

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

TUESDAY

10:00 A.M.

MAY 8, 2018

PRESENT:

Marsha Berkbigler, Chair

Kitty Jung, Vice Chair

Bob Lucey, Commissioner

Vaughn Hartung, Commissioner

Jeanne Herman, Commissioner

Nancy Parent, County Clerk

John Slaughter, County Manager

Paul Lipparelli, Deputy District Attorney

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

18-0341 AGENDA ITEM 3 Appearance: Trudy Larson, MD Professor and Dean School of Community Health Sciences, University of Nevada Reno. Presentation and update regarding the School of Community Health Sciences.

Dean of the School of Community Health Sciences at the University of Nevada Reno (UNR) Dr. Trudy Larson, MD conducted a PowerPoint presentation with slides entitled: Making Health Happen; What is Public Health; Why should you care about it?; An Inconvenient Truth; Making Health Happen; CEPH Accreditation; Degrees and Specializations; Rapid Growth of Undergraduate Program; Rapid Growth of Faculty; Making Health Happen; Community Engagement; Community Partners; Nevada Public Health Training Center; Research Productivity; School of Community Health Sciences; Where do we want to go?; Our Path Forward; and Making Health Happen. She read from the presentation and explained public health was everywhere. She indicated the School of Community Health and Sciences including the Bachelors, Masters and Doctoral degrees were all accredited by the Council on Education for Public Health (CEPH). The school offered many degree programs which included on-campus and online options. She said the school currently had more than 2,700 undergraduate students and was working towards a higher Public Health accreditation level.

Commissioner Jung thanked Dr. Larson and Senator Heidi Gansert for attending. She questioned what actions the County could take to help the school get the accreditation.

Dr. Larson said they would be proud to include letters of support from the Board of County Commissioners and the District Board of Health when they submitted their self-study for accreditation.

Commissioner Hartung thanked Dr. Larson for the interesting presentation. He stated he spent a large amount of time in Loma Linda, California and the people in that area were primarily vegetarians, many living to be more than 100 years old. He was interested in zip code origin being use to predict one's health.

Dr. Larson stated it was important during regional planning to review health outcomes, morbidity and mortality, and incidents of chronic disease conditions according to zip codes.

Commissioner Lucey thanked Dr. Larson and Senator Gansert. He thought the focus should be on preventative measures. He said many families living in the 89502 zip code had less access to fresh foods and healthcare than those in other zip codes. He said he was excited UNR was heading in this direction and said he would help the school in any way he was able.

Chair Berkbigler said the types of studies they were conducting were important because of health issues in the region such as the leukemia clusters in Fallon. She was hopeful that someday research could provide answers for area health issues.

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

18-0342 AGENDA ITEM 4 Public Comment.

Ms. Tammy Holt-Still claimed staff and the Commissioners were not following Nevada Revised Statutes to maintain the health and welfare of the community. She was told she did not have standing in an appeal regarding a closed basin because her residence was too far away from the proposed developments in Lemmon Valley. She stated there were issues with the location of the proposed development because it was attached to a sewer plant that was in violation of Nevada Administrative Code. She was told Prado Ranch, a City of Reno development, was not supposed to be completely drained of water, but she displayed a photo showing it nearly dry. She thought the County was not protecting the residents from the horrible conditions they were forced to remain in. The documents displayed were placed on file with the Clerk.

Ms. Elise Weatherly spoke regarding older women organizations, zip codes, California threatening to conduct drug tests for welfare recipients, providing separate hospitals for drug addicts, Donald Trump, and young girls protecting their virtue.

Mr. Sam Dehne spoke regarding the armed guard in Chambers, the media, Donald Trump, the change of agenda regarding public comment, Storey County using laundered money, and out-of-County residents poaching votes.

Commissioner Herman stated a woman attended a meeting recently and spoke about a problem she was having with her neighbor in Sierra Ranchos. She wanted to ensure staff was working to resolve her issues. She previously requested information about the costs related to early voting but had not yet received the information. She said when the City of Reno was having problems with Waste Management (WM) they put out a questionnaire to gather information about issues the public was experiencing. She thought the County should conduct a similar survey.

Commissioner Jung said the Older Americans Month events had been well attended so far and she encouraged people to view the County website for a list of events. She attended an event at Traner Middle School where a healthy eating and lifestyle mural painted by world-renowned artist Erik Burke was unveiled. She wondered if data was being collected for each time a first responder administered a counteractive antidote to a person in an opioid overdose situation. She thought if the data was not being collected and tracked it was a great loss. She did not know whether first responders were required to report overdose activity but if so, she wanted to know who kept that information. She indicated she had concerns with future development in closed basins and wanted an ordinance passed stating no new development should occur in a closed basin area. She thought developers should be required to maintain a bond to cover any issues that occurred after an area was developed.

Commissioner Hartung wanted staff to consider the appointment of an ombudsman to assist renters with their rights. He asked about the status of the cargo container issue since he had been receiving phone calls and wanted the issue resolved. He requested a funding analysis for the cost of a corridor gap study which would examine the gap between the funds the County had and the needed infrastructure. He wanted developers to contribute towards the needed infrastructure in the areas they were developing. He asked Deputy District Attorney Paul Lipparelli whether an elected official gave up their rights as a citizen and their ability to endorse a candidate or place a candidate sign on their property. He said he already talked to the Secretary of State but he wanted Mr. Lipparelli to confirm or deny that allegation.

