

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

TUESDAY

10:00 A.M.

JUNE 28, 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 10:01 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:

22-0475 AGENDA ITEM 3 Public Comment.

Ms. Elise Weatherly stated she was a Sun Valley resident and hoped she would be leaving that community soon. She spoke about false testimony and false charges, saying giving false testimony was against the laws of man and God. She shared an incident that occurred with a neighbor. She mentioned charges had been filed against her by her homeowner's association (HOA) and she believed it would provide an opportunity to recommend changes to Nevada Revised Statutes (NRS) 116. She indicated she did not attend official meetings unless she had a mediator. She expressed frustration about the treatment she received from people in a group text.

Ms. Cindy Martinez reminded the Board to be mindful of the financial cliff the community was facing and said it looked different to everyone. She stated the Washoe County Health District approved vaccinations for children from six months to four years of age and expressed concern due to the non-efficacy and children not being susceptible to COVID-19 (C19). She asked the Board to consider and pass a resolution to ban vaccine passports and any means for mandatory verification that would infringe on people's privacy rights.

Ms. Pam Roberts spoke in support of Consent Agenda Item 7H1 and said Mary Ann McCauley was a good candidate for a permanent board member seat. She expressed appreciation to the Board for its patience in listening to the hours of public comment on erroneous claims of widespread election fraud. She thanked Commissioner Lucey for his years of service and opined he was polite, respectful, and worked with fellow

commissioners in a non-partisan manner. She thanked Deanna Spikula for her 15 years of service and opined she was fair with ballot issues. She thanked County Manager Eric Brown who had been responsive to many of her complaints and others who complained about having better communication between staff and constituents. She brought up a Citizen Advisory Board (CAB) meeting that she thought was not properly noticed and stated she was now being notified of meetings. She said she cared about issues that occurred in the entire County, not just her neighborhood.

Mr. Mark Neumann said the Sun Valley HOA appreciated Commissioner Jung for helping with the Sun Valley swimming pool and the cleanup around the area. He thanked Commissioner Herman and Commissioner Jung for attending the Sun Valley CAB meetings. He spoke about Agenda Item 25 and asked the Board to uphold the decision of the Planning Commission. He believed Sun Valley did not need more apartments and wanted to see additional affordable single-family residences.

Mr. Kenji Otto believed the proposal for Agenda Item 22 was an infringement of the rights of property owners. He noted several cases had occurred where property ownership had been infringed upon and wanted NRS 202.500 to be referenced when the proposal was rewritten. He wanted to ensure the County adhered to the NRS. He said item two of the proposed changes stated if a dog killed or inflicted bodily harm upon a human (on or off the owner's premises) it would be a violation of property owners' rights. He opined the government did not have the right to dictate actions on private property. He thought proposed exemptions would be provided to certain locations that were all businesses. He stated animal owners should have the right to decide to put their animals down if needed but it should not be required by a government official. He proposed the ordinance should include that no trespassing signs be posted and that a dog be designated as vicious if it attacked someone who was trespassing.

Mr. Nicholas St. Jon stated the last time he attended a meeting he asked whether his provisional voting anomalies document had been received. He asserted the Board refused to respond to his questions even during Agenda Item 4 when it could speak about items. He stated the people had requested for the Board to pass a resolution to ban vaccine passports. He demanded an agenda item to discuss making Washoe County a Second Amendment sanctuary county. He believed the metal detector at the entrance to Chambers was a violation of his Fourth Amendment right as he would not be granted entrance unless he agreed to submit to the screening. He demanded the equipment be removed due to being a violation of the U.S. and Nevada Constitutions for unreasonable search. He stated it was harassment because the screening equipment was only present during Board of County Commissioners' meetings. He noted a criminal complaint would be submitted to the District Attorney's Office and the foreman of the Grand Jury. He said he was finally scheduled for a meeting with County Manager Eric Brown on July 6 and had been asking for a meeting with him since April 18. He indicated in the meeting with the County Manager he would discuss the voting data he gathered and the possibility of an investigation.

Ms. Irene Payne thanked the Board for its work and said a special thanks to Commissioner Lucey who was her district representative. She announced she submitted an application for the Washoe County Wildlife Advisory Board and stated if appointed she would bring her extensive professional knowledge and experience in marketing, communication, and community engagement along with a balanced and thoughtful approach. She asserted the experience she had gained from her service on the Regional Animal Services Advisory Board would assist her on the Wildlife Advisory Board. She spoke about a presentation on the agenda related to the revisions to the dangerous and violent dog code. She said the Director of Regional Animal Services Shyanne Schull and her team did a first-class job in often physically, and emotionally difficult situations. She asked the Board to approve the proposal to clean up the language in the animal code. She hoped her application for the Wildlife Advisory Board would be considered as she would endeavor to serve.

22-0476 **AGENDA ITEM 4** Announcements/Reports.

County Manager Eric Brown pointed out Consent Agenda Item 7G3 was a groundbreaking agreement between the Pyramid Lake Paiute Tribe, the Washoe County School District, and the libraries. He noted as a result of the collaboration between these agencies and the State of Nevada's Office of Science, Innovation and Technology (OSIT), broadband service would finally be available to the residents of Gerlach. He informed the Paiute Tribe had fiber between I-80 and Nixon and would allow the County to use that fiber to provide service to Gerlach. Construction costs to build the remainder of the stretch from Nixon to Gerlach were estimated at approximately \$2.4 million but would only cost the County \$12,000. The remainder would be covered by Federal Communications Commission e-rate funding and the State of Nevada. He thanked Washoe County Chief Information Officer Behzad Zamanian, Washoe County Library Director Jeff Scott, and the Paiute Tribe, for their assistance with this project. He said the County had additional broadband aspirations and would convene a work group the next day to look at other areas unserved by broadband. He noted the group would investigate infrastructure money or other funding sources.

Vice Chair Hill informed the Board that the Washoe County, City of Reno, and City of Sparks region was awarded a Bicycle Friendly America workshop. She noted they had come together with the Regional Transportation Commission (RTC) on this and looked forward to hearing the recommendations for the community. She expressed excitement for the push to get folks out on their bikes.

Vice Chair Hill stated the Mobility Hub meeting for the Tahoe Transportation District (TTD) was held the night before, and it was decided the Washoe Transportation Study would be extended until July 15. She observed residents could go to washoecounty.gov to find the study and fill it out. She shared there was an opening on the Incline Village/Crystal Bay Citizen Advisory Board (CAB).

Commissioner Lucey congratulated the Reno Rodeo for a successful 102nd event. He opined the County was lucky to have a ten-day Rodeo with concerts and other

fun events. He observed the organization gave back to the community through the Rodeo itself and philanthropy. He congratulated the staff at the Reno Rodeo and all the participants.

Commissioner Lucey requested an update from Manager Brown regarding the P25 radios. He asked that the Board discuss assignments within the next couple of months prior to his departure so the new commissioners would have the opportunity to get situated with the organizations. Commissioner Jung urged that the Board assignments be discussed during the next meeting.

Chair Hartung shared he had the opportunity to attend the Take a Swing at Childhood Cancer fundraiser that supported the Northern Nevada Children's Cancer Foundation. He said it was a huge success and he thanked everyone who attended the fundraiser. He informed he also attended the Nevada Veterans Memorial Plaza fundraiser dinner, noting the memorial in Sparks was close to completion. He believed it would be a wonderful memorial to fallen veterans in the State of Nevada. He thanked everyone who attended the dinner.

Chair Hartung reminded Manager Brown of the Board's request to have a presentation from the Washoe County Sheriff's Office (WCSO) about catalytic converter thefts in Spanish Springs. He hoped to schedule the WCSO to speak at each of the CABs throughout the County as well.

