

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

TUESDAY

10:00 A.M.

JUNE 25, 2019

PRESENT:

Vaughn Hartung, Chair

Bob Lucey, Vice Chair

Marsha Berkgigler, Commissioner

Kitty Jung, Commissioner

Jeanne Herman, Commissioner

Nancy Parent, County Clerk

Kate Thomas, Assistant County Manager

Paul Lipparelli, 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, the Clerk called the roll and the Board conducted the following business:

19-0494 **AGENDA ITEM 3** Appearance: Marily Mora, President/CEO Reno-Tahoe Airport Authority Presentation and annual update on Reno-Tahoe Airport Authority.

Reno-Tahoe Airport Authority President and Chief Executive Officer Marily Mora conducted a PowerPoint presentation and reviewed slides with the following titles: Reno-Tahoe Airport Authority; Annual Update; Board of Trustees; Who We Are; Reno-Tahoe International Airport is an Economic Engine for the Region; RNO Served 4.2 Million Passengers in 2018; Regional Air Service Corporation (RASC); New Master Plan Charts the Future for RNO; Board Adopted Master Plan Alternative: Terminal & Landside/Parking; Escape Lounge & Volo Volo Now Open; New Vendors; Coming Soon... Aloft Hotel; Outstanding Customer Service Surveys; General Aviation at Reno-Tahoe International; Reno-Stead Airport Airfield Features; Washoe County ANAP Representatives; and Thank you & Questions.

Ms. Mora thanked the Board for reappointing Lisa Gianoli to the Reno-Tahoe Airport Authority Board of Trustees and said Ms. Gianoli was serving as the current Chair. She expressed excitement about the addition of Jet Blue Airlines with a flight to JFK Airport. She was hopeful about adding Boston to the list of Jet Blue destinations because the airline planned to start service to London from JFK and Boston Airports in 2020. She announced the airport had achieved 47 months of consecutive growth.

Chair Hartung suggested more outlets for charging electronics in the seating areas. Ms. Mora said they would strive to install more outlets during the upcoming remodel, but there never seemed to be enough.

Commissioner Lucey thanked Ms. Mora for the presentation. He asked about the current daily flights leaving the Reno-Tahoe International Airport. Ms. Mora said there were 60 flights per day carrying between 6,300 and 7,000 passengers. She indicated early morning flights were considered peak time and it could take up to 16 minutes to get through security without pre-check privileges.

Commissioner Lucey wondered about new destinations that would be added to the existing flight destinations. Ms. Mora stated Spirit Airlines was being added to the list of airlines that flew in and out of Reno. She thought they would be a good fit for the market as the 10th airline. It was just announced that Frontier Airlines would add Las Vegas to their list of destinations in November. She stated a representative from the Reno-Sparks Convention and Visitor Authority (RSCVA) would be with her when she met with Spirit Airlines. She mentioned the relationship with the RSCVA had never been better.

Commissioner Lucey knew cargo was a very important part to the growth of the airport and asked where cargo fit in the master plan. Ms. Mora stated the master plan indicated cargo would eventually move into the southwest quadrant of the airport. She said they needed to have an additional freight company's business in order to increase cargo business. She added that cargo services had increased slightly but higher demand would be needed to build a new cargo ramp.

Commissioner Jung thanked Ms. Mora for the presentation and Mr. Nat Carasali for the creation of the private and public collaboration to recruit other airlines to the market. She said people would be hard pressed to find another airport better than the Reno-Tahoe International Airport. She stated it was always clean where others failed in comparison. She was grateful for another airline adding service to Las Vegas.

Chair Hartung mentioned his family enjoyed the size of the airport compared to other airports. He hoped growth would not include losing the quaintness. Ms. Mora explained size was an important part in the master plan along with convenient parking and rental car services.

There was no public comment or action taken on this item

19-0495 **AGENDA ITEM 4** Public Comment.

Ms. Beth Macmillan, Executive Director of Artown, provided handouts to the Board, which were placed on file with the Clerk. She announced the 24th annual Artown festival would begin the following week. She expressed excitement about the event being plastic free because they were not selling plastic bottles of water; instead they would provide free hydration stations and sell reusable silicone cups. She noted beer

purchases would be discounted by \$1.00 with the purchase of a reusable cup. She stated more than 500 events would occur within 31 days. She showed a video of Artown which was not provided to the Clerk.

