

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

TUESDAY

10:00 A.M.

AUGUST 27, 2019

PRESENT:

Vaughn Hartung, Chair
Bob Lucev, Vice Chair (via telephone)
Marsha Berkgigler, Commissioner
Jeanne Herman, Commissioner
Kitty Jung, Commissioner

Nancy Parent, County Clerk
Dave Solaro, County Manager
Paul Lipparelli, Assistant District Attorney

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

Commissioner Herman requested a moment of silence to honor the passing of Mr. Garth Elliott.

19-0627 AGENDA ITEM 3 Public Comment.

Ms. Sara Schmitz, an Incline Village resident, stated she emailed information to the Commissioners including software data and an incomplete map of homes which were renting through internet sites like Airbnb. She said more than 10 percent of residences were used as short-term rentals (STR) and operated without rules, regulations, or permits. She noted most neighborhoods in Incline Village had covenants, conditions, and restrictions (CC&Rs) which prohibited businesses from operating in private residences. She indicated a \$4 million home next to hers had been rented every week for the past year and rental reviews included concerns of overcapacity and safety issues. She stated that house had recently been red-tagged and deemed unsafe for sleeping by the fire department. She expressed concern about safety risks in the area and wanted the Board to recognize the dangers, fund fire and safety inspections, and add a moratorium to stop STRs.

Ms. Carole Black, an Incline Village resident, expressed concerns about the risks associated with STRs. She displayed documents, which were placed on file with the Clerk. She reviewed the documents provided, which included information about public safety risks, lack of code compliance, crime, nuisance impacts, and fire dangers. She opined the same standards for tourists and lodging should apply to STRs.

Ms. Diane Becker Heirshberg, an Incline Village resident, expressed concern about STRs in the area. She wanted the Board to provide direction related to issues with STRs, which would include a list of all STR locations in Incline Village. She opined the Reno-Sparks Convention and Visitors Authority had contracted with Airbnb and other STR companies, although the location of the STRs was considered confidential information. She stated pre-permit inspections should be required but they could not be performed if locations were unknown. She said the Tahoe Regional Planning Agency (TRPA) had some governing authority over Incline Village and had developed best practices and standards for STRs. These included oversaturation of STRs in a neighborhood and the frequency of days rented. She thought a maximum number of times an STR could be rented should be established. She indicated she would send a letter to the Commissioners related to the historical information from TRPA meetings concerning STRs. She asked the Board to consider the issues with STRs in this area and to provide a list of rental addresses to the public.

Mr. Grant Denton mentioned that KOLO-TV reporter Rebecca Kitchens did a monthly segment called "Have a Heart", highlighting children in the foster care system with the goal for them to be adopted. She had asked him to work out with a youth at a gym. He said he noticed the youth gaining confidence, talking more, and standing taller the more time they spent together. He spoke about a program being created to highlight the value of mentorship and to help youth who were getting close to aging out of the foster care system. The fear was the youth would then end up in another program that might not provide positive influences. He stated a fundraiser called Color by Numbers would be held to showcase art created by local foster children; that art would be auctioned off to support youth programs. He invited the Commissioners and the public to attend the event at Campo on August 28 at 5:00 p.m.

Mr. Pete Copeland, Executive Director of the Great Reno Balloon Race, thanked the Board for its partnership and stated this would be the 38th year the event was held at Rancho San Rafael Park. He said the event was more than just balloons in the air; the Great Reno Balloon Race Board was extremely involved in the community. He stated they were heavily involved with many non-profit organizations and would celebrate Donor Awareness Day by highlighting how one donor could help so many lives. He indicated this would be the 27th year supporting the Washoe County School District with its tissue paper program. He said the program taught science, technology, engineering, and mathematics to students by teaching them to fly the hot air balloons they made in class. He thanked the Board for its consideration of the impending contract.

Ms. Jessie Dabbs from the American Heart Association spoke regarding the Northern Nevada Heart and Stroke Walk happening on September 15 at Wingfield Park. She stated one in three Nevadans were affected by heart disease and stroke, and it was the number one cause of death in all Americans, although 80 percent of all cases were preventable. She encouraged the Board to join the Washoe County team or the Healthy Incline team. She stated it was free to walk and they encouraged participants to raise funds for the event. She noted there was a cost associated with the 5k timed run. The money raised stayed locally and impacted their programs. She said the event helped

fund the 'check, change, control' program which helped people dealing with high blood pressure and funded some youth programs.

