

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

TUESDAY

10:00 A.M.

JANUARY 16, 2018

PRESENT:

Marsha Berkbigler, Chair

Kitty Jung, Vice Chair

Vaughn Hartung, Commissioner

Jeanne Herman, Commissioner

Bob Lucey, Commissioner

Nancy Parent, County Clerk

John Slaughter, County Manager

David Watts-Vial, Deputy District Attorney

The Washoe County Board of Commissioners convened at 10:19 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:

18-0039 AGENDA ITEM 3 Public Comment.

Ms. Tammy Holt-Still expressed frustration with the response to the flooding in Lemmon Valley, claiming the County did not respond for two months after the initial flooding, it did not hold monthly meetings with the Swan Lake Recovery Committee, and it had not yet completed the installation of power poles. She said she would continue to speak until issues in the valley were addressed. She presented cupcakes to the Board.

Ms. Donna Robinson spoke about her property flooding twice and said repairs had cost \$80,000 because her flood insurance had not paid anything. She stated she moved back into her house on December 16th since her housing was going to end January 1st. She implored the Board do something about Swan Lake to save other residents the heartache she experienced.

Mr. Sam Dehne spoke about the new high school at Wildcreek Golf Course, former City Manager Andrew Clinger, *The Reno Gazette-Journal*, and Open Meeting Law.

Ms. Elise Weatherly spoke about truth and hypocrisy, law enforcement and the larger judicial system, and expressed the need to support the community.

Mr. Danny Cleous expressed frustration about the condition of Lemmon Valley and mentioned the speeding issues he raised had not been addressed. He stated

Commissioner Herman requested the topic be put on an agenda but it had not yet been heard. He said the area was threatened by flooding every time it rained.

18-0040 AGENDA ITEM 4 Announcements/Reports.

County Manager John Slaughter read an update on the Reindeer Lodge on Mt. Rose Highway, a copy of which was placed on file with the Clerk. He stated Chair Berkbighler's concerns about structural integrity and fire risk were founded and the County was actively working on the situation.

Commissioner Jung recommended working with regional partners on a master plan for homelessness which would lay out strategic goals. She felt people working on the problem were not working together and felt it would be prudent for the region to create a master plan.

Commissioner Herman thanked the Lemmon Valley residents for the cupcakes. She mentioned a project previously discussed at a flood meeting about man camp trailers and she noted there needed to be more planning regarding sewage and garbage.

Commissioner Hartung clarified Commissioner Jung had requested that the Flood Management Authority consider a 45,000 square foot parcel on Mill Street for transitional housing. This would target people who were in programs to get themselves out of homelessness. He agreed more research needed to be done about the structures to see whether they were self-contained. He indicated the Flood Management Authority was willing to allow the property to be used on an interim basis and staff was continuing discussions to initiate the program. He added the issue of homelessness was pandemic and solutions were not easy.

Commissioner Lucey requested a follow-up discussion about Waste Management (WM) concerns. He wanted a meeting with the ombudsman to find out WM's plan to handle customer service calls, noting he wanted to see them handled locally. He requested a discussion about dispatch and the fiscal equity thereof. He felt dispatch should be run as a business; an entity should pay for the services it received. He requested a report about the efficacy of dispatch that outlined what different agencies were paying for their services. He indicated Washoe County hosted the 2018 USA Cycling Cyclo-Cross Nationals at Rancho San Rafael Park. As Chair of the Reno Sparks Convention and Visitor's Authority he wanted to see more sporting events to change the perception of the community's events. He noted 6,000 people attended the event and praised the County Parks staff for the work they did.

Chair Berkbighler requested a presentation to the Board on Special Assessment Districts, including how and why they were set up and what they covered.

18-0041 AGENDA ITEM 5 Introduction of new Washoe County Employees.

John Slaughter, County Manager, asked the following employees to introduce themselves to the Board:

Pamela Mann, Comptroller
Susana Contreras, CCHS
Jacqueline Early, Human Services Agency

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

18-0042 AGENDA ITEM 6 Presentation of Excellence in Public Service Certificates honoring the following Washoe County employees who have completed essential employee development courses.

County Manager John Slaughter remarked earning certificates involved a significant time commitment and he thanked the employees, as well as their supervisors and department heads.

John Slaughter, County Manager, recognized the following employees:

Promote Yourself! Mini Certificate Program

Suzanne McMann, Library
Jean-Marie Naylor, Library

Essentials of Management Development

Angela Penny, Health Department
Ted Qualls, Sheriff's Office

Essentials of Personal Effectiveness

Patricia Morrow, District Attorney's Office
Jean-Marie Naylor, Library

Chair Berkbigler praised the recipients and said they were the reason the County worked as well as it did.

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

- 18-0043** **AGENDA ITEM 7** Washoe County Safety Committee - Safety Recognition Award - Jeremy Wilson. Manager. (All Commission Districts.)

County Manager John Slaughter indicated this was a new way to recognize employees and Jeremy Wilson was the inaugural recipient. He praised Mr. Wilson for offering to provide defensive driving training outside of his normal duties. Mr. Wilson thanked the Manager.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7 be approved.