Ms. Heather Matthews spoke about issues she had publishing her book *Walking Between the Shadow and the Light*. She also spoke about a small claims lawsuit filed against someone for installing spyware on her computer and said the judge dismissed the case. She thought her constitutional rights had been violated.

Ms. Tammy Holt-Still spoke about a class action lawsuit against the City of Reno for flood damage in Lemmon Valley. A previous meeting she had mentioned water was breaching at Lemmon Drive in two separate locations. She noticed flood water was receding quickly recently and wondered what was being done for this to happen. She expressed frustration about transparency within the County. She thought the Truckee Meadows Water Authority was preventing water from being pumped off the lake. She asserted the public deserved answers.

Mr. Vance Rushing said a photo he showed at a previous meeting was a war photo and he recently discovered it was from a documentary series about genocide. He stated the photo was titled The Nazi Weapons Law 18 March 1938, which he thought happened because the population had been disarmed. He indicated he was advocating for the County to become a Second Amendment sanctuary county. He wanted people to have the right to defend against criminals. He recognized Sheriff Darin Balaam for not enforcing universal background checks.

Ms. Cathy Brandhorst spoke about matters of concern to herself.

Ms. Elise Weatherly spoke about a fatal plane crash. She thought risk was present in the community and the County had a bad reputation.

Mr. Sam Dehne spoke about protecting citizens from the media, growth at the Reno-Tahoe International Airport, Wildcreek High School, and the firing of School Board members.

County Clerk Nancy Parent placed email correspondence from Annemarie Grant on the record.

19-0496 **AGENDA ITEM 5** Announcements/Reports.

Commissioner Herman stated she received many phone calls and emails about a drag queen story time event that occurred at a Washoe County library. She wondered if the Board had authority over the content presented at the libraries.

Commissioner Herman expressed concern about code enforcement staff handling cases too aggressively and telling residents the Commissioners had no authority over them. She thought staff needed to be retrained.

Commissioner Berkbigler expressed excitement about the grand opening of the bike and walk path from Incline Village to Sand Harbor. The event was scheduled for June 28 at 3:30 p.m. She said this was a good start to the proposed path around the entire parameter of Lake Tahoe.

Commissioner Lucey said he had an opportunity to participate in the opening ceremonies for the National Congress of American Indians and mentioned many tribes from across the country attended to discuss policy issues.

Commissioner Lucey stated residents in District 2 were concerned about traffic at Edmonton and Butch Cassidy Drives near Galena High School. He said improvements would be started soon, including sidewalks and flashing lights.

Commissioner Lucey stated a ribbon-cutting ceremony would start at 11:00 a.m. to mark the beginning of an 18-month project to improve travel on Virginia Street.

Commissioner Lucey indicated the Reno Rodeo had begun and he hoped people would enjoy the event. He noted tickets were almost sold out and said traffic and parking were challenging.

Commissioner Jung wanted information about the progress to provide first responders with Stop the Bleed Kits to be used during and after mass shooting events. She explained special kits were needed that included battlefield-type materials to stop major artery bleeds that could occur during a mass shooting event. She said people nationally needed to be trained to stop a major artery bleed to save lives. She wondered whether State or local funds were available for these kits. She thought the community needed to be able to protect each other.

Commissioner Jung stated she was touring Sun Valley with Sean Gephart from the Nevada Department of Agriculture and Chris Melton from the Sun Valley General Improvement District on July 8 to discuss noxious weeds. She stated Mr. Gephart would take her to Rancho San Rafael to address some items of concern. She said Commissioners or staff could join them if they were interested. She noted she would report back to the Board on July 9. She stated she received complaints about weed control at Rancho San Rafael.

Chair Hartung said a charter school was proposed for Spanish Springs and wondered whether potential issues had been addressed about a school in the area. He thought a community meeting should be held to determine all potential issues before the school was in place.