Ms. Ronda Tycer, an Incline Village resident, said she was representing the Incline Village Short-Term Rental Citizen's Advisory Group. She provided documentation, including the mission of the group and the reasons for STR complaints, copies of which were placed on file with the Clerk. She expressed concern about enforcement issues, public safety, lack of inspections, and permits not being issued. She wondered who was responsible for enforcement of the TRPA standards and zoning laws.

Ms. Elise Weatherly spoke about her experience performing audits, the truth, the Summit Church, the Washoe County Sheriff's Office, the Pledge of Allegiance, rules and regulations, and taxes.

Ms. Tammy Holt-Still spoke about construction issues which prevented traffic from going from Lemmon Drive to North Virginia, along with a fire that broke out on Interstate 395 that closed the road to southbound traffic. She stated residents had to travel to Stead Boulevard to access a route into town. She opined better planning between the City of Reno and Washoe County needed to occur for road construction and detours. She referred to a handout she submitted at the previous meeting that pertained to annexation. She expressed concern about the Cities of Reno or Sparks annexing areas without residents having a say in the matter. She asked the Board to read the information she provided and consider changing the legislation like Texas did so another Lemmon Valley situation was not created. She wanted developers to be required to stick to codes and not be granted exceptions. She stated she spoke to Lyon County Commissioners via email regarding a pipeline proposed for Stagecoach, which was a closed basin. She thought the Board should also communicate with Lyon County about issues with a closed basin.

Mr. Levi Hooper thanked Commissioner Herman for the moment of silence for Garth Elliott. He spoke about a young homeless man who got a job as a busser at a local restaurant making \$7.25 per hour. He noted waitresses at the restaurant were supposed to share 20 percent of tips with their bussers but he was not receiving the proper amount. The young man was not financially able to maintain a residence and ended up homeless. He expressed disappointment with people not treating each other fairly. He said Mayor Schieve provided him with some bus passes to give to the homeless. He noted mentorship was not just for children and said Sam Dehne was his mentor.

Mr. Sam Dehne spoke about the media, Lake Tahoe, Airbnb rentals, and helping Reno. He contributed \$20 to Levi Hooper to help someone that was homeless.

Deputy Clerk Derek Sonderfan stated an email correspondence received from Annemarie Grant would be placed on the record.

19-0628 AGENDA ITEM 4 Announcements/Reports.

Interim County Manager Dave Solaro stated a survey related to short-term rentals (STRs) was available on the County website at www.washoecounty.us/str.

Commissioner Berkbigler announced a public forum addressing STRs took place the previous night with approximately 170 Incline Village residents attending. She stated it was a productive meeting and she thanked staff for their help. She thought many positive ideas came out of the forum, including a list compiled by Senior Planner Kelly Mullin and best practices provided by the Tahoe Regional Planning Agency (TRPA). She indicated staff was crafting language which would be beneficial to the issue and thanked Mr. Solaro for leading this effort.

Commissioner Berkbigler said the Regional Transportation Commission (RTC) was responsible for transportation in Incline Village and they paid a small amount of money to Tahoe Truckee Area Regional Transit (TART), the public transportation system run by Placer County. She stated the service TART provided in Crystal Bay and Incline Village was seriously lacking. She noted traffic and parking in Incline Village were horrible year-round but they were worse during the summer season. According to the TRPA, 12 million people visited Lake Tahoe every year and the majority arrived via automobile, which contributed to traffic and parking issues. She stated the Sheriff's Office was working on the parking and speed enforcement issues and was doing a great job. She wondered whether a trolley service could be instituted for the summer season, although she did not have any logistical ideas. She asked for staff to work with the TRPA to see whether that was an option. She stated Incline Village residents were citizens of Washoe County and deserved reliable public transportation services like other Washoe County residents. She wanted it to appear on a future agenda.

Chair Hartung said he attended the employee picnic and thanked staff who volunteered. He stated he also attended the Great Reno Balloon Race kick-off party. He encouraged people to wear blue and green in honor of donors and recipients. He applauded Donor Network West staff for their hard work.

Chair Hartung requested staff create a letter in support of the Spaghetti Bowl project. He stated the community could not afford this project to be delayed any longer.

Chair Hartung said he would work with Vice Chair Lucey and the RTC about the possibility of a summer trolley service in the Washoe County region of Lake Tahoe. He noted he was still working to get RTC to start bus routes into Spanish Springs.

