psychiatric services, medical and social detoxification from alcohol or other substances, or co-occurring disorders, for individuals who are 18 years of age or older and are not in need of emergency room care for a total amount of [\$1,800,000.00] of which Washoe County is responsible for [\$1,125,138.50], effective retroactive to July 1, 2022 through June 30, 2023; acknowledge the net zero General Fund cross-functional transfer of \$1,650,000.00 needed to support Washoe County's remaining portion of the Community Triage Center agreement, with reimbursements to the County due from partner agencies no later than November 1, 2022, as allowed per NRS 354.5989005(5)(b). Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be approved and acknowledged.

22-0780 **AGENDA ITEM 9** Recommendation to initiate amendments to Washoe County Code Chapter 25 (Business Licenses, Permits and Regulations) and Chapter 110 (Development Code) to create the necessary code language to facilitate the Board's policy direction regarding cannabis consumption lounges as provided during their regular meeting of September 20, 2022. The amendments may include, but are not limited to, the establishment of definitions, standards, location limitations, permitting requirements, and fees associated with cannabis consumption lounges, as well as the resolution of discrepancies that may arise within existing WCC chapters as a result of any new code language. Community Services. (All Commission Districts.)

Community Services Department Planning Manager Chadwick Giesinger said he had no presentation but could answer any questions from the Commissioners. He

noted the Board could provide additional direction to staff regarding the drafting of the ordinance language.

Chair Hartung asked about the plans for public outreach. Mr. Giesinger said he inquired about public outreach during the meeting on September 20, but he had not received much direction other than expediting code amendments. He indicated the most basic public outreach process involved an all-Citizen Advisory Board (CAB) meeting. He said the all-CAB meeting was done for all Development Code amendments since Development Code amendments affected the entire County. He said going to every CAB was not feasible, so a centralized meeting was held to obtain input from the CABs.

Commissioner Jung asked whether the County held an all-CAB meeting when a restaurant was permitted. Mr. Giesinger said all-CAB meetings related to amending the code and did not apply to a business or liquor license.

Chair Hartung asked for clarification about the location of cannabis consumption lounges. Mr. Giesinger said the guidance from State law and the Cannabis Compliance Board was that the zoning aspect was open to local government, but the number of consumption lounges was capped at the number of existing retail dispensaries. He noted there were two types of consumption lounges authorized under the law: a retail consumption lounge attached to an existing retail dispensary and an independent consumption lounge not affiliated with a retail dispensary. He stated the location of independent dispensaries would depend on where they were allowed by zoning which would be established by the amendments to Chapter 110 of the Development Code. He said the current zoning limited all cannabis uses to commercial and industrial zones since the inception of the original ordinances. He noted the cannabis lounges could not be located within a certain distance from schools or churches and there were other location criteria at the State level.

Chair Hartung asked how many facilities would be allowed. Mr. Giesinger said there were six retail facilities: one in Spanish Springs, one in Incline Village, one in Lemmon Valley, one in Washoe Valley, and two in Sun Valley. He stated an equal number of independent lounges would be permissible for a total of 12 lounges in the County.

Commissioner Jung said the Board voted for her to be the champion for cannabis issues and she could have answered all of those questions since she was the subject matter expert.

Commissioner Lucey acknowledged Commissioner Jung's statement about being appointed leader on this topic when cannabis licensing began. He said Commissioner Jung had done a significant amount of work and had much institutional knowledge about this issue. He hoped the Board continued to support the initiative. He asked for confirmation that there were only 20 applications for lounges in the State. Mr. Giesinger said the first round of applications would limit the independent consumption lounges to 20. He stated the applications would be vetted by the State and selected through a random number generator and permits would be awarded in that fashion.

Commissioner Lucey asked whether staff knew when the next round of applications would be available. Mr. Giesinger believed the applications would be opened on an annual basis similar to the previous marijuana applications. He mentioned the Nevada Cannabis Compliance Board was a newly created entity and was in charge of all things related to cannabis.

Chair Hartung asked about discrepancies that might arise within the Washoe County Code (WCC) as a result of the amended code language. Mr. Giesinger said WCC Chapter 25 dealt with business license codes and contained the bulk of the operational requirements to open a cannabis facility. He stated that section of the code contained some outdated language such as referencing sections of Nevada Revised Statutes (NRS) that no longer existed. He said the language in the staff report was a catch-all for cleanup that was necessary anytime portions of the code were amended.

Chair Hartung asked whether the changes would only be to Chapter 25 and not cross over to any other chapters. Mr. Giesinger said he did not envision any conflicts arising in Chapter 110. He stated the only change would be to add consumption lounges as another allowed cannabis use under that use type and then create a use definition. He did not believe the amendments would create any conflicts in the existing Development Code language.

Chair Hartung said he opposed this item because he disliked putting more impaired drivers on the road. He expressed interest in having the Nevada Department of Transportation (NDOT) or law enforcement discuss this issue with the Board. He said he submitted a document regarding substance-involved incidents throughout the State to County Clerk Jan Galassini which was placed on the record. He noted the State had 108 marijuana and polysubstance fatalities throughout the State.