CONSENT AGENDA ITEMS – 6A THROUGH 6L

- 19-0497** **6A** Approval of minutes for the Board of County Commissioners' regular meeting of May 21, 2019. Clerk. (All Commission Districts.)
- 19-0498** **6B** Recommendation to reappoint Retirees Duane Meyer and Dondi Armstrong, and Truckee Meadows Fire Protection District Chief Fiscal Officer Cynthia Vance as Trustees on the Washoe County Other Post-Employment Benefits (OPEB) Trust Fund Board of Trustees for two-year terms ending July 24, 2021. Manager's Office. (All Commission Districts.)
- 19-0499** **6C1** Recommendation to approve, pursuant to NRS 278.040 and on the recommendation of the Chair, the appointment of Kathryn S. Nelson to the Washoe County Planning Commission representing Commission District 2 (generally includes the Southeast Truckee Meadows area, the Southwest Truckee Meadows area, and Washoe Valley), to fill a full term beginning on July 1, 2019, and ending on June 30, 2023, or until such time as Ms. Nelson no longer serves on the Planning Commission or a successor is appointed, whichever occurs first. Applicants include: Michael Lawson, Keith Lockard, Kathryn S. Nelson, Robert Parker, Jeanne Ruefer, John Sagebiel, Ian Satterfield, Shaun O'Harra, Grant Sims. Community Services. (Commission District 2.)
- 19-0500** **6C2** Recommendation to approve the re-appointment of two Open Space and Regional Parks Commissioners for a second term on the Commission [staff recommends Stephanie Chen and Doug Doolittle] for terms beginning on June 21, 2019 (Stephanie Chen) and July 1, 2019 (Doug Doolittle), and ending on June 30, 2023, or until such time as a successor is appointed. Community Services. (All Commission Districts.)
- 19-0501** **6D** Recommendation to reappoint Zanny Marsh to the Washoe County Library Board of Trustees, with a term effective July 1, 2019 to June 30, 2023. Library. (All Commission Districts.)
- 19-0502** **6E** Recommendation to adopt a Resolution Requesting the Assistance of the Nevada Attorney General in Prosecution of Due to a Potential Appearance of Impropriety and Other Matters Properly Related Thereto. District Attorney. (All Commission Districts.)

- 19-0503** **6F** Recommendation to acknowledge the transfer of funds from the Fiscal Year 2019 allocations from the Reno Municipal HISS program to the Second Judicial District Court Prison Re-Entry Court, and through the Nevada Administrative Office of the Courts, in the amount of [\$9,000 No Match Required], to support the Prison Reentry Court, effective retroactively May 24, 2019 through June 30, 2019, and direct the Comptroller's Office to make the necessary budget amendments. District Court. (All Commission Districts.)
- 19-0504** **6G** Recommendation to approve the reclassifications of a vacant Civil Supervisor, pay grade K, to an Administrative Supervisor, pay grade K (Sheriff's Office); a vacant Office Support Specialist, pay grade H, to an Appraisal Support Specialist, pay grade H (Assessor's Office), as reviewed and approved by the Job Evaluation Committee; and a Deputy Clerk II, pay grade J110, to a Deputy Clerk III, pay grade J120; and authorize Human Resources to make the necessary changes. [Net annual fiscal impact is estimated at \$0]. Human Resources. (All Commission Districts.)
- 19-0505** **6H** Recommendation to authorize the Sheriff's Office to increase fingerprinting fees by [\$3.50, no cost to County] effective July 1, 2019 to match the fingerprinting fee increase by the State of Nevada. Sheriff. (All Commission Districts.)
- 19-0506** **6I** Recommendation to approve Second Amendment to the Child Welfare Collaborative Agreement with Casey Family Programs, in the amount of [\$35,000; no County match] retroactive from April 22, 2019 through December 31, 2019 to facilitate family reunification and permanency for children and reduce foster care reentries; authorize the Director of Human Services Agency to execute Agreement documents; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 19-0507** **6J1** Recommendation to acknowledge receipt of annual report of projected expenditures for the Account for the Acquisition and Improvement of Technology in the Office of the County Assessor for FY 2019/2020. Assessor. (All Commission Districts.)
- 19-0508** **6J2** Recommendation to approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2015/2016, 2016/2017, 2017/2018 and 2018/2019 secured and unsecured tax rolls and authorize Chair to execute the changes described in Exhibits A and B and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease to all taxing entities \$72,438.85]. Assessor. (All Commission Districts.)

19-0509 **6K** Recommendation to approve an Easement Agreement and Easement Deed between Washoe County and Spanish Springs Associates L.P., for a slope and temporary construction easement totaling ±14,717 square feet on APN 532-091-12. Community Services. (Commission District 4.)

19-0510 **6L** Recommendation to approve grant awards to Education Alliance of Washoe County in the amount of [\$8,500]; and to Sierra Arts Foundation in the amount of [\$6,000] and approve Resolutions necessary for same. Manager's Office. (All Commission Districts.)