PROCLAMATIONS

19-0629 5A1 Proclaim September 2019 as National Preparedness Month.

Commissioner Berkbigler read and presented the proclamation to Program Coordinator Kelly Echeverria.

Ms. Echeverria thanked the Board for supporting efforts to build a more resilient community through regional preparedness.

19-0630 **5A2** Proclaim August 31, 2019 as International Overdose Awareness Day.

Commissioner Jung read and presented the proclamation to Shawn Thomas from Join Together Northern Nevada (JTNN) and Health Educator Nicole Alberti.

Commissioner Jung stated overdoses were a national public crisis. She noted opioids were not the only drugs causing overdoses but methamphetamines were the most prominent drugs. She did not think people could overdose on methamphetamines but noted people were injecting them now as a different way to get high and the drug was purer than it was in the past. She said the community was focused on opioid addictions and mentioned a lawsuit against opioid manufacturers. She indicated people were using heroin to stave off the withdrawal effects of methamphetamine addictions. She noted people were overdosing on heroin because they were also taking methadone. She explained methadone was a drug to help with pain and addiction to other drugs. She expressed gratitude to the County for the proactive approach taken in support of drug and overdose awareness. She said the Medical Examiner's Office provided her with a quarterly report of overdose statistics. She thought families could reveal more information in obituaries about overdose deaths or the stigma would continue.

Mr. Thomas expressed appreciation on behalf of JTNN and their partner agencies.

Ms. Alberti announced a 3rd annual overdose awareness event was scheduled for August 29 at 5:30 p.m. She stated people would meet at the BELIEVE sign downtown and walk together to Wingfield Park where a recovering addict would speak about awareness.

On the call for public comment, Ms. Elise Weatherly spoke about running for public office and addiction being a choice. She talked about drug experiences with her former husband and her daughter, and about preparing for things in her life.

Mr. Sam Dehne spoke about the Proclamations, the terrorist attack on 9/11, the terrorist attack on Lockerbie, and drug overdoses. He said he never heard of anyone overdosing on marijuana. He displayed a photo, which was placed on file with the Clerk.

On motion by Commissioner Berkbighler, seconded by Commissioner Jung, which duly carried on a 5-0 vote, it was ordered that Agenda Items 5A1 and 5A2 be approved.

DONATIONS

- 19-0631** **6A** Recommendation to accept a donation of [\$10,000] from the Regional Transportation Commission (RTC), including funds to be used for food purchases and operating supplies to support Washoe County's organization of the Nevada Association of Counties 2019 Annual Conference, and, if approved, direct the Comptroller's Office to make the appropriate budget amendments. Manager's Office. (All Commission Districts.)
- 19-0632** **6B** Recommendation to approve the in-kind donation of ten (10) bags of coffee [valued at \$139.90] from Black Rifle Coffee to be used by the employees of the Sheriff's Office. Sheriff. (All Commission Districts.)

On motion by Commissioner Herman, seconded by Commissioner Berkgigler, which motion duly carried on a 5-0 vote, it was ordered that Agenda Items 6A and 6B be accepted and directed.

CONSENT AGENDA ITEMS – 7A THROUGH 7K5

- 19-0633** **7A1** Approval of minutes for the Board of County Commissioners' regular meetings of July 16, 2019 and July 23, 2019. Clerk. (All Commission Districts.)
- 19-0634** **7A2** Acknowledge the communications and reports received by the Clerk on behalf of the Board of County Commissioners. Clerk. (All Commission Districts.)
- 19-0635** **7B** Recommendation to approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered on the 2015/2016, 2016/2017, 2017/2018, 2018/2019 and 2019/2020 unsecured tax roll and authorize Chair to execute the changes described in Exhibit B and direct the Washoe County Treasurer to correct the error(s). [cumulative amount of decrease to all taxing entities \$62,966.51]. Assessor. (All Commission Districts.)
- 19-0636** **7C** Recommendation to approve budget amendments totaling an increase of [\$25,785.26] in both revenue and expense to the FY20 State Family Planning Grant, and direct the Comptroller's office to make the appropriate budget amendments. Health District. (All Commission Districts.)
- 19-0637** **7D** Recommendation to approve an Interlocal Contract between the Washoe County Health District and Washoe County through its Department of Juvenile Services to provide consultative and clinical services, Tuberculosis (TB) testing and Sexually Transmitted Disease

(STD)/TB treatment medications for Wittenberg juveniles for the period upon ratification by the governing parties through June 30, 2020 with automatic renewal for two successive one-year periods for a total of three years on the same terms; if approved, authorize the Chair to execute the Agreement. Juvenile Services. (Commission Districts.)