Commissioner Jung asked for a presentation regarding infill in the Cities of Reno and Sparks. She opined the projects were not easy to complete and she was proud of what both cities had accomplished. She thought Sparks downtown was a hip place to be. She noted Fernley was also heating up its downtown. She suggested celebrating the progress of the cities at the joint meeting in July.

Vice Chair Hill asked for a future agenda item regarding the Board's rules.

Chair Hartung shared that the Take a Swing event was held at Greater Nevada Field and he thanked the staff for their assistance in making the event successful.

22-0477 **AGENDA ITEM 5** Presentation from Julie Regan, Tahoe Regional Planning Agency (TRPA) and Dr. Gregory Miller, Center for Responsible Travel on TRPA's Regional Transportation Program and ongoing discussion with private and public agencies regarding Regional Transit in the Tahoe Basin. Manager's Office. (All Commission Districts.)

Ms. Regan thanked the Board for the opportunity to share the presentation. She mentioned Dr. Miller was disappointed about not being present but said he had to be in Washington, D.C. Ms. Regan indicated she was representing the team from the Center for Responsible Travel and the CORE Team of Destination Stewardship at Lake Tahoe and would be speaking about transportation along with many other issues they were facing. She thanked Vice Chair Hill for her leadership and for connecting Washoe County with the

Destination Stewardship initiative that was underway. She indicated the job of the TRPA, through an interstate compact between Nevada and California, was to harmonize the economy of tourism with the natural resources that everyone wanted to protect because everyone shared the goal of protecting Lake Tahoe. She spoke about the change in tourism in Lake Tahoe moving from gaming-based to an outdoor recreation-based economy.

Ms. Regan conducted a PowerPoint presentation and reviewed slides with the following titles: Welcome to Tahoe; Taking Care of Tahoe; Responsible Tourism Strategy Builds on Past Work; Lake Tahoe Outdoor Recreation-Tourism Trends; Message Campaign; Connecting Upon Arrival, Or Before; Issues and Challenges Persist; Nevada Shared Stewardship Agreement; South Tahoe Now; Destination Stewardship CORE Team; Resort Destinations are reinventing tourism post-Covid; Desired Conditions for Success; Pledge For The Wild; Lake Tahoe Destination Stewardship Plan; Overview of Visioning Workshops; What we are hearing...Top of mind; What we are hearing...Potential Solutions; and Thank You.

Ms. Regan stated they wanted to arrive at a strategy to raise \$20 million per year for all sectors including the federal government, California, Nevada, local governments, and the private sector. She said everyone was in this together and nothing was achieved without partnerships.

Chair Hartung said it was a great presentation. He thanked Vice Chair Hill for being proactive in Lake Tahoe. He noted funding was not easy to come by and it was difficult to come up with solutions. He asserted transportation was an issue throughout the entire County.

Vice Chair Hill thanked Ms. Regan for the presentation. She thought it was a great intro to many more conversations about Lake Tahoe. Since she was elected many exciting things had happened in Lake Tahoe and numerous partnerships had been developed within the basin that she was proud of. She thanked the Board for its commitment to ensuring harmony and balance were created between Tahoe residents and tourists. She noted the Board funded the Clean Tahoe Program, which was a group of people who cleaned areas in North Shore Tahoe and were transforming the community. She asserted the importance of the “pack it in, pack it out” mentality and said the Board was committed to keeping Tahoe clean. She said the micro-transit program was working with the Incline Village/Crystal Bay Visitor’s Center as well as other partners in North Shore to start operation in July and run through the winter. She thought there would be fewer vehicles on the road, and it would increase safety. She thanked Commissioner Lucey for his passion for Lake Tahoe and for ensuring the County supported the visitor and tourism economy.

Commissioner Jung said she used to live in South Shore Lake Tahoe and noted residents did not like tourists back then. She asserted it was difficult living in a tourist area, especially a year-round tourism destination. She spoke about people utilizing tax benefits by living in Incline Village. She thought people needed to be taught how to live in the outdoors and be responsible for doing the right thing. She believed people enjoying

what nature had to offer was good for their mental health. She thought people should be taught to be outdoor experts and stewards of recreation. She mentioned turning Lake Tahoe into Mackinac Island, which could only be reached by boat and no vehicles were on the island. She noted it would be a huge lift to make Lake Tahoe like that, but it would be a great experience. She expressed the desire to help the Board with Lake Tahoe for the rest of her life. She was proud of Vice Chair Hill for being so proactive and compassionate about that community. Visitors should be issued garbage bags, she thought, to help clean up after themselves while enjoying recreational areas.

Commissioner Lucey said as the outgoing Chairman of the Reno-Sparks Convention and Visitors Authority (RSCVA), he thought the County should be a part of the Destination Stewardship CORE Team initiative. He stated the Board had established regulations for short-term rentals (STRs), of which 99 percent of them were located in Incline Village and were required to hold licenses and pay room tax. He believed most of the County's marketing was directed toward Lake Tahoe and the basin. He wanted to see if there were ways for the RSCVA and Reno-Tahoe to broaden their financial resources to preserve the community.

Chair Hartung opined Lake Tahoe was a jewel of the world and people knew about it and wanted to visit. He thanked Ms. Regan for her presentation.

Ms. Regan expressed appreciation for the comments and compliments. She noted Amy Chapman wanted to be in attendance but was unable. She stated she would take all the comments made under advisement.

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

DONATIONS

22-0478 **6A1** Recommendation to: (1) acknowledge various items donated totaling an estimated market value of [\$12,541.00]; and (2) accept donations to the Human Services Agency - Senior Services Fund to support operations of the Washoe County Senior Centers in the amount of [\$207.55] retroactive for the period March 26, 2022 through May 31, 2022; and direct the Comptroller to make the necessary budget amendments. Human Services Agency. (All Commission Districts).

22-0479 **6A2** Recommendation to accept a donation from Temple Sinai to Washoe County Human Services Homelessness Fund in the amount of [\$175.00] retroactive to December 7, 2021; 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 Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 6A1 and 6A2 be acknowledged and accepted.

CONSENT AGENDA ITEMS – 7A1 THROUGH 7J1 EXCEPT 7I1

- 22-0480** **7A1** Approval of minutes for the Board of County Commissioners' regular meeting of May 24, 2022. Clerk. (All Commission Districts.)
- 22-0481** **7B1** 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 2022/2023. Assessor. (All Commission Districts.)
- 22-0482** **7B2** Recommendation to 1) approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2019/2020, 2020/2021 and 2021/2022 secured and unsecured tax rolls 2) authorize Chair to execute the changes described in Exhibits A and B and 3) direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease to all taxing entities \$14,327.42]. Assessor. (All Commission Districts.)
- 22-0483** **7C1** Recommendation to accept grant funding [\$22,514.97 with no County match] for Fiscal Year 2022 from the USDA Forest Service, received under the Secure Rural Schools and Community Self-Determination Act of 2000 (SRS Act) for the benefit of public schools and roads within Washoe County and direct the Comptroller's Office to make the necessary budget adjustments. Community Services. (All Commission Districts.)
- 22-0484** **7C2** Recommendation to adopt three resolutions accepting real property for use as public streets, which pertain to portions of the plats as listed below totaling 13.99 acres and 1.79 linear miles; and if approved, direct the Clerk's Office to record the resolutions to accept: (R22-75) A portion of the Official Plat of Blackstone Estates Unit 1, Tract Map 5327, recorded on May 24, 2019, as document number 4913462, being: Uxbridge Drive and a portion of Slater Mill Drive, Millville Drive, Chestnut Vine Drive, and Calle De La Plata; Assessor's Parcel Numbers (APNs) 534-713-08 & 534-723-07; approximately 3.49 acres and 0.58 linear miles; and, (R22-76) A portion of the Official Plat of Eagle Canyon Ranch - Unit 8, Subdivision Tract Map 5410, recorded on February 19, 2021, as document number 5143617, being Arc Dome Court and a portion of Iron King Drive; APNs 532-333-12 and 532-351-22; approximately 1.39 acres and 0.22 linear miles; and, (R22-77) A portion of APN 066-030-65, offered for dedication under recorded document number 5307202, being a portion of County Route 34; approximately 9.10 acres and 1.00 linear miles. Community Services. (Commission Districts 4 & 5.)