Commissioner Lucey said there were relevant public meetings regarding the Washoe County Economic Development and Conservation Bill but he had talked to citizens and thought there was a lot of misinformation about the bill. He urged people to visit the County website to review the data that included maps, draft data, and discussion. He suggested people contact Management Analyst Jamie Rodriguez if they were still confused or had questions. He asked staff to work with the Cities of Reno and Sparks regarding annexation. He spoke about developers working around the County Development Codes by having properties annexed. He said annexation could cause impacts and the regional entities were not all focused on the same issues. He wanted annexation to be a priority at the next legislation session. He stated a fatal car accident occurred on Mt. Rose Highway over the past weekend. He said Mt. Rose Highway was a State Highway maintained by the Nevada Department of Transportation. He was

concerned that the County was responsible for the properties on each side of the highway without having control of traffic mitigation including traffic signals. He explained it was a two-lane highway that merged into a four-lane highway and many citations were issued daily for speeding. He thought developers needed to contribute to the infrastructure because the County did not have the funds for it, and in some instances, it was not in the County's purview to make changes to the infrastructure. He suggested developers contribute towards improved infrastructure if the State was not willing to complete needed improvements.

Commissioner Jung said a master plan for homelessness was being developed and she thought a master plan for affordable housing should also be created. She referred to Commissioner Hartung's request for an ombudsman to assist with renters' rights and she wanted staff to look at what types of incentives or tax write-offs were available for renters. She did not want a property owner to be allowed to increase rent by more than the property taxes increased. She thought the County could incentivize landlords to maintain affordable housing for renters. There was a problem with skyrocketing rents and people were having to move to find affordable rent. She asked staff to research other communities who faced this issue and had successful outcomes.

Commissioner Hartung wanted a more in-depth conversation regarding changes to annexation laws. He requested an agenda item regarding all dangerous intersections in the area and wanted staff to present possible solutions to the Board regarding those dangerous roads.

Chair Berkbigler was concerned about the dangers of driving on Mt. Rose Highway and said her constituents traveled that road regularly. She indicated the Callahan Ranch Road intersection was very dangerous and needed to be brought to the attention of the Regional Transportation Commission (RTC). She said she wanted to merge the work of the Board of Adjustment (BOA) and the Planning Commission and eliminate the BOA. She explained many items that went before the BOA came to the Board of County Commissioners. She thought it would exceed two hours of staff time, but she wanted staff to provide information about the number of houses that had been approved for development. She thought that information would be useful in many ways if it was readily available.

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

Later in the meeting, at the request of Commissioner Hartung, Chair Berkbigler reopened Agenda Item 5.

Commissioner Hartung requested a future agenda item for the Registrar of Voters to present the process of early voting, tallies, and the process to keep the information confidential.

Commissioner Jung requested the people who audited the votes be present when the Registrar of Voters presented to the Board.

CONSENT AGENDA ITEMS – 6A1 THROUGH 6D

- 18-0344** **6A1** Approval of minutes for the Board of County Commissioner’s regular meetings of March 27, 2018 and April 10, 2018. Clerk. (All Commission Districts.)
- 18-0345** **6A2** Acknowledge the communications and reports by the Clerk on behalf of the Board of County Commissioners. Clerk. (All Commission Districts.)
- 18-0346** **6B** Accept a grant award from the Nevada Aging and Disability Services Division for the Older Americans Act Title III Program: Home Delivered Meal Equipment in the amount of [\$74,596; County match \$1,165] retroactive to October 1, 2017 through June 30, 2018; authorize the Department to execute the sub-grant award and direct the Comptroller’s Office to make the appropriate budget amendments. Human Services Agency.)All Commission Districts.)
- 18-0347** **6C** Approve funding [\$2,500.00, no match required] from the Federal Bureau of Investigations, Organized Crime Drug Enforcement Task Force (OCDETF) for reimbursement of overtime costs incurred while involved in the investigation of OCDETF Initiative number PA-Nevada-307 for the retroactive period of 04/01/2018 – 9/30/2018 and authorize Comptroller’s Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 18-0348** **6D** Accept Registrar of Voter’s report of early voting locations and schedule for the 2018 Primary Election per NRS 293-3561 (2b). Voters. (All Commission Districts.)

Discussion occurred between Commissioner Herman and Deputy District Attorney Paul Lipparelli regarding Commissioner Herman’s absence from the March 27th meeting. Commissioner Herman questioned whether she should abstain from the vote to approve the minutes. It was concluded she could vote to approve the minutes because she did not need to be present for the meeting to approve the item.

Commissioner Jung stated there were prior complaints by Native Americans about access to early voting and she wanted to know if the issues were resolved.

Registrar of Voters Deanna Spikula explained the Pyramid Lake Paiute Administration Building would be used for early voting. She noted the location would be staffed for the entire early voting period as well as on the primary and general election days. She explained a bill was passed in the last legislative session that established ground rules for the process. She said the County reached out to the Pyramid Lake Paiutes to provide voting access.

On the call for public comment, Ms. Barbara Pratt spoke regarding Older Americans Month. She noted she came from Las Vegas and the Older Americans Month had been a great help to her with the transition from working to being retired. She said the City of Las Vegas did not provide a hot lunch program for seniors and commended Washoe County for providing that service. She thanked the Board for its support of seniors.

Mr. Sam Dehne spoke regarding voting on consent items, his opposition to early voting, and the Sequoia voting system being outlawed in California.

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

Ms. Elise Weatherly spoke regarding Agenda Item 6B. She was opposed to money going to the senior home delivered meals because thought it was a waste of money and that money should be provided to law enforcement for opioid concerns within the community. She wanted the homeless population sent to California to fend for themselves.