Commissioner Lucey stated Consent Agenda Item 6C1 was the recommendation to appoint Kathryn Nelson to the Washoe County Planning Commission. He read a statement of disclosure that Kathryn Nelson was the sister of Interim County Manager Dave Solaro. This would not influence the decision-making process of the Planning Commission and Mr. Solaro had no direct oversight over the work of the Planning Commission. The decision to appoint Ms. Nelson was based on her background as a civil engineer and her firsthand experience growing up in the area of Washoe County. He met with Ms. Nelson and had many discussions regarding her position on the Planning Commission Board, and he felt she was a wonderful appointment to represent District 2. He thought there would be no challenges with her serving in that capacity.

On the call for public comment, Ms. Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 6A through 6L be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 6A through 6L are attached hereto and made a part of the minutes thereof.

19-0511 **AGENDA ITEM 7** Recommendation to appoint one candidate from two applicants: Amy Ghilieri and Linda Crowe to fill one vacating seat on the Washoe County Library Board of Trustees, with a term effective July 1, 2019 through June 30, 2023. Library. (All Commission Districts.)

Assistant County Manager Kate Thomas asked the Commissioners to write down their selection to fill the vacancy. She collected the votes and presented them to the Clerk.

County Clerk Nancy Parent read the votes and stated Ms. Amy Ghilieri won the vote unanimously.

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Amy Ghilieri be appointed to the Washoe County Library Board of Trustees.

BLOCK VOTE – 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, and 19

19-0512 **AGENDA ITEM 8** Recommendation to appoint Eric Crump as acting Community Services Director with a [10% temporary pay adjustment], following the appointment of David Solaro as Interim Washoe County Manager; retroactive to June 17, 2019, and serving until such time as a permanent County Manager is appointed by the Board of County Commissioners. Manager's Office. (All Commission Districts.)

On call for public comment, Ms. Cathy Brandhorst spoke about matter of concern to herself.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Eric Crump be appointed as acting Community Services Director.

19-0513 **AGENDA ITEM 9** Recommendation to approve an agreement between Washoe County and Journal Technologies for the purchase of eProbation case management software for the Washoe County Department of Alternative Sentencing for the term of the agreement, to commence on July 1, 2019 for a total cost of [\$305,000]. If approved, authorize Purchasing and Contracts Manager to execute agreement. Alternative Sentencing. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 9 be approved and authorized.

19-0514 **AGENDA ITEM 11** Recommendation to authorize the Comptroller to renew the Excess Workers' Compensation Insurance Policy with Safety National for a two-year term with an annual premium of [\$277,120] and the Property, Boiler & Machinery, Cyber Liability and Pollution Liability Insurance Policy with the Public Entity Property Insurance Program for one year at a premium not to exceed [\$657,044], effective July 1, 2019 and authorize the Comptroller's Office to sign the applications and agreements necessary to bind coverage, funding from the Risk Management Fund source. Comptroller. (All Commission Districts.)

On call for public comment, Ms. Cathy Brandhorst spoke about matter of concern to herself.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 11 be authorized.

19-0515 **AGENDA ITEM 12** Recommendation to authorize the Comptroller to renew the Excess Liability Insurance Policy with Peleus Insurance Company for [\$199,380] effective July 1, 2019 and authorize the Comptroller's Office to sign the applications and agreements necessary to bind coverage, with funding from the Risk Management Fund. Comptroller. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 12 be authorized.

19-0516 **AGENDA ITEM 13** Recommendation to approve a 2019 Emergency Management Performance Grant (EMPG) Letter of Intent stating that the Nevada, Division of Emergency Management is awarding [\$170,877.00] for the period retroactive from October 1, 2018 through March 31, 2020; as this award funds personnel, if grant funding is reduced or eliminated, the positions hours will be reduced and/or the position abolished accordingly; [\$170,877.00; \$170,877.00 County match]; and authorize the Comptroller's Office to make the necessary budget amendments. Authorize the County Manager or his designee to sign the grant award documents when received. Manager's Office. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be approved and authorized.