- 22-0485** **7C3** Recommendation to approve an Agreement for Professional Services between Washoe County and Tahoe Resource Conservation District (TRCD), effective July 1, 2022 through June 30, 2025, to allow TRCD to collect, analyze, and report the necessary data to satisfy the objectives and requirements for Stormwater Compliance Monitoring in the amount of [\$139,169.00 - three year cost]. Community Services. (Commission District 1.)
- 22-0486** **7D1** Recommendation to accept a Children’s Justice Act (CJA) grant to the District Attorney’s Office in the amount of [\$19,207 (no match required)], from the State of Nevada Department of Health and Human Services Division of Children and Family Service (DCFS) to provide funding for training of personnel and partners in the Child Advocacy Center (CAC); retroactive from July 1, 2021 through June 30, 2022; and direct the Comptroller to make the necessary budget amendments and retroactively authorize the District Attorney or his designees to sign the grant agreement. District Attorney. (All Commission Districts.)
- 22-0487** **7D2** Recommendation to accept a National Children’s Alliance Grant (NCA) Chapter Grant to the to the District Attorney’s Office acting as the fiscal agent of the Children’s Advocacy Centers of Nevada in the amount of [\$14,000, no match] from the U.S. Department of Justice through the National Children’s Alliance to fund chapter member travel and training; retroactive from January 21, 2022 through December 31, 2022, if approved, direct the Comptroller to make the necessary budget amendments, and retroactively authorize the District Attorney or his designee to sign the cooperative agreement. District Attorney. (All Commission Districts.)
- 22-0488** **7D3** Recommendation to accept a National Children’s Alliance Grant (NCA) Chapter Grant to the to the District Attorney’s Office acting as the fiscal agent of the Children’s Advocacy Centers of Nevada in the amount of [\$80,000, no match] from the U.S. Department of Justice through the National Children’s Alliance to fund chapter activities; retroactive from January 7, 2022 through December 31, 2022, if approved, direct the Comptroller to make the necessary budget amendments, and retroactively authorize the District Attorney or his designee to sign the cooperative agreement. District Attorney. (All Commission Districts.)
- 22-0489** **7D4** Recommendation to accept additional funds for our Western Regional Children’s Advocacy Center Grant (WRCAC) to the to the District Attorney’s Office as the fiscal agent of the Children’s Advocacy Centers of Nevada in the amount of [\$10,000, no match] from the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention through the Rady’s Children’s Hospital - San Diego to fund chapter activities; retroactive from November 16, 2020 through September 30, 2021, if approved, direct the Comptroller to make the necessary budget

amendments, and retroactively authorize the District Attorney or his designees to sign the grant agreement. District Attorney. (All Commission Districts.)

- 22-0490** **7D5** Recommendation to accept a Western Regional Children’s Advocacy Center Grant (WRCAC) to the to the District Attorney’s Office as the fiscal agent of the Children’s Advocacy Centers of Nevada in the amount of [\$15,000, no match] from the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention through the Rady’s Children’s Hospital - San Diego to fund chapter activities; retroactive from January 1, 2022 through September 30, 2022, if approved, direct the Comptroller to make the necessary budget amendments, and retroactively authorize the District Attorney or his designees to sign the grant agreement. District Attorney. (All Commission Districts.)
- 22-0491** **7E1** Recommendation to approve budget amendments totaling an increase of [\$52,419.00; no county match] in both revenue and expense to the FY22 Hepatitis Surveillance and Prevention Subaward retroactive to May 1, 2022 through April 30, 2023 and direct the Comptroller's office to make the appropriate budget amendments. Health District. (All Commission Districts.)
- 22-0492** **7F1** Recommendation to approve Federal 2021 Library Services and Technology Act (LSTA) American Rescue Plan Act (ARP) Formula Digital Collection Development Grant-In-Aid Award Funds from the State of Nevada in the amount of [\$28,500.00, no local match required] for a retroactive term of July 1, 2021 through September 30, 2022 for the augmentation of Digital Library Collections to meet the pandemic-driven demand of Washoe County residents; direct the Comptroller’s Office to make the necessary budget amendments; and the Director to sign the grant award documents. Library. (All Commission Districts.)
- 22-0493** **7F2** Recommendation to approve Federal 2021 Library Services and Technology Act (LSTA) American Rescue Plan Act (ARP) Grant-In-Aid Award Funds from the State of Nevada in the amount of [\$73,192.00, no local match required] for a retroactive term of January 1, 2022 through September 30, 2022 for the purchase of modular office spaces to provide virtual workforce support for Washoe County residents; direct the Comptroller’s Office to make the necessary budget amendments; and the Director to sign the grant award documents. Library. (All Commission Districts.)
- 22-0494** **7G1** Recommendation to approve the appointment of Omer L. Rains to fill an unexpired term left by Chris Nenzel, beginning June 28, 2022 and ending on June 30, 2025 for the Washoe County Open Space and Regional Parks Commission. Manager's Office. (All Commission Districts.)

- 22-0495** **7G2** Recommendation to approve and execute the Resolution R22-67 levying tax rates, certified by the Nevada Tax Commission, designating the number of cents of each \$100 of property levied for all Washoe County entities for Fiscal Year 2022-2023 pursuant to NRS 361.460. The combined overlapping tax rate is limited to \$3.64 on each \$100 of assessed valuation, pursuant to NRS 364.453. Manager's Office. (All Commission Districts.)
- 22-0496** **7G3** Recommendation to a) approve a Broadband Contract between Washoe County and Digital Technology Solutions (DTS) for Broadband expansion from Nixon to Gerlach Library as aligned to the Washoe County Strategic direction in an amount not to exceed [\$12,588.00 annually, effective fiscal year 2024/25] as specified within the adopted Technology Services Fund's operating budget; and b) approve a memorandum of understanding with Pyramid Lake Paiute Tribe to ensure approval of land access. Manager's Office. (Commission District 5.)
- 22-0497** **7H1** Recommendation to appoint MaryAnn McCauley from [Alternate] to [District 5] to the Washoe County Senior Services Advisory Board for the remainder of the term ending August 31, 2025. Human Services Agency. (All Commission Districts.)
- 22-0498** **7H2** Recommendation to authorize the Purchasing and Contracts Manager to purchase a Polar King International, Inc. Walk-In Freezer (M1030) for food storage that supports the Washoe County Human Services Agency's Senior Services Congregate and Home Delivered Meals program in an amount not to exceed [\$114,000.00] retroactive to June 2, 2022. Human Services Agency. (All Commission Districts.)
- 22-0499** **7J1** Recommendation to 1.) approve the Statement of Work between Washoe County and ePlus Technologies for Technology Infrastructure Assessment services, not to exceed [\$118,550] to assess the current state of Washoe County technology infrastructure and networks and provide recommendations for modernization and network architecture and 2.) authorize the Purchasing and Contracts Manager to execute the agreement. Technology Services. (All Commission Districts.)

County Manager Eric Brown stated Consent Agenda Item 7I1 would be pulled due to an update with the contract.

On the call for public comment, Ms. Elise Weatherly expressed appreciation for the way the Board utilized agenda items and she suggested the Highland Ranch Homeowner's Association emulate the same processes. She was curious about the reason Chris Nenzel left the Washoe County Open Space and Regional Parks Commission.

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 7A1 through 7J1, except 7I1, be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 7A1 through 7J1, except 7I1, are attached hereto and made a part of the minutes thereof.