At the request of Commissioner Hartung, Chair Berkbigler reopened Agenda Item 5. See the end of Agenda Item 5 for details. Chair Berkbigler closed Agenda Item 5.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Consent Agenda Items 6A1 through 6D be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 6A1 through 6D are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 7 THROUGH 15

18-0349 **AGENDA ITEM 7** Recommendation to extend the appointment of Scott Smith as the Washoe County Commission's single member to the Truckee River Flood Control Project Needs Committee for a term to end on February 28, 2019. Manager. (All Commission Districts.)

There was no public comment on this item.

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

18-0350 **AGENDA ITEM 8** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the 2018/2019 Street Cut Pavement Repair Project for Truckee Meadows, [staff recommends R Construction, in the amount of \$243,815.00]. Community Services. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 8 be awarded and approved.

- 18-0351** **AGENDA ITEM 9** Recommendation to approve the Correction to Exhibit A of the February 13, 2018 Board of County Commissioners Agenda Item #7 - the Refund of Surplus Assessment Funds in the amount of [\$548,752.89] for 973 properties, totaling 1,122 ERU's in Special Assessment District #21 - Cold Springs Sewer (No Fiscal Impact to the General Fund) - Treasurer - (Commission District 5.)

There was no public comment on this item.

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

- 18-0352** **AGENDA ITEM 10** Recommendation to approve the sole source exemption to purchase a 3500 XL Genetic Analyzer from ThermoFisher Scientific at a cost of [\$191,610.79], using \$149,038.00 from the 2017 Capacity Enhancement Backlog Reduction (CEBR) DNA Grant (IO 11448) and \$42,572.79 from the restricted funding set up for DNA offender mandates per NRS 176.0911-0917 (IO 201391). Sheriff. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 10 be approved.

- 18-0353** **AGENDA ITEM 11** Recommendation to approve an Interlocal Agreement between the Washoe County Health District and the Sheriff's Office to provide family planning services to female inmates housed at the Washoe County Detention Facility [No fiscal impact] with the effective date of May 08, 2018. If approved, have the BCC Chair execute the agreement. Sheriff. (All Commission Districts.)

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

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 11 be approved. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

- 18-0354** **AGENDA ITEM 12** Recommendation to Acknowledge Receipt of the Interim Financial Report for Washoe County Governmental Funds for the Nine Months Ended March 31, 2018 - Unaudited. Comptroller. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 12 be acknowledged.

18-0355 **AGENDA ITEM 13** Recommendation that the Board of County Commissioners approve and authorize the Chair to execute the attached resolution establishing the Marijuana Establishment Fund per NRS 354.612 as a Special Revenue Fund for the purpose of accounting for the quarterly marijuana establishment license fee of 3% of a marijuana establishment's reported quarterly gross revenue. Comptroller. (All Commission Districts.)

On the call for public comment, Ms. Elise Weatherly displayed a flyer of her brother with his band. She said she was opposed to any type of marijuana use in the State of Nevada. She thought it provided an excuse for people to get high. She wanted more money to be provided to law enforcement to eliminate the drug users and drug pushers. She expressed concern about impaired drivers.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 13 be approved and authorized. The Resolution for same is attached hereto and made a part of the minutes thereof.

18-0356 **AGENDA ITEM 14** Recommendation to approve retroactive and future authorization for purchases as needed for supplies, materials, equipment and contractual services from suppliers that have or will exceed in the aggregate [\$100,000] for FY18 and for FY19; expenses will remain within available adopted budget funding. If approved, all purchases remain subject to compliance and accordance with the provisions of the Local Government Purchasing Act. Comptroller. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 14 be approved.

18-0357 **AGENDA ITEM 15** Recommendation to approve amendments totaling an increase of [\$153,270.30] in both revenue and expense (no match required) for the FY18-FY19 Ryan White Grant IO#11479 and direct the Comptroller's office to make the appropriate budget amendments. Health District. (All Commission Districts.)

There was no public comment on this item.

On motion by Commissioner Jung, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 15 be approved and directed.

18-0358 **AGENDA ITEM 16** Public Hearing to consider objections to the Resolution of Intent to Lease; and, possible approval of a Lease Agreement for a portion of 855 Alder Avenue, Incline Village, Nevada, to the Tahoe Transportation District for a 36-month term commencing May 9, 2018 through May 31, 2021, for office space located within the Incline Village Community Center [annual revenue of \$2,937.60]. Community Services. (Commission District 1.)

County Manager John Slaughter introduced the public hearing.

Chair Berkbigler explained the subject building was owned by the County and it was being opened as a community center with office spaces available for lease.

There was no public comment on this item.

On motion by Commissioner Lucey, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 16 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

18-0359 **AGENDA ITEM 17** Public Hearing to consider objections to the Resolution of Intent to Lease; and, possible approval of a Lease Agreement for a portion of 855 Alder Avenue, Incline Village, Nevada, to the Tahoe Regional Planning Agency for a 36-month term commencing May 9, 2018 through May 31, 2021, for office space located within the Incline Village Community Center. Community Services. (Commission District 1.)

County Manager John Slaughter introduced the public hearing.

Chair Berkbigler explained the Tahoe Regional Planning Agency would lease a portion of the subject building and would be available at this location on Fridays.

There was no public comment on this item.

On motion by Commissioner Hartung, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 17 be approved. The Resolution for same is attached hereto and made a part of the minutes thereof.

18-0360

AGENDA ITEM 18 Public Hearing and possible action to hold the first reading of an ordinance: (1) amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); (2) providing for a notice of a public hearing and other matters relating thereto; and (3) setting the public hearing for the second reading and possible adoption on June 19, 2018;

AND

Hold the first reading of an ordinance: (1) imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; (2) providing for a notice of a public hearing and other matters relating thereto; and (3) setting the public hearing for the second reading and possible adoption on June 19, 2018. Community Services. (All Commission Districts.)