- 19-0638** **7E** Recommendation to not renew and therefore terminate the Official Payments Services Joinder Agreement approved by the Board of County Commissioners on June 28, 2016 for Washoe County and authorize the Purchasing and Contract Administrator to prepare and send the written notification. Technology Services. (All Commission Districts.)
- 19-0639** **7F** Recommendation to approve the change of the Senior Financial Analyst (position number 70006603) from full-time to part-time (32 hour/.8 FTE) effective September 30, 2019; and authorize Human Resources to make the necessary changes. No fiscal impact to Washoe County. [Annual savings to TRFMA of over \$24,380]. Truckee River Flood Management Authority. (All Commission Districts.)
- 19-0640** **7G1** Recommendation to approve a Water Rights Deed between Washoe County, as Grantor, and Horse Creek, LLC, as Grantee, to re-convey 280.48 acre-feet of Thomas Creek water rights. Community Services. (Commission District 2.)
- 19-0641** **7G2** Recommendation to accept grant funding [\$1,387.19 with no County match] for Fiscal Year 2020 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 amendments. Community Services. (All Commission Districts.)
- 19-0642** **7G3** Recommendation to approve an Intergovernmental Funding Agreement Regarding Residential Construction Tax For Neighborhood Park Development within Sun Valley Park District 2D between Washoe County and Sun Valley General Improvement District [approximately \$43,000 Sun Valley Park District 2D Residential Construction Tax]. Community Services. (Commission Districts 3 and 5.)
- 19-0643** **7H1** Recommendation to accept a Victims of Crime Act (VOCA) grant to the District Attorney's Office in the amount of [\$6,806] (\$1,701 required match), from the State of Nevada Department of Health and Human Services Division of Children and Family Service (DCFS) to provide counseling services from July 1, 2019 through August 31, 2019. Direct the Comptroller to make the necessary budget amendments and retroactively authorize the District Attorney to sign the grant agreement. This award

represents 10% of total FY2020 award. District Attorney (All Commission Districts.)

- 19-0644** **7H2** Recommendation to accept a Victims of Crime Act (VOCA) grant to the District Attorney's Office in the amount of [\$30,852.00] (\$7,713.00 required match), from the State of Nevada Department of Health and Human Services Division of Children and Family Service (DCFS) to provide for a full-time Victim Advocate and a full-time forensic interviewer as approved by the Job Evaluation Committee; from July 1, 2019 through August 31, 2019. Direct the Comptroller to make the necessary budget amendments and retroactively authorize the District Attorney to sign the grant agreement. This award represents 10% of total FY2020 award. District Attorney (All Commission Districts.)
- 19-0645** **7H3** Recommendation to accept a Victims of Crime Act (VOCA) grant to the District Attorney's Office in the amount of [\$19,781] (\$4,945 required match), from the State of Nevada Department of Health and Human Services Division of Children and Family Service (DCFS) to provide funding for an existing part-time Victim Advocate and a new full-time Victim Advocate as approved by the JEC, along with related travel, equipment, and victim services; from July 1, 2019 through August 31, 2019. Direct the Comptroller to make the necessary budget amendments and retroactively authorize the District Attorney to sign the grant agreement. This award represents 10% of total FY2020 award. District Attorney. (All Commission Districts.)
- 19-0646** **7I1** Recommendation [to transfer \$80,000.00] to the District Court from the District Attorney, Public Defender, Alternate Public Defender Offices and General Fund marijuana account to create 1.0 FTE position of District Court Deputy Clerk II, and 2) to approve the one-time use of marijuana funds outside the budget process and direct Comptroller to process cross function appropriation transfers [net General Fund impact \$0]. Manager's Office. (All Commission Districts.)
- 19-0647** **7I2** Recommendation to approve a three-year sponsorship agreement (2019, 2020, and 2021) between Washoe County and Great Reno Balloon Race, Inc. for the annual event to be held at Washoe County's Rancho San Rafael Regional Park to include waiver of park facility rental and use fees [\$6,000 in waived fees for each event year] in consideration of Washoe County being recognized as a major event sponsor and authorize the County Manager to sign the contract. Manager's Office. (Commission District 3.)
- 19-0648** **7I3** Recommendation to acknowledge the Board of County Commissioners Quarterly dashboard report. Manager's Office. (All Commission Districts.)