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Chair Hartung suggested Agenda Item 20 be pulled and brought back for the meeting on July 12. Commissioner Jung had concerns about pulling the Reno Housing Authority (RHA) item and wondered whether it would put the County at risk with its agreement with the RHA.

Vice Chair Hill said she did not hear from the RHA. She agreed pulling the item could create an issue. She stated the Chair spoke to staff the day before but was unsure whether they had concerns about the agreement being delayed with the RHA. Chair Hartung stated he spoke to legal staff, and they said the issue was an agreement and indemnification from the City of Reno, but the County had not received an agreement from the seller. He said he was happy to leave the item on for discussion.

BLOCK VOTE – 8, 9, 10, 11, 12, 13, 14, 16, 18, 19, 21, 23, AND 24

22-0500 **AGENDA ITEM 8** Recommendation to approve an Agreement for Services between Poggemeyer Design Group and Washoe County for the NV Cares Campus Improvements Phase 2, 3 and 4, project engineering services to include pre-construction, engineering administration, construction phase support and post construction services. This agreement will be for one year, effective June 28, 2022, with the option for two, one-year options extensions [in the amount of \$238,084.00]. Community Services. (Commission District 3.)

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 5-0 vote, it was ordered that Agenda Item 8 be approved.

22-0501 **AGENDA ITEM 9** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the 2022/2023 Slurry Seal for Selected Streets in Washoe County, PWP-WA-2022-300 project [staff recommends Sierra Nevada Construction in the amount of \$3,531,007.00]; and approve a separate project contingency fund [in the amount of \$10,000]. Slurry seal is defined as the application of water, asphalt emulsion, aggregate, and additives to an existing asphaltic concrete surface as a preventative maintenance treatment in an effort to extend the pavements' service life. Community Services. (Commission Districts 1,2,4 and 5.)

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 5-0 vote, it was ordered that Agenda Item 9 be awarded and approved.

22-0502 **AGENDA ITEM 10** Recommendation to authorize the Comptroller's Office to place the Excess Liability Insurance Policy with Safety National Casualty Corporation and Safety Specialty Insurance Company for an estimated annual cost of [\$370,490] effective July 1, 2022 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 response to the call for public comment.

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

22-0503 **AGENDA ITEM 11** Recommendation to authorize the Comptroller's Office to renew the Excess Workers' Compensation Insurance Policy with Safety National for a one-year term with an estimated annual premium of [\$330,339.00] and Property, Boiler & Machinery, Cyber Liability and Pollution Liability with the Public Entity Property Insurance Program (PEPIP) for a one-year term with an annual cost not to exceed[\$1,234,352.12], effective July 1, 2022 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.)

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 5-0 vote, it was ordered that Agenda Item 11 be authorized.

22-0504 **AGENDA ITEM 12** Recommendation to retroactively approve purchases not to exceed [\$200,760.00] through the period ending May 21, 2023, from the Reno Sparks Convention and Visitors Authority (RSCVA) in support of the COVID-19 response testing and vaccine efforts. Health District. (All Commission Districts.)

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 5-0 vote, it was ordered that Agenda Item 12 be approved.

22-0505 **AGENDA ITEM 13** Recommendation to: (1) approve Amendment #8 to the contract currently awarded to Reno Initiative for Shelter and Equality (RISE) (awarded Request for Proposal (RFP) #3130-20) for Facility Operator of Our Place Women and Family Shelter on the Our Place campus, which authorizes an increase in the amount of [\$457,313.00] for the term of July 1, 2022 through June 30, 2023, including subsequent renewal periods, for contract amount not to exceed [\$2,757,313.00] annually in support of the retention and recruitment of shelter staff and increased expenses due to inflation as a result of the COVID pandemic; (2) authorize the Purchasing and Contracts Manager to execute the amendment; and if approved, (3) direct the Comptroller's Office to make the necessary 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 Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 13 be approved, authorized, and directed.

22-0506 **AGENDA ITEM 14** Recommendation to accept a Community Mental Health subaward from the State of Nevada Division of Public & Behavioral Health in the amount of [\$277,954.00; no county match] for services provided to pregnant women and their dependents through the Women's CrossRoads program, retroactive to April 1, 2022 through February 28, 2023; authorize the Director of the Human Services Agency to execute the sub-grant award; 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 Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 14 be accepted, authorized, and directed.

22-0507 **AGENDA ITEM 16** Recommendation to approve Sole Source waiver to establish an Agreement between Washoe County and Well Care Services Reno for supportive housing of persons with intellectual or developmental disabilities or mental health conditions that impede their ability to live with complete independence for the term of July 1, 2022 through June 30, 2023, in an amount not to exceed [\$661,500.00] annually; and if approved, authorize the Purchasing and Contracts Manager to execute the Agreement. 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 Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be approved and authorized.

22-0508 **AGENDA ITEM 18** Recommendation to approve the use of General Fund Contingency in the total amount of [\$600,000] for fiscal year 2022 in accordance with Nevada Revised Statute (NRS) 354.598005 to 1) increase expenditure authority for General Fund departments for cost increases for various Washoe County utilities as well as operations and maintenance and fuel for vehicle fleets due to inflation and crude oil prices in the amount of [\$550,000]; 2) increase cross-fund and cross-functional budget appropriation transfers to the Homelessness Fund in the total amount of [\$50,000] to support an emergency repair to a main water line at the Our Place campus; and direct the Comptroller to make the appropriate cross-fund and cross-functional budget appropriation transfers and cash transfers.[Total fiscal year 2022 impact \$600,000; net fiscal impact \$-0-]. 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 Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 18 be approved.

22-0509 **AGENDA ITEM 19** Recommendation to approve contract with Allied Universal Security Services for armed and unarmed professional security services, from July 1, 2023 through June 30, 2024. Estimated expenditures are anticipated as [\$4,262,293]. If approved, authorize the Purchasing and Contracts Manager to execute the agreement. Manager's Office. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Vice Chair Hill, seconded by Commissioner Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 19 be approved and authorized.

22-0510 **AGENDA ITEM 21** Recommendation to approve the 2nd Amended Lease Agreement between Washoe County and the Housing Authority of the City of Reno, for the County to occupy the property located at 1775 East 4th Street, Reno, Nevada, 89512, for an extended term no later than August 30, 2022, and ending upon purchase of property by Washoe County. The 2nd Amended Lease Agreement allows Washoe County to provide Nevada Cares Campus additional space and electrical and utility access for overflow shelter for individuals experiencing homelessness, parking, temporary office space and construction staging; (2) if approved, authorize County Manager Eric Brown to execute the lease and authorize the County Manager

Eric Brown to execute all necessary agreements, warrants and checks for the effectuation of the same; (3) approve the use of Fund 223-4 (Cost Center 223410) in the amount of \$1.00 needed to support the Fiscal Year 2022 lease cost. This extension is sought pending the sale of the property by Washoe County. 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 Lucey, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 21 be approved and authorized.

22-0511 **AGENDA ITEM 23** Recommendation to approve the reimbursement of costs incurred by the City of Reno for expenses related to and in support of the Enhanced 911 Emergency Response System and portable event recording devices, as recommended by the 911 Emergency Response Advisory Committee on June 16, 2022, in an amount not to exceed [\$435,976.40] as specified within the adopted Enhanced 911 Fund's operating budget. Technology Services. (All Commission Districts.)

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 5-0 vote, it was ordered that Agenda Item 23 be approved.

22-0512 **AGENDA ITEM 24** Recommendation to authorize Plenium Builders, Inc. as the Construction Manager at Risk (CMAR) and approve Guaranteed Maximum Price (GMP) Agreement between Washoe County for construction of a public safety communication site at Marble Bluff in the amount of [\$920,063]. Technology Services. (All Commission Districts.)

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 5-0 vote, it was ordered that Agenda Item 24 be authorized and approved.