County Manager John Slaughter introduced the public hearing.

Nancy Parent, County Clerk, read the title for Bill No. 1806.

There was no public comment on this item.

Bill No. 1806 was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

Nancy Parent, County Clerk, read the title for Bill No. 1807.

There was no public comment on this item.

Bill No. 1807 was introduced by Commissioner Hartung, and legal notice for final action of adoption was directed.

Commissioner Hartung explained the reason for the Groundwater Remediation was dry cleaners and auto shops in the City of Reno dumped chemicals which contaminated the ground water.

Commissioner Jung said this issue needed to be included on the list of regional shared services and fiscal responsibility as a countywide issue; it was not limited to the cities. She thought it needed to be included in fiscal equity discussions.

John Slaughter stated he reviewed the list and this topic was not included, on the list but made a note to add it.

18-0361

AGENDA ITEM 19 Public Hearing: Regulatory Zone Amendment Case Number WRZA18-0003 (Coches/Tower) - adoption of an amendment to the Tahoe Regulatory Zone Map, changing the regulatory zone for a ± 1.58 -acre parcel (APN: 130-312-25) and a ± 1.9 -acre parcel (APN: 130-312-30) from Medium Density Suburban (MDS - 3 units per acre) to Low Density Suburban (LDS - 1 unit per acre); possible affirmation of the findings of fact of the Washoe County Planning Commission as outlined in the staff report for this item; and possible direction to the Director of the Planning and Building Division to sign and certify the amended Tahoe Regulatory Zone Map; and possible authorization to the Chair to sign a Resolution included as Attachment A to the staff report for this item adopting the amendment to the Tahoe Regulatory Zone Map. The subject parcels are located at 1131 Lakeshore Boulevard (APN: 130-312-25; Coches LLC) and 1135 Lakeshore Boulevard (APN: 130-312-30; Towers LLC), Incline Village, Nevada. The properties are situated within the Tahoe Area Plan and Incline Village/Crystal Bay Citizen Advisory Board boundaries and within Section 23, T16N, R18E, MDM, Washoe County, NV. Community Services. (Commission District 1.)

County Manager John Slaughter introduced the public hearing.

Planner Eva Krause explained the property owners requested rezoning of their parcel from medium density suburban (MDS) to low density suburban (LDS) to allow for the ability to build a larger accessory dwelling. She stated MDS zoning allowed for an 800 square foot accessory dwelling, but LDS zoning allowed for a 1,500 square foot dwelling. She indicated because the property was in Lake Tahoe, allowed uses would only change for subject properties. She noted after a complete review, the request was consistent with the master plan and the findings had been made.

Commissioner Jung said it was a great idea given the housing crisis and noted the region should be looking at accessory dwellings. She thought alternatives for housing were very important. She supported this amendment.

Commissioner Hartung wondered whether the property could have been sub-divided. Ms. Kraus replied it could not because it was in Lake Tahoe and Tahoe Regional Planning Agency regulations would not allow properties to be sub-divided.

Chair Berkgigler said the Citizens Advisory Board and the Planning Commission had approved the proposed change.

On the call for public comment, Mr. Kevin Agan and Mr. Alan Wechsler, representatives for the owners, thanked staff and the Board for the support.

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

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered to adopt an amendment to the Tahoe Regulatory Zone Map, changing the regulatory zone for a ±1.58-acre and a ±1.9-acre parcel from Medium Density Suburban (MDS - 3 units per acre) to Low Density Suburban (LDS - 1units per acre); to affirm the findings of fact of the Washoe County Planning Commission as outlined in the staff report for this item; to direct the Director of the Planning and Building Division to sign and certify the amended Tahoe Regulatory Zone Map; and, to authorize the Chair to sign the Resolution included as Attachment A to the staff report for this item adopting the amendment to the Tahoe Regulatory Zone Map. The Resolution for same is attached hereto and made a part of the minutes thereof.

18-0362 AGENDA ITEM 25 Possible Closed Session for the purpose of discussing labor negotiations with Washoe County and Truckee Meadows Fire Protection District per NRS 288.220.

There was no need for a Closed Session.

11:49 a.m. The Board recessed.

1:03 p.m. The Board reconvened with all members present.

18-0363 AGENDA ITEM 20 Outdoor Festival Business License Application (Red White and Tahoe Blue 2018) Applicant: Red White and Tahoe Blue, Inc. Public hearing to approve with conditions, or deny an outdoor festival business license application in its entirety or portions thereof (pursuant to Washoe County Code Chapter 25 and related provisions) submitted by the Red, White and Tahoe Blue organization for the Red, White and Tahoe Blue 2018 event to be held in Incline Village, Nevada. If approved, authorize the Director of the Planning & Building Division, Community Services Department to issue the business license on June 11, 2018 to the Red, White and Tahoe Blue organization, provided all pre-event conditions have been completed by June 1, 2018 and further authorize set-up for the festival to commence on June 29, 2018. Application Information: Name and Address of Applicants: Red, White and Tahoe Blue, P.O. Box 3789, Incline Village, NV. Description of event location: Village Green (APN: 127-010-07), Aspen Grove (APN: 127-010-04), North Lake Tahoe Fire Main Fire Station (APN:132-223-06), Susie Scoops, 869 Tahoe Blvd. (APN:132-240-02), Potlach, 930 Tahoe Blvd. (APN: 132-012-02), Incline Middle School (APN:127-030-16), and Incline Beach (APN: 127-280-01). Dates of event: Set up commences June 29, 2018; event dates June 30 - July 4, 2018; parade on June, 30, 2018 requiring closing section of Tahoe Boulevard, Southwood Boulevard and Incline Way; and culminates with fireworks show on Lake Tahoe on July 4, 2018. Estimated daily attendance: 2,500. Additional details of the event are included in the application. Community Services. (Commission District 1.)