19-0517 **AGENDA ITEM 14** Recommendation to approve Amendment #2 to Agreement Regarding November 2000 Parks, Trails and Open Space Bonds-Lake Tahoe Bike Path Project [Parks-WC-1] for Phase 4 of the Lake Tahoe Bike Path Project between Washoe County and Tahoe Transportation District to extend the end term from June 30, 2019 to June 30, 2020 [no fiscal impact]; and authorize Assistant County Manager [Dave Solaro] to execute the Amendment #2 and all appropriate Tahoe Transportation District related agreements and documents. Community Services. (Commission District 1.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 14 be approved and authorized.

19-0518 **AGENDA ITEM 15** Recommendation to approve the asset reassignment of multiple vehicles from various Washoe County departments to Equipment Services Fund 669; and direct the Comptroller's Office to make the appropriate asset adjustments [net \$397,287.16]. Community Services. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 15 be approved and directed.

19-0519 **AGENDA ITEM 16** Recommendation to approve FY 2019-2020 sole source purchases of computer network equipment and accessories through joinder with National Association of State Procurement Officers (NASPO) Price Agreements for State of Nevada with ConvergeOne; and approve expenditures that will aggregate to exceed [\$100,000] but not exceed [\$750,000] and will remain within the available adopted budget for FY 2019-2020. Technology Services. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be approved.

19-0520 **AGENDA ITEM 17** Recommendation to approve FY 2019-2020 sole source purchases of computer network equipment, servers, data storage, personal computers, and printers through joinder with National Association of State Procurement Officers (NASPO) Master Price Agreements for State of Nevada with Dell Inc.; and approve expenditures that will aggregate to exceed [\$100,000] but will remain within FY 2019-2020 adopted budget, not to exceed [\$2,000,000]. Technology Services (All Commission Districts.)

There was no public comment on this item.

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

19-0521 **AGENDA ITEM 18** Recommendation to approve reimbursement of costs incurred by the City of Reno [\$428,776.40], the City of Sparks [\$203,243.32], and departments of Washoe County [\$521,357.30] for expenses related to and in support of the respective Portable Event Recording Device programs as approved by the 911 Emergency Response Advisory Committee on May 16, 2019 for a total amount not to exceed [\$1,153,377.02]. Technology Services. (All Commission Districts.)

There was no public comment on this item.

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

19-0522 **AGENDA ITEM 19** Recommendation to approve and execute the Resolution levying tax rates for all Washoe County entities for Fiscal Year 2019-2020. Manager's Office. (All Commission Districts.)

Assistant District Attorney Paul Lipparelli explained state law required counties to annually levy the tax rate that corresponded to the budget approved by the County. He said this was the formal act of levying the tax rate that would apply countywide and it would include the components for cities, districts, debt, and obligations of the County tied to a tax rate. He said the County would fail in its duty to levy tax on annual basis without this Resolution.

Chair Hartung asked about events which happened earlier in the day. Assistant County Manager Kate Thomas stated this item was to take action following the action of the Tax Commission, which took place earlier that morning.

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 19 be approved and executed. The Resolution is attached hereto and made a part of the minutes thereof.

19-0523 **AGENDA ITEM 10** Recommendation to approve the Inter-Local agreement to support 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 \$1,204,862 Washoe County portion \$190,000 cash]; retroactive June 15, 2019 through June 30, 2020 with the option to renew for a one year period. Human Services Agency. (All Commission Districts.)

Assistant County Manager Kate Thomas stated a clerical error appeared in the staff report and the correct amount should be \$1,274,862. She noted a corrected copy was provided to the Board and placed on record with the Clerk.

Commissioner Lucey stated this service had been missing from the region since the departure of WestCare. The lack of a triage center was challenging for the jail because all detainees were going there instead of the triage center. He noted the reopening of this center would relieve stress on the jail. He thanked Human Services Agency Director Amber Howell for her continued work to improve the community.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 10 be approved. The Interlocal Agreement is attached hereto and made a part of the minutes thereof.

19-0524 **AGENDA ITEM 20** Recommendation to approve Collective Bargaining Agreements with the Washoe County Nurses' Association (WCNA) for the Non-Supervisory and Supervisory bargaining units for the three (3) year period beginning July 1, 2019 through June 30, 2022; including cost of living adjustments in base wages of 3% effective July 1, 2019 [FY 19/20 estimated fiscal impact \$86,919]; 2.5% beginning July 1, 2020 [FY 20/21 estimated fiscal impact \$89,700]; and 2.5% beginning July 1, 2021 [FY 21/22 estimated fiscal impact \$91,719]; and updated agreement language regarding salaries of personnel, standby pay, shift differential, holidays, vacation, bereavement leave, health plan, career development, professional license/fees, distribution of contract, on-site child care, duration of agreement, and rights of the association. [Total estimated fiscal impact for all fiscal years is \$268,338.] Human Resources. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 20 be approved.