22-0513 **AGENDA ITEM 15** A. Recommendation to approve amended allocations of American Rescue Plan Act (ARPA) funds through the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund (SLFRF) for the following projects: 1. WellCare Living Supports and Services Pilot Project in a total amount of \$1,255,200 (an increase of \$593,700 over the \$661,500 allocated and approved by the Board on December 14, 2021). This project provides for supportive housing for persons with developmental or intellectual disabilities or mental health conditions that impede their ability to live independently. 2. Kids Kottage

Emergency Beds project in a total amount of \$1,043,000 (an increase of \$243,000 over the \$800,000 allocated and approved by the Board on December 14, 2021). This project funds care services for abused and neglected children in our community that have been removed from their homes.; and B. Recommendation to approve an allocation of American Rescue Plan Act funds through the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund for the following project: 31. Incline Village Access to Justice Project \$747,800. This project will fund renovations to the county owned Incline Community Center to house the Incline Justice Court, currently in leased space, and will improve security, and accessibility. And, if approved, direction to the Comptroller's Office to make necessary net zero cross-fund and cross-functional budget appropriation transfers. The proposed projects fall within the American Rescue Plan Act (and the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund) eligible uses, include a proposed implementation process, and come with extensive compliance and reporting requirements. Final allocations may vary from those proposed based on information developed during this item. Manager's Office. (All Commission Districts.)

On the call for public comment, Judge E. Alan Tiras indicated he was present to answer any questions and thanked the Board for its support.

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

22-0514 **AGENDA ITEM 17** Recommendation to appoint/reappoint individuals to fill two (2) positions as hunters, trappers or anglers or engaged in ranching or farming in the county; and an individual to fill one (1) position as the public seat, on the Washoe County Advisory Board to Manage Wildlife, with all terms beginning June 30, 2022 and ending on June 30, 2025, as per NRS 501.260. Applicants for the hunters, trappers, or anglers or engaged in ranching or farming in the county include: Ryan Browne, Charles Dettling, William Morgan, Brad Pillsbury, Casey Pinkston, Jim Rhea (incumbent), Steve Robinson (incumbent). Applicants for the public seat include: Leslie Mix and Irene Payne. Applicants not selected for the hunters, trappers, or anglers or engaged in ranching or farming in the county are eligible to be selected for the public seat. Manager's Office. (All Commission Districts.)

Commissioner Lucey stated corrections needed to be made to the text in the agenda, noting Jim Rhea was listed as the sportsman incumbent but was not serving in that capacity; he was serving as the public seat for the board. He said Steve Robinson (incumbent) was up for consideration to hold a sportsman seat, and Arnold Pitts' seat would need to be replaced. He indicated that clarification had been made and these seats would no longer be required to come before the Board of County Commissioners (BCC) unless a member were to leave, and their seat needed to be replaced. He said the seats did not have

term limits and would no longer be an issue for the Board. He clarified that the subject board worked with the State Wildlife Commission and set the seasons and regulations for fishing, hunting, and trapping. He said as an outdoorsman and hunter he had been involved in this board and appreciated all the members who served. He recommended retaining Jim Rhea and Steve Robinson in their current seats. He urged discussion about the other open seat.

Chair Hartung asked Assistant District Attorney Nathan Edwards about language in the staff report and wondered whether it would be an issue to continue with the item the way it was written. Mr. Edwards stated there were no issues with it as later in the item it was clarified that applicants who were not selected for the hunters, trappers, or anglers' seat could be selected for the public seat. He said Mr. Rhea could be selected to continue serving on the public seat and Mr. Robinson could continue serving on the hunters, trappers, or anglers' seat if that was the Board's selection. That would leave one additional opening for the hunters, trappers, or anglers' seat to be chosen from the list of applicants.

On the call for public comment, Ms. Irene Payne stated she had already spoken.

Mr. Rex Flowers suggested the Board select Steve Robinson, as he was committed to the job and attended the meetings. He wanted Ryan Brown to be considered since he served on the Northern Nevada Safari Club International (NNSCI). He stated the public representative, Jim Rhea, was a good individual, but he wanted the Board to consider Brad Pillsbury as he was involved in many conservation efforts through the NNSCI. He said Mr. Pillsbury was a volunteer on conservation projects. He thought the board needed people who were fully engaged, not just for the seven meetings per year. He stated the resources could not wait for the right people to be in place. He commented there was a strong Chairman and Vice Chair and with his recommendations, the proposed members could complement what the board was doing.

Mr. Matt Melarkey identified himself as the Chairman of the Washoe County Advisory Board to Manage Wildlife but said he was speaking on his own behalf. He wanted Jim Rhea and Steve Robinson to be reappointed. He indicated there was no information about the candidates except their applications online, and he said the links to the additional information and letters of recommendation were not active. He looked for the applications to be complete, thorough, and detailed. He noted only three candidates, aside from the incumbents, provided an application, resume, and letter of recommendation. He believed letters of recommendation were the hardest things to obtain because it took an effort to find people that would vouch for one's experience. He recommended Ryan Brown for the last remaining seat.

Ms. Elise Weatherly thanked the people who wanted to help in the community and said she did not realize how many open positions there were. She thought she should try to be on this board in the future since she grew up on a dairy farm and ranch.

She admitted it was difficult to select applicants for jobs and did not envy the people who had to decide who to choose for the board.

Mr. Brad Pillsbury stated Steve Robinson was his recommendation to be reappointed. He wanted to be considered for one of the open seats as he was a native Nevadan, supported wildlife, and was a volunteer. He wanted the public to read the letters of recommendation and suggested they be made available.

Mr. Ryan Brown stated he was applying for the Advisory Board to Manage Wildlife. He said he was very involved in wildlife and was up to speed on and understood all the issues. He looked forward to representing Washoe County with this appointment.

Mr. Casey Pinkston said he was an applicant for the Advisory Board to Manage Wildlife and noted he had lived in the area his entire life and enjoyed the outdoors and what it had to offer.

Mr. Kenji Otto may have misunderstood Commissioner Lucey that there was not a term limit although the staff report noted members would be appointed for a term of four years. He read information about the appointed terms.

Commissioner Lucey stated there were term years but not a limit to how many terms an individual could hold the seat, noting the limits fell under the same limits as the Citizen Advisory Boards. He thanked all the applicants who participated and was impressed with the outreach and discussion. He said this board did not only discuss hunting but noted there were big issues related to livestock and predators and the Board would work with the Nevada Department of Wildlife to resolve them. He restated his recommendations.

Vice Chair Hill was grateful for the clarification about the sportsman seat and said she supported Irene Payne for the public seat.

Commissioner Jung agreed with Vice Chair Hill in support of Irene Payne for the seat. She believed the majority of the board members were men and she wanted to see more women involved in outdoorsman sports. She thought there was a misconception about people who harvested animals and spoke about her brother being a huge hunter. She said it was important to have Ms. Payne on the board. She appreciated the regulations and oversight to protect the sport of hunting.

Commissioner Herman agreed it was important to have someone from the ranching industry and said she supported Ryan Brown for the open seat.

Chair Hartung asked whether there was an issue with the links to the candidates' information not being accessible. Mr. Edwards stated it was not a violation of Open Meeting Law but there was not a copy of the information in the meeting binder. He suggested pausing the meeting for copies to be printed and available for the public to read.

11:44 a.m. The Board went into recess.

1:00 p.m. The Board reconvened with all members present.

Commissioner Lucey stated in light of the discussion about the applications and the number of people who applied, he suggested the item be continued to the July 12 meeting as it would provide ample time for the Board to read the information and discuss it at the next meeting.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that this item be continued to the July 12 meeting.