County Manager John Slaughter introduced the public hearing.

Assistant County Manager Dave Solaro conducted a PowerPoint presentation with slides entitled: Red, White, Tahoe Blue 2018 Event; Washoe County Event Application Process; Red, White, Tahoe Blue Application Timeline; Licensure Concerns; Staff Recommendation; Alternatives; and Questions. He reviewed the summary of the event, previous actions and background as outlined in the staff report. He stated staff's recommendation was to deny the application although there was an alternative option to approve the application with conditions. He stated if approved, the lack of responsiveness and accountability on the part of the Red, White and Tahoe Blue (RWTB) could create excessive work for County staff because the application information was not received in a timely manner. He noted the applicant was present to answer questions.

Chair Berkbighler stated she had conversations with Mr. Solaro and Management Analyst Sarah Tone and asked whether there was any way to get this done. Mr. Solaro and Ms. Tone responded the chief concerns were related to safety and financial commitments. During conversations, RWTB indicated they were bringing the required information to be presented to the Board. She wanted to provide them the opportunity to present their information.

RWTB Executive Secretary Pam Sheldon stated she was new to the organization and she made errors on the application. She said she received positive feedback and instruction from the Fire Marshal, Incline Village General Improvement District, Ms. Tone, and Chair Berkbighler about the safety issues they had not considered for the event. They were making an enormous effort to comply with the requirements. The Village Green entertainment event was removed from the schedule due to financial issues. She explained they were focused on the parade, veteran's events, and the fireworks presentation. She explained the events would be sufficiently barricaded for safety, which was included in the safety requirements. She stated each event would have a person responsible to ensure compliance and each event would have an evacuation route. She said she did not know the exact amount of the debt from the previous year, but said some donors had come forward to help with the outstanding bills. The event fundraiser flyers were sent out and there was a steady stream of checks and pledges coming in for the current year's event. She provided documentation which was placed on file with the Clerk.

Commissioner Hartung said many issues in the staff report concerned him. He addressed the inequity between the liabilities and the assets listed. He stated the staff report indicated RWTB had not paid the Sheriff's Office for services provided for the 2017 event. He was also worried about the North Lake Tahoe Fire Protection District waiving a large portion of the costs that RWTB was required to pay. He was perplexed by the incomplete application and the untimely manner in which it was presented to the County. He thought the completed application should have been submitted on time to demonstrate responsibility for the event. He wanted the event to happen but he did not want to be in the position as a decision-maker to place undue liability on the County.

Ms. Sheldon agreed with Commissioner Hartung about planning. She indicated the person responsible for processing the documents and obtaining permits had been relieved of duty; she had stepped in and attempted to complete the required tasks in a timely manner.

RWTB Chairman Jeffrey Corman stated he and his wife, Kirstin Corman, took over the event the prior week. He said he amended the application to update all aspects of the plans including communication, emergency, fire, sanitation, medical, and all other missing components. He hoped the updated information was to the Commissioners' satisfaction. He continued to work with Silver State Barricade and Nevada Traffic to perfect the maps and said the application should now be complete. He provided documents, which were placed on file with the Clerk.

Commissioner Lucey commended Mr. Corman for taking responsibility for the event. He said as Chairman of the Reno-Sparks Convention and Visitors Authority, the RWTB event was a legacy event that they were proud of and it aligned with other annual events. He noted the Incline Village area swelled during this time of year. He did not want to see the event perform poorly and thought without a clear plan in place it could end badly. He did not want to place the responsibility on County staff to ensure the event was successful. He asked Mr. Corman for reassurances the event would occur without issues.

Mr. Corman stated Ms. Corman had been the Co-Chair and Secretary under the former Chairman Jim Smith for six years. He agreed the event was a legacy in the community and it should continue. He said with his wife's help, he took over as Chairman of the event and scaled it back to be manageable. The live entertainment event was cancelled and they were focusing on the parade, the Village Green carnival, and the fireworks show. He expressed what mattered to the community was that the event would continue.

Commissioner Lucey indicated his main concern was safety. There would be excessive traffic and many people from out of town. He stated there were many children's activities scheduled over the four-day event and he wanted to ensure the areas around the children's events were adequately barricaded.

Mr. Corman said he was coordinating with Silver State Barricade and they would be barricading and closing Highway 28 on the day of the parade. He noted message boards would be staged earlier in the week to notify drivers of road closures and detours. He indicated the Community Emergency Response Team volunteers would be present at each driveway along the parade route as well as in the areas taped off the day of the event.

Mrs. Corman stated road closures would occur prior to the parade for safety purposes. She said she and Mr. Corman were aligned with the public safety requirements and they agreed safety was the first priority. She indicated funding for the 2019 event would start in September of 2018 to ensure all financial obligations were met.

She noted they were meeting with the Sheriff's Office and the Fire Marshal to ensure they were not missing any crucial steps. They believed they were in compliance at this time. She stated there were a few lead donors that would be contributing and they would know if there was enough funding for the event soon. She stated that, with the exception of a disputed invoice from Connolly Crane Services, the bills from last year's event were paid. She explained donors wanted to ensure RWTB was fiscally responsible before making their contributions.

Mr. Corman stated RWTB went from being \$60,000 in debt to no debt, with the exception of the crane company since he and Mrs. Corman took responsibility for the event.

