



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: July 10, 2018

DATE: May 7, 2018

TO: Board of County Commissioners

FROM: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building Community Services Dept., 328-3619, mhauenstein@washoecounty.us

THROUGH: Dave Solaro, Arch., P.E., Assistant County Manager
Community Services Department, 328-3600, dsolaro@washoecounty.us

SUBJECT: Approve the appointment of Allyson Wong (Residential Industry), Jesse Haw (Commercial Development Industry), Donald Tatro (Construction Industry) and Dave Pearce as an additional member to the Building Enterprise Fund Advisory Committee each for a four-year term commencing on July 1, 2018 and ending on June 30, 2022. The NRS 354.59891 Building Enterprise fund holds money collected for various building fees which then covers the costs of reviewing various building/construction permits. This advisory committee reviews the operations of and makes recommendations relating to the Enterprise Fund; must have at least 5 members; and 3 of its members must be representatives of the residential construction industry, the commercial development industry, and the construction industry. (All Commission Districts.)

SUMMARY

On January 23, 2001 the Board of County Commissioners approved the creation of the Washoe County Building and Safety Enterprise Fund. Enterprise funds, allowed under NRS 354.59891, are used to account for services provided to the public on a user charge basis. The legislative amendments to NRS 354.59891 in the 2003 session, codified in NRS 354.59893, require Washoe County to create an advisory committee to review the operations of, and make recommendations relating to, the enterprise fund.

NRS 354.59893 establishes the composition and the duties of the committee:

2. The governing body of the local government or its designee shall appoint at least five members to the committee which:
 - (a) Must include:
 - (1) A representative of the residential construction industry;
 - (2) A representative of the commercial development industry;
 - (3) A representative of the construction industry; and

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(b) May include:

- (1) A public officer or employee of the local government who manages the fiscal affairs of the local government; and
- (2) A public officer or employee of the local government who oversees directly the operation of the enterprise fund.

The Building Enterprise Fund Advisory Committee currently will have three vacancies in the categories representing “residential construction”, “commercial development industry” and “construction industry” and it is recommended that the Board appoint Allyson Wong (Residential Industry), Jesse Haw (Commercial Development Industry), Donald Tatro (Construction Industry) and Dave Pearce as an additional member each to a four year term, commencing on July 1, 2018 and ending on June 30, 2022. The statute allows the governing body to renew the term of any member of the board per NRS 354.59893(3).

Washoe County Strategic Objective supported by this item: Stewardship of Our Community.

PREVIOUS ACTION

On December 17, 2013, the Board of County Commission (Board) approved the reappointments of Tony Abreu (Residential Industry), Dave Pearce (Residential Industry), and Fred Taeubel (Commercial Industry) each for a four year term, commencing on January 1, 2014 and ending on December 31, 2017.

On August 13, 2013, the Board approved the appointments of Jess Traver (Construction Industry) and Kylene Perks (Construction Industry) to the Building Enterprise Fund Advisory Committee each for a four-year term commencing on January 1, 2013 and ending on December 31, 2016.

On December 8, 2009, the Board approved the appointments of Dave Pearce (Residential Construction Industry), Tony Abreu (Residential Construction Industry), and Fred Taeubel (Commercial Development Industry) to the Building Enterprise Fund Advisory Committee each for a four-year term starting January 1, 2010 and ending December 31, 2013.

On April 28, 2009, the Board approved the appointments of Jess Traver and Steve Hamilton to the Building Enterprise Fund Advisory Committee for a four-year term starting January 1, 2009.

On October 17, 2006, the Board appointed an addition member to the Building Enterprise Fund Advisory Committee.

On February 28, 2006, the Board created the oversight committee and appointed seven members.

On January 23, 2001, the Board approved the creation of the Washoe County Department of Building and Safety Enterprise Fund.

BACKGROUND

NRS 354.59891 establishes the manner in which a local government must administer its finances for the Building Enterprise Fund. The law authorizes a local government to create an enterprise fund exclusively for building permit fees, fees imposed for the issuance of barricade permits and fees imposed for encroachment permits. Among other things, that section specifies that the balance of unreserved working capital in the enterprise fund does not exceed 50 percent of the annual operating costs and capital expenditures for the program for the issuance of barricade permits, encroachment permits and building permits of the local government, as determined by the annual audit of the local government conducted pursuant to NRS 354.624. That section further specifies, among other things, that the money in the fund may not be used for any purpose other than the actual direct and indirect costs of the program for the issuance of specified permits, including the cost of checking plans, issuing permits, inspecting buildings and administering the program.

The legislative amendments to NRS 354.59891 in the 2003 session, now codified in NRS 354.59893, require Washoe County to create an advisory committee to review the operations of, and make recommendations relating to, the enterprise fund. NRS 354.59893 establishes the composition and the duties of the committee. The committee is authorized to issue opinions and recommendations concerning the adequacy of the fees charged for specified permits, the financial objectives and annual budget of the program for the issuance of specified permits, and any other relevant issue related to the operation of the enterprise fund. These conditions include maintaining a balance in the fund that does not exceed a certain amount of unreserved working capital and expending money in the fund only for expenditures related to the permit program.

Planning and Building staff actively recruited for this position through newspaper advertisement, by e-mail to citizens signed up for “citizen involvement” group and “Districts 1-5”, and by posting on the County’s website in December of 2017. Through that effort only one application was received. Staff reopened the recruitment until end of January without receiving any additional applications. Then, staff repeated the advertisement and reopened the recruitment until the end of April, successfully receiving 5 applications. The applicants are:

1. Allyson Wong
2. Jesse Haw
3. Donald Tatro
4. David Pearce
5. Richard Molezzo

NRS 354.59893 requires that at least 3 members be appointed based on specific industry representation, but given the significant residential, commercial and construction background, staff recommends the appointment of candidates 1-4. Specifically, 1) Allyson Wong as an architect and representative of the “Residential Industry”, 2) Jesse Haw as a developer and representative of the “Commercial Development Industry”, 3) Donald Tatro as the Executive Director of BANN (Builders of Northern Nevada) and a representative of the “Construction Industry” and 4) Dave Pearce as a contractor and an additional member representing the “Construction Industry”.

The Building Enterprise Fund has typically met once a year. Staff has changed the starting dates of the term of service from *Calendar Year* to *Fiscal Calendar* (July 1st to June 30th) to better align with the fiscal purview of this committee.

All applications are included as Attachments to this staff report.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

Approve the appointment of Allyson Wong (Residential Industry), Jesse Haw (Commercial Development Industry), Donald Tatro (Construction Industry) and Dave Pearce as an additional member to the Building Enterprise Fund Advisory Committee, each for a four-year term commencing on July 1, 2018 and ending on June 30, 2022.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve the appointment of Allyson Wong (Residential Industry), Jesse Haw (Commercial Development Industry), Donald Tatro (Construction Industry) and Dave Pearce as an additional member to the Building Enterprise Fund Advisory Committee, each for a four-year term commencing on July 1, 2018 and ending on June 30, 2022."

Attachment A – Application Allyson Wong

Attachment B – Application Jesse Haw

Attachment C – Application Donald Tatro

Attachment D – Application David Pearce

Attachment E – Application Richard Molezzo