- 19-0649** **7I4** Recommendation for staff to approve appointment to the Emergency 911 Advisory Committee for terms beginning September 11, 2019, Alexander Kukulus for a term of four years ending June 30, 2023, appoint Jamie Rodriguez to complete the term currently held by Aaron Kenneston ending June 30, 2021 and accept the designee from the Sheriff's Office of Blaine Beard for a term of four years ending June 30, 2021 to fill the vacancy of their designee. Manager's Office. (All Commission Districts.)
- 19-0650** **7I5** Recommendation to approve a FFY16 Supplemental Department of Homeland Security (DHS) grant passed through the State Homeland Security Program (SHSP) awarding [\$15,000.00, no County match required], for a Continuity of Operations and Continuity of Government project; retroactive from July 23, 2019 to August 31, 2019; If approved authorize the County Manager or his designee to sign the grant award documents when received; and direct the Comptroller's Office to make the necessary budget amendments. Manager's Office. (All Commission Districts.)
- 19-0651** **7J1** Recommendation to accept the 2018 High Intensity Drug Trafficking Areas (HIDTA) License Plate Readers (LPR) funding [amount not to exceed \$90,000.00, no County match required] and Sole Source Purchase of 6 LPRs to be utilized by the HIDTA Task force as administered through Las Vegas Metro Police Department, for the retroactive grant period of May 29, 2019 - December 31, 2020, and direct Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 19-0652** **7J2** Recommendation to acknowledge Receipt of Status Report of Commissary Fund submitted by the Washoe County Sheriff's Office Commissary Committee for Fourth Quarter for Fiscal Year 18/19. Sheriff. (All Commission Districts.)
- 19-0653** **7J3** Recommendation to accept the 2020 Victims of Crime Act (VOCA) [amount not to exceed \$998.00, 25% In-Kind County match required] as administered through the State of Nevada Department of Health and Human Services Division of Child Family Services,) to be used to pay travel, and training costs for the WCSO Victim Advocate, and to provide emergency housing and emergency services such as food and shelter for victims of domestic violence, for the retroactive grant period of July 1, 2019 - August 31, 2019. This award represents 10% of the total FY2020 award and if approved direct Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)
- 19-0654** **7J4** Recommendation to accept the 2020 Opioid Narcotics Treatment Program funding [amount not to exceed \$51,751.38, no County match required] as administered through the University Of Nevada, Reno to be

used for the creation of an Opioid Treatment Program within the Washoe County Regional Detention Facility, for the retroactive grant period of July 1, 2019 - September 29, 2019, and if approved direct Comptroller's Office to make the necessary budget amendments. Sheriff. (All Commission Districts.)

- 19-0655** **7K1** Recommendation to accept the Continuum of Care - Permanent Supportive Housing Program Grant from the United States Department of Housing and Urban Development (HUD), in the amount of [\$86,328; \$21,582 county match] to provide housing and supportive services for homeless families for the period of September 1, 2019 through August 31, 2020; authorize the Director of the Human Services Agency to execute the grant agreement; and direct the Comptroller's Office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 19-0656** **7K2** Recommendation to accept a Children's Criminal Justice Act (CJA) grant from State of Nevada, Division of Child and Family Services (DCFS) in the amount of [\$29,865.33; no county match required] retroactive to July 1, 2019 through June 30, 2020; authorize the Director of the Human Services Agency to execute the subaward documents; and direct the Comptroller's office to make the necessary budget amendments. Human Services Agency. (All Commission Districts.)
- 19-0657** **7K3** Recommendation to approve Human Services Agency (HSA) Volunteers who have successfully completed the established training process to drive County vehicles to support HSA programming. Human Services Agency. (All Commission Districts.)
- 19-0658** **7K4** Recommendation to accept the FY20 Differential Response subaward from the State of Nevada Division of Child & Family Services in the amount of [\$142,545; no County match], retroactive to July 1, 2019 through June 30, 2020 to support Differential Response services to at-risk families in the child welfare system; and authorize the Director of the Human Services Agency to retroactively execute the Award. Human Services Agency. (All Commission Districts.)
- 19-0659** **7K5** Recommendation to approve a corrected Attachment B - Service Billing of Amendment #1 to the current Intrastate Interlocal Contract between the State of Nevada Department of Health and Human Services Aging and Disability Services Division and Washoe County for ongoing services to children with intellectual and developmental disabilities, and if approved authorize the Chair to sign the Amendment #1. Human Services Agency. (All Commission Districts.)