DONATIONS

- 18-0044** **8A** Accept cash donations to Senior Services in the amount of [\$3,121.02] for the period July 1, 2017 to November 30, 2017 and direct the Comptroller to make the appropriate budget amendments. Human Services Agency. (All Commission Districts.)
- 18-0045** **8B** Accept a donation of a vehicle [estimated value is \$1,454, no charge to the County] from Mona Mae Cain to be utilized for auto extrication and live fire training benefiting Gerlach. Manager. (Commission District 5.)
- 18-0046** **8C1** Accept a donation [\$1,800.00] from Nevada Bighorns Unlimited Reno to the Washoe County Sheriff's Office for the Sheriff's Office Deputy Reserve Program, including funds to be used for food purchases and travel, and, if approved, authorize Comptroller's Office to make appropriate budget amendments. Sheriff. (All Commission Districts.)
- 18-0047** **8C2** Accept a donation of [\$300.00] from Fire Shows West to the Washoe County Sheriff's Office for the Citizen Corps Program (CCP), including funds to be used for food purchases, and, if approved, authorize Comptroller's Office to make appropriate budget amendments. Sheriff. (All Commission Districts.)

There was no public comment on the donations listed above.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Items 8A to 8C2 be accepted, directed, and authorized.

PROCLAMATIONS

18-0048 **9A** Proclaim January 2018 as National Radon Action Month. Manager.
(All Commission District.)

County Clerk Nancy Parent noted she was given packets with information and radon kits for the Commissioners.

Commissioner Jung read and presented the Proclamation to Susan Howe.

Ms. Howe thanked the Board for its support and stressed the importance of radon testing. A map was shown on the overhead, a copy of which was placed on file with the Clerk. She mentioned the University of Nevada Cooperative Extension was offering free radon test kits from January 1 until February 28 at 4955 Energy Way and noted the Sun Valley General Improvement District (GID) was partnering with the program. She indicated 21 percent of the homes in Washoe County that had been tested were above the Environmental Protection Agency (EPA) action level. She reviewed some statistics from a packet, a copy of which was placed on file with the Clerk, but stressed each house was different so map statistics did not give a clear indication what level of radon any one house would encounter. She stated only 6 percent of housing units in Washoe County had been tested and 31 percent of the homes that needed mitigation had received mitigation. She promoted five upcoming presentations where residents could get kits.

Ms. Howe indicated the 2018 international building code would be voted on in each northern Nevada county and in the cities of Reno and Sparks. She indicated she would be on the committee and hoped to encourage radon-resistant construction in all new homes being built.

Commissioner Hartung asked what to do with a kit after testing, to which Ms. Howe replied all test kits came with a postage-paid mailer which would be processed in Carrollton Texas. She confirmed Commissioner Hartung's assumption that her agency recommended enacting development laws to prevent radon, noting 33 states in the nation had some similar laws but Nevada did not. When asked about the cost increases to a home, Ms. Howe estimated it would be less than \$1,000 to include a functioning radio system, less for a passive system without a fan.

There was no public comment on the Proclamations listed above.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 9A be adopted.

CONSENT AGENDA ITEMS – 10A THROUGH 10A5

- 18-0049** **10A1** Confirm selection of Chair of the Washoe County Board of Commissioners from Board of County Commissioners meeting dated January 9, 2018.
- 18-0050** **10A2** Confirm selection of Vice-Chair of the Washoe County Board of Commissioners from Board of County Commissioners meeting dated January 9, 2018.
- 18-0051** **10A3** Confirm selection to fix the term of office of the Chair and Vice-Chair of the Board from Board of County Commissioners meeting dated January 9, 2018.
- 18-0052** **10A4** Approve to appoint Ms. Jamie Krahne as an alternate member to serve on the Washoe County Board of Equalization with term to expire June 30, 2019. Manager. (All Commission Districts.)
- 18-0053** **10A5** Approve Commission District Special Fund disbursement [in the amount of \$7,500] for Fiscal Year 2017-2018; District 3 Commissioner Kitty Jung recommends [\$2,500] grant to the Eddy House to support their objective to end youth homelessness in Reno, Nevada, [\$2,500] grant to the Reno Bike Project to support Bike Valet during the Reno Earth Day Event 2018, [\$1,250] grant to the Northern Nevada Black Cultural Awareness Society (NNBCAS) to support their mission of developing and promoting black cultural awareness throughout the Truckee Meadows and [\$1,250] grant to the Friends of Washoe County Library to support the Summer/Winter Reading Program 2018, approve Resolution necessary for same; and direct the Comptroller's Office to make the necessary disbursements of funds. Manager. (Commission District 3.)

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

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Consent Agenda Items 10A1 through 10A5 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 5A through 5x are attached hereto and made a part of the minutes thereof.

18-0054 AGENDA ITEM 11 Discussion and possible action to approve the policy of the Use of 911 Surcharge Funds for the Body Camera Mandate set forth in Nevada Senate Bill 176. Manager. (All Commission Districts.)