Chair Berkgigler wanted to provide Mr. Solaro and staff the opportunity to deny the event if things were not in compliance. She was glad to hear the live entertainment had been removed because she did not believe there was enough time to organize and pay for that portion of the event. She wanted a commitment from the Cormans to start early for the following year's event because it was a huge drain on Washoe County staff.

Mr. Corman stated it would have been a different story if he had been asked to help in January rather than a week ago.

Chair Berkgigler stated if the public safety needs could not be met, the event would have to be denied. She stressed the importance of extra security but said she was pleased they decided to focus on three key events. She said safety was not just about the residents, there were many visitors to the area for the event and the County had the responsibility to ensure everyone's safety. She wanted staff to have the opportunity to review the new information and everything pertaining to the event needed to be submitted and in compliance by the June 1st deadline. She explained staff needed to ensure RWTB could pay the bills and keep the public safe during the event. Her recommendation was to approve the event with the stated conditions.

Commissioner Hartung thanked Mr. Corman for stepping up and taking charge of the event. He questioned whether the Sheriff's Office was paid for the fees owed from the 2017 event. Mr. Corman stated they had not.

Lieutenant Michelle Bello indicated \$6,000 was outstanding from last year's event.

Commissioner Hartung stated the staff report reflected the cost of \$11,099 and wondered if the Sheriff's Office was waiving the difference.

Mr. Solaro explained the information in the staff report was different from what was owed for last year, so the two amounts added together would be for the 2017 event and the estimated costs for the 2018 event.

Commissioner Hartung agreed with Chair Berkbigler on an approval with conditions.

Chair Berkbigler reiterated in the future, the timelines must be upheld because the event could not work this way again.

Chair Berkbigler moved to approve the application with conditions which would include all required documents to be submitted by June 1st and to directed staff to determine if the applicant met the requirements. If requirements were completely met the permits would be issued on June 11th; if requirements were not met the entire event would be cancelled. Commissioner Hartung seconded the motion.

Mr. Solaro wanted to ensure he understood the motion. He asked if the intent was to deny the entire event if the requirements were not met. Chair Berkbigler confirmed it was all or nothing in regards to the three main events.

Mrs. Corman clarified there were three main events: a parade; a community fair at the Village Green that included a beer garden, food vendors, bounce houses, and non-profit organizations; and a fireworks show on July 4th. She noted throughout the weekend there would be smaller events for veterans in Aspen Grove as well as on the beach. She said it was a luncheon and tribute to the veterans.

Commissioner Jung stated the events all needed to be outlined in the plan.

Mrs. Corman agreed that each event would be outlined in the plan and there were also two revenue-generating events that would occur in Aspen Grove. She said the events were under the RWTB umbrella but were permitted separately. She noted the events at Aspen Grove were the Wine and Cheese and the Beer and Brats events.

Deputy District Attorney Paul Lipparelli stated Agenda Item number 20 was the approval or denial of a festival license application. He thought the motion was to approve the application with conditions and that the conditions were to be verified by staff who had the authority to withdraw the Boards approval of the license if the conditions were not met.

Chair Berkbigler confirmed that was the motion.

Mr. Solaro stated June 1st was the deadline for the full application to be submitted and the deadline for the final determination was June 11th.

There was no public comment on this item.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried, it was ordered to approve with conditions, for an outdoor festival business license application. (pursuant to Washoe County Code Chapter 25 and related provisions) submitted by the Red, White and Tahoe Blue organization for the

Red, White and Tahoe Blue 2018 event to be held in Incline Village from June 30 through July 4, 2018. Authorize the Director of the Planning & Building Division, Community Services Department to issue the business license on June 11, 2018 to the Red, White and Tahoe Blue organization, provided all pre-event conditions have been completed by June 1, 2018 and further authorize set-up for the festival to commence on June 29, 2018.”

18-0364

AGENDA ITEM 21 Public hearing: Second reading and adoption of an ordinance amending: (1) Washoe County Code Chapter 110 (Development Code) within Article 302, Allowed Uses, to establish the regulatory zones wherein the Outdoor Entertainment and Livestock Events use types are permitted by right or by discretionary action; within Article 304, Use Classification System, to redefine the outdoor entertainment use type and to create and define the commercial recreation livestock events use type; and within Article 310, Temporary Uses, to ensure the description of temporary outdoor entertainment uses is consistent with Article 338, Outdoor Entertainment; and (2) To create a new Article, Article 338 Outdoor Entertainment, to establish the processes, regulations and standards specific to establishing both temporary and permanent outdoor entertainment uses by expanding the definition of Outdoor Entertainment to include facilities and events for the assembly of 100 or more spectators and participants for any purpose in any outdoor location; to identify a wider range of typical outdoor entertainment activities; to establish permit application and review processes for minor, major, and temporary outdoor entertainment permits, to establish the thresholds to distinguish each permit type; to provide for certain exemptions for establishing the use type on Federal land; and to effect other items necessarily connected therewith and pertaining thereto. The Board of County Commissioners introduced and conducted a first reading of the proposed ordinance on March 27, 2018. Community Services. (All Commission Districts.)

County Manager John Slaughter introduced the public hearing.

Nancy Parent, County Clerk, read the title for Ordinance No. 1620, Bill No. 1800.

Commissioner Lucey asked for a presentation from staff due to concerns he had and requested clarification on the difference between a major and minor event.

Commissioner Hartung asked for clarification about the similarities of Agenda Items 21 and 22.

Deputy District Attorney Paul Lipparelli explained the process was being reformed for outdoor entertainment requests, but it was being done in two different sections. He said the first section was the zoning code that contained items such as land use designation, tables of uses, and zoning laws; the second pertained to the business

license ordinance, which regulated certain types of activities allowed pursuant to obtaining a business license. In order to get the all of the reforms in place, both sections needed to be addressed separately.