22-0515 **AGENDA ITEM 20** Recommendation to approve a Purchase and Sale Agreement for the acquisition of 4.747 acre property located at 1775 East 4th Street, Reno, Nevada, 89512 (APN 008-211-50) in an amount not to exceed five million one hundred fifty thousand dollars [\$5,150,000] and closing costs not to exceed [\$12,000] and authorize the Chair to execute agreement and documents in support thereof. The property will be used to provide shelter and related services for people experiencing homelessness. Manager's Office (Commission District 3.)

Chair Hartung had asked for a continuance on this item.

Assistant District Attorney Nathan Edwards stated there was an ongoing discussion about what to do with the potential cleanup on the property because the presence of underground fuel storage tanks had been identified. Last evening, he said, the Reno Housing Authority (RHA) provided information to the County regarding a list of recommended changes. The recommendations came from the RHA's counsel who had done a review of the purchase and sale agreement. He informed these suggested changes and additions were received by the District Attorney's (DAs) Office that morning. He spoke with the Chief Deputy who oversaw the civil team to discuss whether there was enough time to review those changes and they determined there was not. He observed one of the recommended provisions was for the County to do a level two environmental assessment on the property, but the County would be responsible for the cleanup costs for whatever contamination was revealed by the assessment. He said informal discussions had previously occurred between the RHA, the City of Reno, and Washoe County, and the RHA and the City of Reno had indicated there might be an appetite on their end to help with contamination cleanup costs. The new provision, however, would leave this responsibility to the County. He asserted the Board was free to do what it wanted to do and could choose to accept the risk as there were people in-house who had knowledge of cleanup issues. The legal concern, he said, was the strict liability that went along with environmental laws. He observed the bigger concern was the 278 changes to the purchase and sale agreement the DA's Office had received that morning from the RHA. He noted the DA's Office could review all the changes but would need more time. He said from a legal standpoint it made sense to continue the item.

Chair Hartung wanted the Board to be able to review the changes and conditions. He reminded that the Board had voted during Agenda Item 21 to continue the lease so there was room to continue this item. He asked Mr. Edwards if the item could be continued to the July 12 meeting. Mr. Edwards thought that was adequate time for legal to complete the review. He noted there was a risk that the property could be sold to another buyer.

There was no response to the call for public comment.

On motion by Commissioner Lucey, seconded by Vice Chair Hill, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 20 be continued to the July 12 meeting.

22-0516 **AGENDA ITEM 22** Request by the Director of Washoe County Regional Animal Services, through the Washoe County Clerk, and pursuant to Washoe County Code (“WCC”) 2.030, to initiate amendments to WCC Chapter 55 (Animals and Fowl), primarily to update provisions relating to dangerous and vicious dogs. The amendments are being requested to: repeal a section duplicative of state law related to harboring a vicious dog; add a section making it unlawful to fail to quarantine or surrender for quarantine biting animals or animals that have been in close contact with an animal suspected or known to have rabies; adding a section governing euthanasia of vicious dogs; add or amend definitions for “dangerous” dog, “vicious” dog, “animal”, “substantial bodily harm” and “provocation”; and amend provisions relating to: the dangerous and vicious dog determination process; exemptions under which a dog may not be found dangerous or vicious; the requirements for dangerous and vicious dog registration; the requirements for relocating or transferring ownership of a dangerous or vicious dog; unlawful acts by the owner or keeper of a dangerous or vicious dog; impoundment of a dog, both before and after a dangerous or vicious dog determination; and to update a section governing the criminal and civil penalties for a violation of chapter 55; and direct the County Clerk to submit the request to the District Attorney for preparation of a proposed ordinance in accordance with WCC 2.040. Regional Animal Services. (All Commission Districts.)

Washoe County Regional Animal Services (WCRAS) Director Shyanne Schull stated she was requesting amendments to Washoe County Code Chapter 55 as it related to dangerous and vicious dogs. She shared that the last time the WCRAS opened the ordinance for revision was in 2015. Over the past six years, she said, the WCRAS operated under the current language and had identified areas that needed to be cleaned up and refined. She informed that with the assistance of the WCRAS Advisory Board, members of the public, and staff, they had developed several proposals for amended language.

Ms. Schull said the WCRAS wanted to amend the definition of “dangerous dog” to add a second category of “vicious.” She explained that under the current code, an animal could be declared dangerous under the following conditions: if it had a noted menacing behavior twice within 18 months; if it killed or inflicted substantial bodily harm to a human; if it killed or injured a domestic animal; or if used in the commission of a crime, it could be declared dangerous by law enforcement. The addition of a second tier, she observed, would allow a dog to be declared vicious under the following conditions: if it killed or inflicted substantial bodily injury upon a human on public or private property without provocation; if it killed an animal without provocation while off the property; and if the dog had previously been declared dangerous and continued to exhibit dangerous behavior. She opined adding the second tier would help delineate the egregiousness of violations by dogs as opposed to looping them all into one dangerous declaration.

Chair Hartung asked Ms. Schull to define “without provocation.” He provided an example of an intruder breaking into a home and being bitten by the homeowner’s dog. Ms. Schull responded that would be considered a provoked bite because the intruder was on the dog’s property. An example of an unprovoked bite, she noted, would be if a person was walking through a parking lot and a dog jumped out of a car and bit them.

Ms. Schull spoke about a couple of definitions the WCRAS wanted to add to the code. She said the WCRAS wanted the code to define animals as dogs, cats, or mammals kept for personal enjoyment such as livestock. Currently, if a dog were to attack a rodent, fish, or bird, it could be declared dangerous; the WCRAS wanted to remove these from the code’s definition of animal. Ms. Schull informed the WCRAS wanted to insert “substantial bodily harm,” and use the definition ascribed to it under the Nevada Revised Statutes (NRS) 0.060, as well as the term “provocation” with the definition of “occurs when a person is physically abusing, tormenting, teasing, assaulting, or attacking the subject animal.”

Regarding the requirements for dogs that had been declared dangerous or vicious, Ms. Schull remarked the WCRAS wanted to expand the guidelines. Currently, owners of dangerous dogs were required to have a \$250,000 liability insurance policy. The WCRAS wanted to decrease this amount to \$150,000 for owners of dogs declared dangerous and leave it as it was for owners of dogs declared vicious. Additionally, the WCRAS wanted to require department-issued signage to be posted on the property; it would be universally recognized by law enforcement and first responders. Under the current enclosure requirements, she stated, a person with a declared dangerous dog could only keep the animal inside of an enclosure built on the property. The WCRAS wanted to add the dwelling as part of the enclosure that would be inspected and approved by Animal Services. Ms. Schull explained the current requirement prohibited many dog owners from being able to keep their animals if they did not have the area to build an enclosure. She noted owners of dangerous dogs would still be required to have an enclosure if their dogs were to go outside. She informed under the current code the size of the enclosure was determined by the size of the animal, and the WCRAS felt this was prohibitive. The

WCRAS was proposing a ten-foot by five-foot enclosure for one dog regardless of its size, with the addition of five feet for each additional dog.

Ms. Schull observed the WCRAS wanted to improve the movement oversight of animals declared dangerous or vicious within the County. Currently, owners were only required to notify Animal Services of a move within 30 days. The WCRAS wanted to add requirements for owners to provide a description of the animal, a copy of the dangerous or vicious order, and the new address within Washoe County so Animal Services could inspect the property and ensure it met the minimum standards. Regarding dangerous or vicious animals that were entering or leaving Washoe County, Ms. Schull noted this issue was challenging. She stated a lot of animals moving into Washoe County may already have a dangerous or vicious order from another county. The WCRAS wanted to require a 30-day notice that the animal was moving into the County, a name and description of the animal, a copy of the order from whichever jurisdiction they were moving from, and their proposed new address. For those moving out of Washoe County, the WCRAS wanted verification of the change of address to provide reassurance that the animal had left the County.