County Manager John Slaughter said the County was engaged in a series of meetings to implement funding that was allowed through Senate Bill (SB) 176. He indicated they would utilize some of the middle meetings each month to stay on track in this process.

Jamie Rodriguez, Management Analyst, said they were presenting the policy based on conversations held since the end of the legislative session. She explained SB 176 required all uniformed officers to wear body-worn cameras when interacting with the public and it allowed funding to be raised using the E911 surcharge. During the session there was discussion that the surcharge was optional and at the discretion of the county commissions of each county but the mandate was required. It was discussed that the surcharge might not cover all the costs of implementation of the cameras. She read several recommendations from the policy included in the staff report. She said it was the District Attorney's (DA) belief that personnel costs were not allowable through the E911 surcharges.

Ms. Rodriguez confirmed Commissioner Hartung's assertion that any costs for the personnel required to assemble, keep control of, or protect the data would come at the expense of each agency. She agreed it could be a huge cost. She noted previous Nevada Revised Statutes (NRS) related to the E911 surcharge stated personnel costs and education were allowed. She explained the additions to the bill did not reference personnel costs and there was only one brief comment made during the legislative discussions about them. She reiterated the DA felt if the bill's drafters wanted personnel costs to be included in the bill, they could have copied from prior language.

Commissioner Hartung asked about equipment and Ms. Rodriguez confirmed the surcharge could be used for the purchase, maintenance, and storage of equipment and data. She acknowledged it could be a large expense but noted other agencies had not seen substantial need for new personnel to implement the cameras. She indicated training of personnel was included in the purchase of equipment.

When asked by Commissioner Hartung about ancillary personnel using cameras, Ms. Rodriguez stated the legislation specifically stated cameras were required to be worn by uniformed police officers; detectives not in uniform did not have that requirement. The policy the County presented allowed leniency amongst jurisdictions and she mentioned Sparks was asking for a camera for all officers since detectives occasionally wore uniforms to special events. Commissioner Hartung felt detectives needed to interact with citizens on a consistent basis, though Ms. Rodriguez pointed out plainclothes officers requested during session not to wear cameras as they were not easily concealable. Jurisdictions were able to make special requests in those situations.

Mr. Slaughter noted he requested a legal opinion from the DA. One

concern raised was if fees were being used for things not allowable in statute and they were challenged, the Board could be responsible for repayment of those fees. He commented both the City Managers of Reno and Sparks disagreed with the County DA's opinion and the City of Reno might seek an opinion from the Legislative Council Bureau (LCB) for clarification.

When asked by Chair Berkgigler what would happen if the LCB disagreed with the DA's opinion, Deputy District Attorney David Watts-Vial answered the LCB's opinion would be persuasive but it would not be binding. Commissioner Hartung asked whether the County could seek an opinion from the Attorney General (AG), to which Mr. Watts-Vial replied they could, though the AG's opinion would also be persuasive but not binding in any court.

Commissioner Hartung asked how Voice Over Internet Protocol (VOIP) would factor into the policy, claiming VOIP circumvented taxes placed on home-line carriers. Cell phones had to pay fees for each line while VOIP did not. Ms. Rodriguez said VOIP counted as a trunk line, which was equivalent to 10 lines; the surcharge for a typical line was \$.25 a month so a trunk line would be \$2.50. She stated this equivalency was specified in the legislation. Commissioner Hartung expressed concern about the circumvention of fees since he felt the E911 surcharge would not be enough to pay ongoing costs. Ms. Rodriguez pointed out that could only be addressed legislatively.

Ms. Rodriguez advised the E911 Advisory Board was meeting on January 18 to possibly approve the master plan. Staff hoped to bring the master plan to the Board at the February 20, 2018 meeting for approval. The plan was to bring the business impact for first and second readings in March, and if all deadlines were met surcharges could be collected starting on May 1.

Mr. Slaughter stated it was his intention to bring a thoughtful recommendation to the Board on the amount of the fee to be charged. He stated consultants were helping the E911 Board prepare a master plan, which would consider requirements for body cameras as well as for the 911 system. He expected that recommendation would follow Ms. Rodriguez' timeline.

On the call for public comment, Ms. Elise Weatherly stated the data from the cameras could be used to prove facts in court. While she expressed concern about the possible costs, she supported the idea as a way to protect officers and establish the truth.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 11 be approved.

18-0055 AGENDA ITEM 12 Public Comment.

There was no response to the call for public comment.

18-0056 AGENDA ITEM 13 Announcements/Reports.

Commissioner Hartung requested a report on the homes purchased in Lemmon Valley as well as a list of homes that were flooded versus parcels that experienced flooding but could still support people living there. He requested to see it in list form and as a map.

Commissioner Jung added a request for a breakdown of the amounts expended for each parcel and property owner, delineated by what was paid by the County, the State, and the Federal Government.

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11:31 a.m. There being no further business to discuss, the meeting was adjourned without objection.

MARSHA BERKBIGLER, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Derek Sonderfan, Deputy County Clerk*