Senior Planner Eric Young conducted a PowerPoint presentation and reviewed slides with the following titles: What and Why?; Goals; Multiple amendments; Outreach and public process; Industry comments; Public comments; Improved Review Process; Expansion of opportunities; Goals; Summary; and Recommendation. He stated the recommendation made by the Planning Commission was to adopt the Ordinance.

Commissioner Lucey wondered about the addition of neighborhood commercial and regulatory zones. He thought the events currently being discussed were located in existing approved zones and wanted to know what events were located in the added zones.

Mr. Young explained some of the events were temporary events and could occur in any zone. He stated the change to add low-density suburban (LDS) as an approved zone was due to the location of some golf courses where the Barracuda Championship tournament would be held. He thought the existing events were located in zones that were eligible for permanent use permits. Incline Village would need the recommended expansions even for a temporary event. He stated the reason for the expansions was based on prior direction from the Board to expand the range of regulatory zones.

Commissioner Lucey questioned the reason for differentiation between a minor event and a major event. He thought the applications and processes should be the same for the two event sizes and he wanted all the minor and major events brought before the Board of County Commissioners for approval. He did not believe the Board of Adjustment had the staff capable of making decisions to approve or deny events. He was not comfortable supporting the Code as drafted as two separate items; he thought it needed to be all included in one item. He stated if the County was to issue a special use permit for a long-standing legacy event, the permit would stay with the property. He thought it was imperative there should be continuity with executive directors and, if those individuals changed, the events should be required to reapply for new special use permits or event permits. He said if the same responsible person remained in authority, they could submit the required fees and obtain their permit. He said he was not in support of the changes as they were written.

Commissioner Hartung recognized this was the second reading but there were still issues. He liked the idea of the events coming before the Board, but wondered if a public body such as the Reno-Sparks Convention and Visitor Authority would be considered under a different level of approval. He thought outdoor events and livestock events should not be combined because there were different circumstances for planning and permitting. He did not think there was a way to anticipate the amount of people at a livestock event. He referenced an event that took place in Spanish Springs on a 10-acre parcel with close to 1,000 people attending along with hundreds of horse trailers. He

noted the City of Sparks issued the event permit, but the County was responsible for fire, police and code enforcement. He wanted to know how this change would affect the different area plans. He thought the Barracuda Championship should be issued a five-year permit. He wanted the outdoor events and livestock events to be separate.

Commissioner Herman said she was unhappy with this proposal because the language was confusing and it would have a vast effect on District 5. She questioned the date of the Citizen Advisory Board (CAB) meeting that was held for this topic. She stated she attended all the meetings and it was not addressed. She wanted clarification of events that qualified as livestock events.

Mr. Young stated there was a definition in a handout. He said the proposed changes would separate livestock events with outdoor events and each would require a special use permit. He said Warm Springs had modifiers that provided their own processes to obtain permits along with including their own definition in the Code use table. He indicated this would not change their modifiers.

Commissioner Herman asked about the other areas of District 5.

Mr. Young stated the changes would be for events requested in the future.

Assistant County Manager Dave Solaro said the CAB meeting was in Warm Springs and occurred in either September or October of 2017. He noted Commissioner Herman was not in attendance. He stated the reason they went to Warm Springs was because of the specificity of the area plan and zoning in Warm Springs. He said the other CABs were handled in a different manner.

Commissioner Herman said she could not support this amendment the way it was written.

Chair Berkbighler asked whether an area plan prohibited any of the outdoor events or if the ordinance changes would allow that area plan to be overwritten.

Mr. Young stated there were two areas currently that had their own land use tables. That was part of the area plan update process that occurred many years ago. The first one to be updated was the Spanish Springs usage plan and at the time it was called the Spanish Springs specific plan. That plan had its own list of uses. The County's job was to adopt that list of uses in the new area plan so it did not permit outdoor entertainment. The area plan would have to be amended to change the land use. He said when the South Valley area plan was adopted the land use was the same, so the County identified the old Washoe City Commercial Historical District as an area with a separate land use table. A task force from that area plan process reviewed the list of uses and determined the uses they wanted to apply to that area. He said it excluded outdoor entertainment and indicated that would require an amendment change also.

Chair Berkbigler believed adding neighborhood commercial zones could be a problem in the valley but she also understood that adding neighborhood commercial zones was probably a necessity to make Incline Village compliant with the Red, White and Tahoe Blue event. She noted the participating business Susie's Scoops was located in an area designated as neighborhood commercial. She was concerned about equestrian events taking place in inappropriate areas. Her main concern was the Board of Adjustment having any authority for approvals or denials.

Commissioner Hartung wanted staff to meet with the Commissioners individually about their concerns. There had been several livestock events in Commissioner Herman's district and neighbors had complained. He said the same type of events occurred in Spanish Springs, but he thought District 5 would be impacted the most.

Commissioner Jung stated this was a second reading and substantial changes could not be made at this point. She wondered if the Board could approve it with the understanding that each area would discuss their concerns with staff individually. She noted this item was for clarification of language and there were not any specific events waiting for approval.

There was no public comment on this item.

Commissioner Jung moved to approve Ordinance No. 1620, Bill No. 1800 and Chair Berkbigler seconded the motion. The motion failed by a vote of 3 to 2.

3:05 p.m. Commissioner Jung left the meeting.

Commissioner Lucey thought the equestrian events needed to be separated from outdoor events, the minor and major events should be condensed into an events license, and a special use permit should be associated with an applicant. He wanted all events to be heard by the Board of County Commissioners not the Board of Adjustment. He stated those were the conditions he wanted to be included.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which duly carried with Commissioner Jung absent, it was ordered that Agenda Item 21 be sent back to staff to incorporate the directed changes.