On the call for public comment, Ms. Elise Weatherly opined the donations should go to assist children in jail. She said she filed a contempt of court order against her daughter for not paying child support.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Consent Agenda Items 7A through 7K5 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 7A through 7K5 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 22

19-0660 **AGENDA ITEM 11** Recommendation to approve the reclassifications of an Office Assistant II, pay grade E, to Office Assistant III, pay grade G, and a vacant Administrative Assistant I, pay grade K, to Fiscal Compliance Officer, pay grade N (Manager's Office), three Account Clerks, pay grade E, to Account Clerk II, pay grade H, a vacant Senior Business Systems Analyst, pay grade P, to a Business Systems Analyst II, pay grade N, a vacant Technology Project Coordinator, pay grade R, to Fiscal Manager-HSA, pay grade R, a vacant Office Support Specialist, pay grade H, to Fiscal Compliance Officer, pay grade N, an Administrative Assistant I, pay grade K, to Administrative Assistant II, pay grade L, a vacant Senior Human Services Case Worker, pay grade O, to Human Services Case Worker III, pay grade N, and the creation of a new Administrative Assistant II position, pay grade L, (Human Services Agency) as evaluated by the Job Evaluation Committee; and authorize Human Resources to make the necessary changes. [Net annual fiscal impact is estimated at \$155,534]. Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

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

19-0661 **AGENDA ITEM 12** Recommendation to approve the CY 2020 Health Benefits Program for employees, retirees, and their dependents at [an approximate annual cost of \$55.8 million], and authorize the Director of Human Resources/Labor Relations to execute all insurance contracts and service agreements pertinent to the Health Benefits Program. Human Resources. (All Commission Districts.)

There was no response to the call for public comment.

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

19-0662 **AGENDA ITEM 13** Recommendation to approve the multi-year contract with Tax Management Associates, Inc. (TMA) for professional services in an amount not to exceed [\$350,000.00] per fiscal year through June 30, 2026 to conduct audits on business personal property accounts with a full cash value of \$50,000 or greater and authorize the Purchasing and Contracts Manager to execute the agreement and authorize the expenditure. Assessor. (All Commission Districts.)

There was no response to the call for public comment.

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

19-0663 **AGENDA ITEM 14** Recommendation that the Board of County Commissioners retroactively acknowledge the grant award from the State of Nevada, Administrative Office of the Courts to the Second Judicial District Court, in the amount of [\$1,068,869] (no match required), to support the Specialty Court programs, effective July 1, 2019 through June 30, 2020, and direct the Comptroller's Office to make the necessary budget amendments. District Court. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 14 be acknowledged and directed.

19-0664 **AGENDA ITEM 15** Recommendation to approve an Interlocal Contract Between Public Agencies between the State of Nevada Department of Health and Human Services Health Care Financing and Policy and Welfare and Supportive Services Divisions and Washoe County to maintain the County Match Program, under Title XIX of the Social Security Act, assistance to individuals in long term care facilities retroactive to July 1, 2019 to June 30, 2021 for a projected amount of [\$5,000,000] per fiscal year. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 15 be approved. The Interlocal Contract for same is attached hereto and made a part of the minutes thereof.

19-0665 **AGENDA ITEM 16** Recommendation to approve and execute the 2020 Agreement to Use Account for Low-Income Housing Welfare Set-Aside Funds by Washoe County between Washoe County and the Nevada Housing Division of the State of Nevada Department of Business and Industry in the amount of [\$181,341.31; no county match required] to provide emergency housing assistance retroactive from July 1, 2019 through June 30, 2022; 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 Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 16 be approved, executed, and directed.

19-0666 **AGENDA ITEM 17** Recommendation to accept the Chafee Independent Living Sub-Grant award from the State of Nevada, Division of Child and Family Services (DCFS) in the amount of [\$217,119; County match \$54,280], retroactive from July 1, 2019 through June 30, 2020 to support youth in making the transition from foster care to self-sufficiency; and authorize the Director of the Human Services Agency to retroactively execute the Subaward documents. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 17 be accepted and authorized.