Ms. Schull clarified when Animal Services may or shall impound animals that had been declared dangerous or vicious or were pending a dangerous or vicious hearing. Animal Services currently had jurisdiction to impound an animal for public safety if it was pending a hearing and had been off-leash and had bitten or attacked someone, and Animal Services was unable to verify that the owner's property was able to keep the animal safely contained. She wanted to clarify that for an animal pending a hearing and not yet declared dangerous or vicious, Animal Services may impound for injury to another animal, but shall impound for injury to a human. If an animal was not declared dangerous or vicious, the boarding fees would be waived. If an animal was already declared dangerous or vicious and was violating the requirements to comply with the order, Animal Services could impound the animal at that time. She observed a person whose animal had been declared dangerous or vicious had 30 days to comply with the order. During the interim, if the animal was at home in an Animal Services-approved temporary enclosure and got out, Animal Services would impound the animal for public safety.

The next section of the code, Ms. Schull informed, was a previously omitted section that gave Animal Services the ability to request that an animal declared to be dangerous or vicious be euthanized. She noted this would only occur on rare occasions and due process was built into the request. She asserted the only time this process would unfold was if an animal inflicted substantial bodily harm or killed a person, and Animal Services would have to submit a request to the Administrative Hearing Office that the animal be euthanized. The Administrative Hearing Office would decide whether to order the animal to be euthanized. Chair Hartung asked Ms. Schull to define due process. Ms. Schull responded there were two different processes for the euthanasia clause. If the animal was not already declared vicious and it killed a person, Animal Services would go through the process to request a hearing to have it declared vicious and a request would go in to have the animal euthanized. The owner would then receive a ten-day notification to appear before the Administrative Hearing Office where they would have the opportunity to object

to the decision. Ms. Schull stated the owner was also able to appeal the decision. Chair Hartung asked where the appeal would go, and Ms. Schull believed it was the Second Judicial District Court. Ms. Schull spoke about the second process. She stated it was for an animal that had previously been determined to be vicious and went on to attack more humans or animals without provocation and through reckless and negligent care by the owner. In these cases, Animal Services could request a court order for the animal to be euthanized.

Ms. Schull commented there were more changes in the table she attached to the staff report and she would be happy to answer any questions from the Board.

Chair Hartung asked if the code mirrored NRS. Ms. Schull responded the code was currently tighter than NRS in a way because it only included the dangerous declaration, whereas NRS had the two different delineations of dangerous and vicious. She believed the delineations needed to be separated and should have different penalties to account for the different egregiousness.

On the call for public comment, Ms. Cindy Martinez displayed a document, a copy of which was placed on file with the Clerk. She shared she started her career in law enforcement as a dog catcher with Sparks Police Department. In 1995, she investigated at least three vicious animal attacks. She referred to the document, noting it was a newspaper article about one of the incidents in which a child was attacked by a dog; the dog was later euthanized. She spoke about other cases she investigated, one involving a pit bull and another involving a black lab. She stated the codes in 1995 were insufficient to respond to many of the attacks. She believed some owners were irresponsible. She supported the updated language proposed by the WCRAS and the strengthening of the codes.

Mr. Kenji Otto shared he used to be a California state humane officer. He did not object to the effort to make the code better but asked the Board to reject it as a whole. He opined the updated language went overboard regarding the infliction of substantial bodily harm on or off the owner's property. He said he knew individuals who had animals taken away after being declared vicious. He commented some owners were not allowed to see their animals while the hearing was pending. Regarding animals moving out of the County, he supported microchipping of those animals but felt anything beyond that was an overreach of government. He shared a story about a dog that killed 4H sheep and was removed from its county. He asked the Board to reject Item 22 and he wanted the WCRAS to make revisions.

Commissioner Lucey believed under the current code a dog that bit a human or another animal had to be quarantined, possibly by a licensed veterinarian or Animal Services, due to the rabies protocol. Ms. Schull responded a dog that bit a human did have to be quarantined, but most veterinary offices did not provide that service. She said the dog could be quarantined at Animal Services, or in its home if it was current on its rabies vaccination and was not off-leash at the time of the bite. Commissioner Lucey asked if the proposed language changes would be an extension of the rabies protocol under the current code to allow for more due diligence. Ms. Schull confirmed that was correct, stating it

would clean up the language and give Animal Services the authority to take those animals for quarantine and would make it a misdemeanor violation if an owner failed to present their animal for quarantine.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried on a 4-1 vote with Commissioner Herman voting no, it was ordered that Agenda Item 22 be approved and directed.

PUBLIC HEARING

22-0517 **AGENDA ITEM 25** Public Hearing: Appeal of the Washoe County Planning Commission's denial of Master Plan Amendment Case Number WMPA22-0003 (Chocolate Drive) and Regulatory Zone Amendment Case Number WRZA22-0003 (Chocolate Drive) which sought a Master Plan Amendment to redesignate one parcel totaling 45.51 acres from Suburban Residential (SR) to 40.64 acres of Urban Residential (UR) and 4.87 acres of Open Space (OS); and a Regulatory Zone Amendment to rezone one parcel totaling 45.51 acres from Medium Density Suburban (MDS - 7 du/ac) to 40.64 acres of Medium Density Urban (MDU – 21 du/ac) and 4.87 acres of Open Space (OS).

The property owner is Chocolate Group, LLC. The appellant is Pedcor Investments, LLC. The project is located at 0 Gepford Parkway in Sun Valley. The Assessor's Parcel Number is 502-250-09.

The Board of County Commissioners shall consider the appeal based on the record and any testimony and materials submitted at the public hearing. The Board may affirm or reverse the Planning Commission's decision. Should the Board reverse the Planning Commission's decision, the Board may adopt the proposed amendments.

If adopted, the master plan amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission. If approved, the Board must authorize the Chair to sign the resolutions to this effect. Community Services. (Commission District 3.)

The Chair opened the public hearing.

Senior Planner Chris Bronczyk conducted a PowerPoint presentation and reviewed slides with the following titles: Request; Background; Vicinity Map; Density Allowed; Master Plan Amendment; Regulatory Zone Amendment; Regulatory Zone Compatibility; Zoning Map of Area; Analysis (2 slides); Recommendation (2 slides); and Thank you. He indicated the findings and detailed information were found on page 4 of the staff report.

Chair Hartung wondered what the findings were that the Planning Commission could not find. Mr. Bronczyk stated what they could not find was articulated during the meeting and related to first responders and the availability of emergency medical services and fire. He explained this was a Master Plan amendment and there was no project associated with the amendment.

On the call for public comment, Ms. Heidi Soper indicated she received information during the meeting break that the new landscaping off East Fourth Street was for 500 new apartments and she mentioned that would be 1,000 more cars in Sun Valley. She thought this proposal was for 240 apartments but discovered it was for 853, opining that equated to 1,700 more cars. She spoke about her drive from Dandini Boulevard to East Fourth Street which took her 22 minutes in traffic. She believed the area could not handle more traffic. She asserted the traffic was backed up to the skateboard park and community swimming pool waiting to turn left onto Seventh Street to go to the North Valleys. She stated she lived across the street from the property on Chocolate Drive and did not want to look at apartments. She wondered about the schools and how they could accommodate the additional population. She said people rode horses and kids played in the area. She expressed concern about the ability of the first responders to handle the additional population.

Ms. Cindy Martinez indicated she did not live in the neighborhood but had traversed between the North Valleys and Sparks. She admitted she missed the wide-open spaces that used to be there. She agreed there was a need for more affordable housing and units for people to move into, but she was looking at the map and indicated the property butted up to open space. She stated the Board appointed the Planning Commission members who held the responsibility of reviewing projects to ensure they were compliant with the Master Plan; the Planning Commission reviewed the proposal and denied it because it did not fit with the neighborhood. She asked the Board to rely on the expertise of the Planning Commission and uphold the denial.