Commissioner Jung indicated that reading research data required diving deeper, stating 99 percent of the polysubstance data was related to alcohol. She noted that driving altered was illegal no matter the substance. She said she wanted to squash the misinformation as the subject matter expert on this issue because there was data that was clearer than what was being represented. Chair Hartung expressed concern because there was no valid way to test for cannabis in someone's system.

On the call for public comment, Ms. Galassini advised the Board she received an emailed public comment from Ms. Helen Neff, which she placed on the record.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 3-2 vote, with Chair Hartung and Commissioner Herman voting no, it was ordered that the amendment be initiated as outlined in the staff report for Agenda Item 9.

22-0781 **AGENDA ITEM 17** Recommendation to authorize Washoe County Treasurer to auction all delinquent lands held in trust for a total amount not less than the amount of the taxes, costs, penalties and interest legally

chargeable against the property with the exception of those parcels listed on Exhibit "A" and to approve and execute the Resolution authorizing the Washoe County Treasurer to transfer to other governmental entities, real property held in trust due to property tax delinquencies and other matters properly related thereto listed in Exhibit "A" except for APN 013-061-46.

Recommendation to authorize Washoe County Treasurer to transfer real property identified as APN 013-061-46 held in trust due to property tax delinquency to either Washoe County or the Regional Transportation Commission of Washoe County. Treasurer. (All Commission Districts.)

11:22 a.m. Commissioner Jung left the meeting.

Chair Hartung asked whether the property owner had been contacted. County Treasurer Linda Jacobs said staff attempted to contact the owner; the Treasurer had sent over ten notices in the last four years including some certified notices. She indicated the owners had not been in contact with Treasurer's Office staff. She said she emailed the owners and had not received a response.

Chair Hartung said he contacted the owner's brother, Mr. Don Weir, and learned he leased the property from the owner. He stated Mr. Weir had paid the property taxes as part of the lease but he stopped paying when he sold his dealership. Chair Hartung said the owner thought Mr. Weir had continued to pay the taxes. He knew the County and the Regional Transportation Commission (RTC) wanted the property. Ms. Jacobs said she would contact the title company after the meeting so she could research the lien holders and mail out notification letters in December. She noted the owners would have until almost the end of March 2023 to get the account current.

Chair Hartung thought this item was a matter of miscommunication between family members. He asked whether the Commissioners wanted to pull this parcel back either for the County or for the RTC. Ms. Jacobs said she would move forward with an auction if the Board denied both applications. She noted the auction would take place in April 2023, but the owners would receive notices and would have 90 days to pay the taxes.

Vice Chair Hill thought the applications were worthy and she did not want to deny them. She asked whether staff sent the full application requesting the properties to the Board. Ms. Jacobs said the full application was not sent to the Board, but it was listed on Exhibit A of the staff report.

Chair Hartung stated he did not want to give the County and the RTC the impression that the account would not be resolved.

Vice Chair Hill asked for confirmation that the County and the RTC would be told they had to wait until March to see if the account was resolved. Ms. Jacobs

confirmed the County and the RTC would be told the property was pending redemption within the 90-day period.

Vice Chair Hill said she would not like to miss the opportunity, especially for the public purposes that Washoe County was looking to provide. She moved to authorize the Treasurer to auction the properties except those on Exhibit A and to direct Washoe County to use real property identified as APN 013-061-46 for development of affordable housing. She requested direction from Assistant District Attorney Nathan Edwards regarding the motion.

11:28 a.m. **The Board recessed.**

11:38 a.m. **The Board reconvened with Commissioner Jung absent.**

Vice Chair Hill revised her motion on the council from Mr. Edwards and the seconder approved.

Chair Hartung disagreed with the inclusion of APN 013-061-46 in the motion. He asked for confirmation that the motion acknowledged the County would like to have the parcel. Ms. Jacobs said that was correct.

Chair Hartung asked whether this item indicated the County and the RTC wanted the parcel, and they would be in line to acquire the property if it reached the point where it would go to auction. Ms. Jacobs said yes.

Chair Hartung asked whether the timeline remained the same if this item was not approved. Ms. Jacobs said no, the parcels going to a public entity would have a 90-day notice but would have until the end of March to redeem the account although they would receive a different type of letter. The letter would let the owner know that Washoe County, or another agency, was interested in the parcel and the ownership would be transferred if the taxes were not paid by a certain date.

Mr. Edwards asked for clarification that the property owners who were delinquent in paying taxes would be notified they had a certain period of time to cure the delinquency and if they did not then the property would be transferred or auctioned depending on the motion. Ms. Jacobs said that was correct.

Mr. Edwards asked whether the owner would be able to pay the outstanding balance after they were notified and if that would remove the property from the process. Ms. Jacobs said yes.

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Lucey, which motion duly carried on a 4-0 vote with Commissioner Jung absent, it was ordered that Agenda Item 17 be approved, directed, and executed as indicated in the staff report, with the specification that APN 081-050-23 would be for Washoe County Community Services Department, APN 026-341-38 to Washoe County for affordable housing, and APN 013-061-46 would be for Washoe County for development of affordable housing.