19-0525 **AGENDA ITEM 21** Introduce and conduct a first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), within Article 406, Building Placement Standards 110.406.05, General, to add a requirement regulating setbacks on legal non-conforming lots, when the lot size does not meet the minimum lot size for the actual regulatory zone applicable to the lot, the allowed setbacks will be based on the regulatory zone thresholds for the next densest regulatory zone for which the actual lot size does meet the minimum lot size requirements; and to remove Section 110.406.35(e) Side Yards, Prior Zoning, regarding the option to use the side yard setback requirements of the land use category comparable to the parcel size for lots created prior to May 26, 1993; 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 July 9, 2019. Community Services. (All Commission Districts.).

Nancy Parent, County Clerk, read the title for Bill No. 1826.

Planning Manager Trevor Lloyd stated a presentation was available if the Board desired one. He noted the changes to Chapter 110 of the Development Code were long overdue and would resolve the issue of non-conforming lots with setbacks not matching regulatory zones.

There was no response to the call for public comment.

Commissioner Jung stated it was important to point out this item would remove some limits which could translate into additional affordable housing for mid- and lower-income residents. She noted wages did not match the cost of housing in the area but said Washoe County was not the only place facing this issue. She wanted the County to retain a list of the efforts it made towards affordable housing.

Bill No. 1826 was introduced by Commissioner Jung, and legal notice for final action of adoption was directed.

19-0526

AGENDA ITEM 22 Introduction and first reading of an ordinance amending Washoe County Code Chapter 110 (Development Code), within Article 306, Accessory Uses and Structures, at Section 110.306.10, Detached Accessory Structures, to revise the allowable quantity, location, size, aesthetics, permitting and other standards associated with the placement of cargo containers as detached accessory structures used for storage; within Article 310, Temporary Uses and Structures, at Section 110.310.35 (h), Temporary Contractor or Owner-builder Materials or Equipment Cargo Containers, to update the point in the permitting process at which a cargo container may be placed upon a vacant piece of property to support construction, and to establish additional timeframes regarding when such a cargo container must be removed; within Article 902, Definitions at Section 110.902.15, General Definitions to establish a definition for “Cargo Container”; 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 July 9, 2019. Community Services. (All Commission Districts.)

Nancy Parent, County Clerk, read the title for Bill No. 1827.

On the call for public comment, Ms. Amanda Hilbert spoke about a semi-truck trailer she placed on her land. She was told by code enforcement she could not have that type of container on her land because it was used for transport. She stated she removed the axels and tires and wondered whether this would be allowed. She noted she reached out to her Commissioner, who agreed the container should be allowable with the axels and tires removed. She stated code enforcement explained the Commissioners had no say in what containers could be placed on lots. She said she was told a semi-truck container was different than a cargo container. She asked for the Board’s help with the verbiage in this Ordinance to resolve her issue.

Chair Hartung stated he had a conversation with Interim County Manager Dave Solaro about commercial vehicles on large lots in residential areas. The Chair said there were numerous people in his area who used large vehicles for work and parked them on their parcels. He thought it would be the same situation as if Western Nevada Supply placed a storage container on the back portion of a residential lot.

Planning Manager Trevor Lloyd stated the topic of commercial vehicles would be brought forward at a future meeting. He said he was not prepared to speak about the differences between the containers. He knew there was a difference in the structure and said cargo containers were soundly built, but he did not know the definition of a trailer pulled by a semi-truck. Chair Hartung did not understand the reason for the difference and said he looked forward to hearing more about commercial vehicles and why this type of container was not allowed.

Commissioner Berkbigler was curious about this type of container not being allowed because the presentation picture looked like semi-truck trailer with no

wheels. Senior Planner Kelly Mullin stated the trailer shown was a cargo container and the structural integrity of a cargo container was substantially different as they were made to hold a significant amount of weight while stacked several high. Commissioner Berkgigler said the difference did not make sense to her because the containers would not be stacked on residential property. She wondered what staff's concerns were about a semi-truck trailer with the axels and wheels taken off.