Mr. Mark Neumann stated he was opposed to this proposal. He depicted slides from a PowerPoint presentation and indicated he was concerned about traffic in the area. He opined that 1,700 more vehicles per day would be traveling on Second Street to reach Sun Valley Drive and thought it was not a good placement for additional apartments. He mentioned a current project of 500 new low-income apartments on Sun Valley Drive and thought it was a short walk to bus stops. He believed houses in that area would be better than apartments.

Ms. Suzanne Boyd was called but chose not to speak.

Mr. Luis Godoy expressed concern about traffic in Sun Valley. He stated he went away to school and came back to his home of Sun Valley to find open spaces being taken away except for the proposed site. He mentioned people enjoyed recreation on that parcel. He spoke about a native species that was regarded by the State of Nevada as a protected species and was found in three spots in Washoe County: the foothills of Virginia City; Peavine Mountain; and Red Hill, which was the proposed site for new construction.

He stated in 2000 a study was performed by James Morefield which identified some of the factors that affected that species. He asserted emergency medical services (EMS) were needed within an hour of an incident, which was considered to be the “golden hour,” and believed the timing for EMS responses would be greatly affected by this proposed project.

Ms. Sandra Easley stated she had to obtain earthquake insurance due to a crater on Second Street. She expressed concern that development in this area could create more allergies because of people walking dogs, riding horses, and motorized recreational vehicles. She mentioned her passion to watch the stars and believed this proposed development would detour from the beauty. She wondered the reason for so many affordable housing projects being built in Sun Valley. She opined there was not enough room for so many more people and vehicles. She encouraged the Board to uphold the Planning Commission’s decision.

Ms. Carol Burns read part of the Sun Valley Master Plan, which included the vision, character statements, and goals that were written in 2010. She spoke about a traffic count and was trying to obtain information about one possibly conducted within the current year. She said Ms. Barbara Morris had a property with horses that would be impacted by development on Chocolate Drive. She thought the development approved in 2015 was low-cost housing and was completed when Citizen Advisory Boards did not exist, so no one was notified about the project.

County Clerk Jan Galassini stated letters were received from Ms. Barbara Morris and Ms. Rita Simpson-Gabbert in support of upholding the Planning Commission’s decision, which were placed on file.

Pedcor Investments, LLC Ryan Rodgers and Kimley-Horn & Associates, Inc. Chris Waechter conducted a PowerPoint presentation and reviewed slides with the following titles: Existing Condition (2 slides); Current Site Photos; Proposed Condition; Master Plan; Regulatory Zone; Master Plan and Zoning; Project Conformance; Sun Valley Area Plan; Washoe County Master Plan; Agency Coordination; About Pedcor (2 slides); Community Benefits; and Thank you.

Mr. Rodgers indicated this property was private property and anyone using or accessing the open space behind the property was trespassing. He stated the property owners have had to call for the removal of vehicles and garbage and people squatting on the property. He said Pedcor had been working with Washoe County Parks to dedicate a portion of the property for open space in addition to the site plan process, which had not been started yet. They were working to set aside a portion of the northern and southern areas of the site for dedicated access to Red Hill. He mentioned people at the public hearing were supportive of this project to eliminate undesirable conditions and improvements to infrastructure. He stated paving streets would eliminate the complaints about the dust in the area and create a safer place for children to play. He explained the topography of the property would not allow developers to build the maximum allowed units under code and said they were limited to two stories. He ensured the Board this was a Housing and Urban Development (HUD) financed development and there would not be any more than 240

units built as they were only financed for that many. He indicated they worked extensively with Washoe County staff who approved the proposed zoning and they thought they had met all the points before going to the Planning Commission.

Mr. Waechter stated staff found the proposal met all the findings and was recommended to the Planning Commission for approval. Mr. Rodgers indicated they had reached out to the school system to ensure that 240 units would not be an issue with the local schools. He said this was the first of many meetings they would have and they would be working with staff on the site review process. He assured the Board there would be adequate access to the property. He asked the Board to consider approving the appeal.

Chair Hartung asked Assistant District Attorney Nathan Edwards about the self-limit the developer placed for 240 units on the property and said this proposal was for rezoning only. Mr. Edwards stated the Board could accept them at their word or come back with a development agreement that capped the unit count but said it could not condition the MPA or RZA on verbal representation. He said if a development agreement were to come in with a higher number of units, the developer could be reminded of the cap of 240 units.

Chair Hartung said he did the math and noted the 45.51 acres calculated to 8,260 square feet per dwelling unit, which was a common lot size for residential.

Commissioner Jung spoke about the history of Chocolate Drive. She indicated it was privately owned and said no one was willing to sign up for a special assessment district to get the road paved. She stated issues with getting resources to this area included Waste Management, emergency services, and NV Energy refused to travel Chocolate Drive in the wintertime. She spoke in support of this proposal due to the agreement with the developer. She stated she would not be on the Board when the development agreement came through, and she wanted the Board to hold the developers to their word. She asserted the first responders were paid for by the 3 percent property tax and noted commercial property tax was 8 percent. She stated the majority of the residents in Sun Valley used Regional Emergency Medical Services Authority (REMSA) as their healthcare. She indicated Community Health Alliance opened a center in Sun Valley to help people access traditional healthcare instead of relying on REMSA and the Truckee Meadows Fire Protection District. She spoke about the demand of traffic and suggested restricting left turns at certain times on Seventh Avenue to cut down on traffic backup. Roads were not built to accommodate more population than an area had; they were built for the current population. She believed the owners of the property on Chocolate Drive had the responsibility to enforce trespassing and to keep people off the property. She spoke about the money spent by the County and other agencies to clean up that property. She wanted to see HUD grants going to other districts for affordable housing and not just to Sun Valley. She indicated the developers promised to have 24/7 security on the property. She expressed dissatisfaction with the Planning Commission and thought it should be disbanded. She urged Sun Valley residents to stop looking down upon low-income housing.

Commissioner Lucey supported Commissioner Jung's comments and said that privately-owned streets were a challenge. He thought any improvements would be beneficial to the area. He agreed transportation did not precede development. He wanted a secondary access point from Second Avenue into the community to ensure flow was adequate and not backed up creating hindrances for Sun Valley Drive. He stated west of Red Hill was owned by Ladera Ranch and would be developed by Lennar Homes. He expressed his support as long as the developer did what they said they would do.

Chair Hartung stated he did not necessarily like this proposal, but he was supportive due to the size of the lots and said they were larger than the lots going in next to his home off of La Posada.

On motion by Commissioner Jung, seconded by Vice Chair Hill, which motion duly carried on a 4-1 vote with Commissioner Herman voting no, it was ordered to overturn the denial of the Planning Commission.

22-0518 **AGENDA ITEM 26** Public Comment.

Mr. Mark Neumann thanked Commissioner Jung for making Zoom available during the Sun Valley Citizen Advisory Board meetings. He expressed disappointment with the decision to approve apartments, noting he wanted to see more single-family homes in Sun Valley. He asserted Sun Valley needed affordable housing that young people could buy.

Mr. Wayne Gordon opined voting was the biggest responsibility and duty of American citizens. He asked what if the people did not believe their votes counted or that they did not count the same as other people's votes. He shared he first registered to vote in 1968 and thought he had only missed one small election since then. He had always believed elections were fair and honest. In 2000, 2004, and 2016, he said, Republicans had won each of those elections and Democrats claimed there was voter fraud. He stated he watched the 2020 election and questioned the outcome due to the way the votes were counted. He observed that at the end of 2021 he decided he would come before the Board because of things that had been done at the Legislature and in Washoe County; he had been attending meetings regularly ever since. He opined the same problem still existed, and the Board needed to do something to change the people's negative perception of the election system.

22-0519 **AGENDA ITEM 27** Announcements/Reports.

There were no announcements or reports.

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2:34 p.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:
Doni Blackburn & Lauren Morris, Deputy County Clerks*