22-0782 **AGENDA ITEM 18** Introduction and first reading of an ordinance amending Washoe County Code Chapter 45 (Public Welfare) by adding a section defining “low-income households”, “very low-income households”, “extremely low-income households”, and “permanent supportive housing”; and by amending provisions related to: the establishment and purpose of the Washoe County Affordable Housing Trust Fund (“the Fund”); the administration of the Fund, which is to be administered by the Housing and Homeless Services Division of Washoe County rather than a non-profit contractor; the use of a fiscal agent to collect, hold, manage and disburse Fund assets; the potential funding sources and availability of monies in the Fund; the use and disbursement of monies in the Fund; the location of units/projects to be assisted with Fund monies; and requirements for the annual evaluation; and all matters necessarily connected therewith and pertaining thereto; and, if supported, set a public hearing for the second reading and possible adoption of the ordinance on October 25, 2022. Manager's Office. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said ordinance.

County Clerk Jan Galassini read the title for Bill No. 1883.

There was no response to the call for public comment.

Bill No. 1883 was introduced by Vice Chair Hill, and legal notice for final action of adoption was directed.

22-0783 **AGENDA ITEM 19** Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 adopting a Development Agreement as required by the Warm Springs Specific Plan (WSSP) at WSSP.8.1, to utilize the regulatory zone designation specified on the Warm Springs Specific Plan - Land Use Plan for:

Tentative Parcel Map Case Number WTPM22-0009 (Murphy) - Which is a tentative parcel map dividing a 40.23-acre parcel (APN 077-140-03) into three parcels of 30.23 acres, 5.0 acres, and 5.0 acres.

In order to develop any property in the WSSP more densely than General Rural (1 dwelling unit/40 acres), the specific plan requires that a development agreement be approved. Among other things, the development agreement adopts development standards for the property in conformance with the Warm Springs Specific Plan Development Standards Handbook Framework, a component of the Washoe County Master Plan, such as standards relating to uses, accessory structures, building requirements, setbacks, heating and fireplaces, architecture, landscaping, fencing, lighting, utilities, and other matters concerning the development of the land. The development agreement also specifies the denser development potential available on the property, which in this case would result in one residential parcel of 30.23 acres and two residential parcels of 5 acres. Finally, the development agreement provides for the participation of future property owners in any assessment district or general improvement district providing services, facilities and/or maintenance for the specific plan area.

The applicants and property owners are David & Joanna Murphy. The subject site is approximately 40.23 acres in size and is located at 1555 Sharrock Road. The Assessor's Parcel Number is 077-140-03. The Master Plan Category is 62% (24.94 acres) Suburban Residential (SR) and 38% (15.28 acres) Rural (R), and the Regulatory Zone is 62% (24.94 acres) Low Density Suburban (LDS) and 38% (15.28 acres) General Rural (GR); and Set the public hearing and second reading of the ordinance for October 25, 2022. Community Services. (Commission District 5.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said ordinance.

County Clerk Jan Galassini read the title for Bill No. 1884.

Ms. Galassini advised the Board she received emailed public comment from Ms. Maeve Ambrose, which she placed on the record.

Bill No. 1884 was introduced by Commissioner Herman, and legal notice for final action of adoption was directed.

22-0784 **AGENDA ITEM 20** Public Hearing: Appeal of the Community Services Department (CSD) Director's rejection of the submittal entitled "Merger and Re-subdivision TM of St. James Village-May 2022" which constitutes the first final map submittal for Sierra Reflections (Tentative Map Case Number TM06-001). The submittal was rejected due to the timing of submittal and substantive issues. The appellant is World Properties, Inc.

The project is a 938-lot, single-family residential subdivision. The project site is located in the Pleasant Valley area, and is bordered on the north by Pagni Lane, on the east by US Highway 395 South and to the south is Little

Washoe Lake. The project encompasses 29 parcels that total approximately 759.6 acres. (APNs 046-060-45, 47 & 55; 046-080-40; 046-090-01, 04 through 18, and 23 through 26; and 046-100-02 through 04, 07 and 10).

Appeals of CSD Director’s decisions involving final maps are authorized in Section 110.610.50(f) of the Washoe County Code. The Board of County Commissioners (Board) may affirm, reverse or modify the decision of the CSD Director. Community Services. (Commission District 2.)

Agenda Item 20 was pulled from the agenda.

22-0785 **AGENDA ITEM 21** Public Comment.

There was no response to the call for public comment.

22-0786 **AGENDA ITEM 22** Announcements/Reports.

Commissioner Lucey mentioned a bill that would be introduced into Congress to work on Revised Statute 2477 (RS 2477) which dealt with public rights-of-way. He stated all counties in Nevada were trying to garner support to get the bill passed. He said he mentioned the bill to possibly get support from the Board for this congressional initiative.

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11:51 a.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

JANIS GALASSINI, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Carolina Stickley, Deputy County Clerk*