Assistant District Attorney Paul Lipparelli stated the introduction as written specifically excluded the type of trailer being discussed. The Board could not edit the language without starting over because it would be a fundamental change to the definition. He stated the item did not have to be introduced if the Board wanted to make changes to the presented documents or bring the introduction back with changes. He said an issue could arise where people parked semi-truck trailers on properties but called them cargo containers.

Commissioner Berkgigler wondered whether the language in the Code should reference a permanently placed container, not just a cargo container. She stated she could not support the introduction the way it was written.

Commissioner Lucey said he understood Commissioner Berkgigler's frustration with this but he thought a semi-truck trailer was not as heavy duty as a cargo container. He thought the structure was different than a semi-truck trailer and could not be stacked due to potential crushing. He wanted to know if that was the issue. Mr. Lloyd replied that was the primary reason. He stated there was no allowance for stacking in residential zones but there was in commercial zones.

Commissioner Herman wanted to wait until this was issue was corrected since there was no stacking allowed.

Commissioner Berkgigler thought the details were too meticulous and said it was extremely frustrating. She noted this issue had been happening for 20 years and it seemed logical any container which could not be moved should be allowed.

Chair Hartung asked for clarification about how many cargo containers were allowed in a residential area. Ms. Mullin referred to slide number 11 in the PowerPoint presentation, which stated: one 200 square foot container was allowed on a parcel less than a half-acre; parcels between half an acre and five acres were allowed two containers of any size; and one container of any size per acre was allowed on lots greater than five acres. Page 1 and page 11 were the only slides shown from the presentation.

Chair Hartung asked when the commercial aspect of the Code would be updated. Mr. Lloyd indicated staff would start working on it soon and bring it back to the Board as soon as possible.

Chair Hartung thought the Board should not start this item over because it had come so far. He understood concerns about the different containers but hoped commercial issues could be addressed at a future time.

Commissioner Berkgigler said she would support this as long as the commercial issues would be brought back because they needed to be addressed. She thanked staff for their hard work on this issue and asked them to take the issues brought up into consideration for the next changes.

Commissioner Herman wondered whether cases such as Ms. Hilbert's were being followed and whether exceptions could be made while the language was being updated. Mr. Lloyd stated that made perfect sense but he would have to check with code enforcement.

Bill No. 1827 was introduced by Commissioner Jung, and legal notice for final action of adoption was directed.

19-0527 **AGENDA ITEM 23** Public hearing and possible action to: (1) consider a report of each property delinquent on its utility charges and the amount of each property's delinquency, along with any objections to the report; and, (2) After considering the report and any objections to it, determine whether to adopt the report and correspondingly adopt a Resolution to collect certain delinquent utility charges on the tax roll. Community Services. (All Commission Districts.)

The Chair opened the public hearing.

Assistant District Attorney Paul Lipparelli stated this was the device available to the County to convert delinquent charges for utility services, such as drainage and water utilities, into tax collection to be added to property tax bills.

There was no public comment on this item.

On motion by Commissioner Berkgigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 23 be adopted. The Resolution is attached hereto and made a part of the minutes thereof.

19-0528 **AGENDA ITEM 24** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and Truckee Meadows Fire Protection District per NRS 288.220.

Assistant District Attorney Paul Lipparelli stated there was no need for a closed session.

There was no public comment on this item.

19-0529 **AGENDA ITEM 25** Public Comment.

Mr. Vance Rushing provided handouts to the Board and the Clerk, which were placed on file. He spoke about the laws of Kennesaw, Georgia and a map of the area. He said there was a significant difference in murder rates from Kennesaw to Marietta Georgia, which were only seven miles apart. He referred to Commissioner Jung's comment about mass shootings and said they happened where guns were not allowed. He said the armed security guard was the only person prepared to take action against an active shooter. He stated he advocated for Second Amendment rights for close to 40 years.

Ms. Cathy Brandhorst spoke about matter of concern to herself.

19-0530 **AGENDA ITEM 26** Announcements/Reports.

Commissioner Lucey asked for a discussion regarding unsolicited proposals for the expansion of the courthouse. He wanted a detailed discussion about private partners and how to handle the proposals.

Commissioner Herman thanked the Board for helping to solve the cargo container issue.

Commissioner Berkbigger asked Assistant District Attorney Paul Lipparelli for his opinion on making Washoe County a Second Amendment sanctuary county. Mr. Lipparelli stated staff was working on it and would have information by the next Board meeting.

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12:04 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, 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*