Mr. Lipparelli clarified the contemplation would be to start over with the item.

Commissioner Hartung stated he wanted to meet with staff regarding clarification of the effects that could occur within the Spanish Springs area plan in District 4.

Commissioner Herman requested that a public meeting occur within District 5 before this item was brought back to the Board.

18-0365

AGENDA ITEM 22 Public Hearing: Second reading and adoption of an ordinance amending Washoe County Code Chapter 25 (Business License Ordinance) as part of a comprehensive process to consolidate all permitting and licensing functions for outdoor festivals and outdoor community events under Washoe County Code Chapter 110 (Development Code). The proposed changes are intended to expand the range of uses considered as outdoor entertainment and to establish a clear set of license and permit processes for establishing both permanent and temporary outdoor entertainment uses. The proposed amendments to Chapter 25 are as follows: to Section 25.013, Definitions, to remove the definitions of outdoor festival and outdoor community events and to add a definition for special events, temporary sales and services, carnival, circus, and tent show, to ensure clarity relative to temporary events; to Section 25.0255, Business License Fees for Specific Businesses, to remove subsection (2) (e) regarding daily fees and subsection (6)(a-c) which define the terms Carnival, Circus, Tent Show, Special Event License, and Temporary Sales and Service, to ensure consistency with the new definitions described above ; to remove all sections regarding Outdoor Festivals, specifically Sections 25.263 through 25.307 inclusive; and to effect other items necessarily connected therewith and pertaining thereto. The Board of County Commissioners introduced and conducted a first reading of the proposed ordinance on March 27, 2018. Community Services. (All Commission Districts.)

The Chair stated this item would be pulled but public comment would still be heard.

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

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 22 be pulled.

18-0366

AGENDA ITEM 23 Recommendation to adopt an updated Development Code Master Fee Schedule pursuant to WCC Section 110.906.05 to add application fees for Temporary Outdoor Entertainment Permits, as authorized in WCC Section 110.338.50. The proposed new permit fees are \$2,081.72 for permits outside the Tahoe Basin and \$1,928.84 for permits inside the Tahoe Basin. These amounts represent the sums of the various components of the review process, including planning, noticing, engineering, utilities, district health, and regional technology. If adopted, authorize the Chair to sign the resolution adopting the updated Development Code Master Fee Schedule on behalf of the Board. Community Services Department. (All Commission Districts.)

The Chair stated this item would be pulled but public comment would still be heard.

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

On motion by Commissioner Hartung, seconded by Commissioner Lucey, which motion duly carried with Commissioner Jung absent, it was ordered that Agenda Item 23 be pulled.

3:09 p.m. Commissioner Jung returned to the meeting.

18-0367 **AGENDA ITEM 24** Discussion and update pertaining to the Board of County Commissioners Quarterly Dashboard Report. Manager. (All Commission Districts.)

Assistant County Manager Dave Solaro reviewed the quarterly dashboard. He stated the report included requests from Commissioners along with a recap of the Washoe 311 requests. He said the goal of the quarterly dashboard was to show progress as it compared to the strategic plan. The update listed priority items which staff determined through monthly discussion with the Commissioners. He said Washoe 311 dealt with any requests that would require less than two hours of staff time, but they were experiencing delays in responding to information requests. He asked the Communications Team to assist with communicating with citizens and he thought that would reduce the number of calls received for economic development and infrastructure issues. He stated many of the requests were long-term issues and would take additional time to be completed.

Commissioner Jung requested an operational definition for each goal and the process by which items were designated as appropriate within the strategic plan. She asked about the process for utilizing Washoe 311.

Mr. Solaro said he would go over each item with the Commissioners individually and ensure they knew the criteria. He explained Washoe 311 was the information source for the County where citizens could send email requests.

Commissioner Lucey was interested in promoting Washoe 311 to the community and suggested branding County vehicles with the logo similar to how the City of Reno did with Reno Direct.

John Slaughter indicated labeling County vehicles had already started. A smartphone app for Washoe 311 was being developed and would be released later in the year.

Commissioner Jung thought it was important for each of the Commissioners to use Washoe 311 as a resource instead of disturbing staff. She said she

needed to be consistent in her use of Washoe 311 as her main resource and hoped to compel others to do the same. Information about current issues, which was collected and tracked through Washoe 311, was data that could be utilized to measure progress and predict when an issue was becoming widespread as noted by increased call activity.

Commissioner Hartung requested an option on the voicemail system that would allow a caller to press a number on the keypad to be directed to Washoe 311 to issue a complaint or receive immediate assistance.

18-0368 AGENDA ITEM 26 Public Comment.

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

18-0369 AGENDA ITEM 27 Announcements/Reports.

John Slaughter stated the Walk with Washoe program was scheduled to begin on May 15th and run through October 2nd. He noted the first walk would start at North Valleys Regional Park at 6:30 p.m. He invited the Commissioners and the community to join him to walk on some of the amazing trails throughout the summer and fall.

Commissioner Jung recognized three Reno High students from the audience. They introduced themselves as Stephen Antwi who would be attending Drexel University studying finance; Averinder Riar and who would be attending University of Nevada Reno then transferring to the University of California Los Angeles; and Emme Haw who would be attending the University of San Francisco to study critical diversity with double major in Spanish.

* * * * *

3:30 p.m. There being no further business to discuss, the meeting was adjourned from Closed Session without objection.

MARSHA BERKBIGLER, Chair
Washoe County Commission

ATTEST:

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

Minutes Prepared by:
Doni Gassaway, Deputy County Clerk