19-0667 **AGENDA ITEM 18** Recommendation to accept a grant from the Fund to Assist Former Foster Youth (FAFFY), State of Nevada, Division of Child and Family Services (DCFS) in the amount of [\$200,000, no county match], to assist youth in making the transition from foster care to economic self-sufficiency, retroactive from July 1, 2019 through June 30, 2020; authorize the Department to retroactively execute the Subaward documents; 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 Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 18 be accepted, authorized, and directed.

19-0668 **AGENDA ITEM 19** Recommendation to award of Request for Proposal (RFP) #3082-19 for Operator of CrossRoads Men's Supportive Community to Catholic Charities of Northern Nevada (CCNN), for the term of nine (9) months commencing October 1, 2019 to June 30, 2020 with the provision for four (4), one (1) year renewals, in an amount not to exceed [\$1,494,596] for the first nine months and an amount not to exceed [\$1,992,795] annually; an if approved authorize the Chair to execute the Agreement. Human Services Agency. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 19 be awarded and authorized.

19-0669 **AGENDA ITEM 20** Recommendation to accept the 2018 Continuum of Care Grant Agreement for the Shelter Plus Care Program from the United States Department of Housing and Urban Development (HUD) in the amount of [\$119,616; \$29,904 county match], retroactive to August 1, 2019 through July 31, 2020; authorize the Director of the Human Services Agency to execute the Grant Agreement; authorize a Subgrant Agreement for Continuum of Care services between Washoe County and Volunteers of America, Greater Sacramento and Northern Nevada, Inc., in an amount not to exceed \$179,891 comprised of [\$119,616 HUD; \$29,904 county match; \$30,371 additional indigent funding]; approve Resolution necessary for same; 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 Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 20 be accepted, authorized, and directed. The Resolution for the same is attached hereto and made a part of the minutes thereof.

19-0670 **AGENDA ITEM 22** Recommendation to approve the purchase of additional voting equipment hardware and software for the Registrar of Voters Office from Dominion Voting Systems in the amount of [\$445,425.00]; and authorize the Purchasing and Contracts Manager to execute agreement, which includes first year licensing and maintenance on the new equipment in the initial purchase price. Voters. (All Commission Districts.)

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Jung, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 22 be approved and authorized.

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Chair Hartung asked for a moment of silence to honor the passing of Lyon County Commissioner Greg Hunewill.

19-0671 **AGENDA ITEM 21** Recommendation to approve the acceptance of the State General Fund appropriation referenced in Assembly Bill (AB) 345, Section 148.8, from the Governor's Office of Finance in the amount of [\$740,302.60] for the purpose of carrying out the provisions of AB 345. No match required. The award period is retroactive from July 1, 2019 through June 30, 2021. Any remaining balance of the appropriation must not be committed for expenditure after June 30, 2021 and any remaining funds not spent in accordance with Section 148.8 of AB 345 must be reverted back to the State General Fund on or before September 17, 2021. If approved, direct the Comptroller's Office to make the necessary budget amendments. Voters. (All Commission Districts.)

Registrar of Voters Deanna Spikula conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed each slide. She said sample ballots were in the process of being changed to a mobile application. She explained Tech Services was working on a tool to help people determine polling places and wait times along with an election reporting website where people could view the current standings. She indicated each polling location would have one Washoe County employee assigned to oversee the voting process. She stated the department was launching an 'adopt a polling place' campaign where businesses could adopt a polling location and employees could work the election. The businesses would receive recognition at a Board of County Commissioner meeting during the canvass of votes. She noted that work was being done to increase early voting and improve processes for reporting and tracking constituent complaints. She explained constituent complaints included address discrepancy forms, voter registration, election-related complaints, website information and links to State resources; elevated cases were reported to the Secretary of State's Office. She stated provisions in the existing warehouse configuration

needed to be made to accommodate the additional equipment and electrical requirements to store the voting equipment.

Commissioner Berkbigler asked how the Registrar of Voters could ensure no fraud took place with same-day registration. Ms. Spikula stated anyone in the voters system was already vetted and a registering new voter would receive a provisional ballot, which would be provided to the State to be vetted.

Commissioner Berkbigler asked about the requirements for a secondary proof of residency. Ms. Spikula stated a power bill or an insurance bill were secondary proof of residency and there was a statutory list the poll workers could reference, but the proof had to be a pre-printed statement or rent receipt.

Commissioner Berkbigler opined the time delay could be significant and thought it would cost the County money due to extra staffing needs and manual processing. She hoped the money the State appropriated was enough to cover the expenses. She stated she did not like the idea due to the risk of significant fraud.

Chair Hartung agreed with the concerns of fraud. He said a case was underway in Douglas County against a person who voted in Arizona and Nevada.

Ms. Spikula indicated the goal was to have the most secure and transparent elections possible and to do the best job for the voters of Washoe County.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 5-0 vote, it was ordered that Agenda Item 21 be approved and directed.

19-0672 **AGENDA ITEM 9** Update on the Washoe County Manager recruitment and possible direction on the recruitment process. Human Resources. (All Commission Districts.)

Ralph Andersen & Associates President and Chief Executive Officer Heather Renschler said she started evaluating the resumes submitted, which would take one to two weeks. She stated she had compiled an assessment panel to meet the week of September 16. She had reached out to people in the community with backgrounds and experience in the community to serve on the panel. She said the candidates would be interviewed by the Board on September 30. She noted the process was moving in a forward direction.

11:40 a.m. **The Board recessed.**

12:30 p.m. **The Board reconvened with Commissioner Lucey present via telephone and Commissioner Jung absent.**

19-0673 **AGENDA ITEM 10** Recommendation to approve the settlement of the claim of Cathy Woods a/k/a Anita Carter, by and through her Personal Representative Linda Wade vs Washoe County, et al. Case No. 3:16-cv-00494, for a total sum of [\$3,000,000] for all claims against all Washoe County defendants. Comptroller. (All Commission Districts.)

Deputy District Attorney Paul Lipparelli said the item before the Board was the approval of a settlement agreement reached between the parties to the litigation. The claim involved Ms. Woods' incarceration for two criminal case convictions that were obtained in the early 1980s. The settlement represented a compromise of a disputed claim and the settlement agreement provided that there was no admission of liability on the part of the defendants. The defendants initially included Washoe County and former District Attorney Cal Dunlap. He stated Mr. Large was in constant contact with Mr. Dunlap who approved of the concept of the settlement, but it would be up to the Board to formally approve the settlement agreement and payment to Ms. Woods under the terms of the settlement.

Chair Hartung asked where the money for this settlement came from. Mr. Lipparelli stated there was a risk management fund budgeted every year for the County to use for settlement of litigations and the fund was available for the payment of this settlement.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Commissioner Jung absent, it was ordered that Agenda Item 10 be approved.

19-0674 **AGENDA ITEM 8** Presentation on the current status of North Valley Closed Hydrobasins and possible direction to staff to mitigate flood/storm water impacts and remove water from Swan Lake by: 1) Funding continued operation and maintenance of existing barrier systems and stormwater pumping; 2) Design and bid of projects such as alternative pumping and barrier systems, enhanced aeration, and land application; 3) Development of property use agreements; 4) Entering into consultant agreements for feasibility studies evaluating long-term options; and 5) Bring to the Board of County Commissioners for consideration any matters exceeding \$100,000 pursuant to applicable provisions of state law and Washoe County Code section 15.495 [total budget not to exceed \$2,500,000]. Community Services. (Commission District 5.)

Director of Engineering and Capital Projects Dwayne Smith conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides titled: August 27th BCC Staff Report; Washoe County Commission Directives; and Washoe County Flood Expenses – As of June 30, 2019.

Comptroller Cathy Hill reviewed the FEMA Reimbursements slide and indicated there was a significant disparity with reimbursed costs. She explained \$3 million in eligible costs were submitted to the Federal Emergency Management Agency (FEMA). She stated overtime costs for staff working on the floods were not eligible for reimbursement.

Mr. Smith continued the presentation and reviewed the slides titled: April 2019 Swan Lake; Swan Lake Water Elevations 2017-19; Hesco Barrier; Swan Lake Water Quality; Swan Lake Sampling; August 27th Direction – Next 12 Months; Pompe Way Berm Extension; Actions; Swan Lake Closed Hydrobasin Update; Long-Term Mitigation Planning (2 slides); Recap; Questions; and East Lemmon Valley Hydrographic Basin. He stated water levels in 2017 never reached the 100-year FEMA designated flood plain elevation of 4,924 feet. He said the highest elevation the water reached after the Hesco barriers were installed was 4,923.3 feet. He indicated the water level reached 4,923.5 feet earlier this year and the graph indicated the lake was sensitive to storm water events.

Mr. Smith stated the Hesco barriers remained in place and were the primary barrier system along Lemmon Drive, Pompe Way, Arkansas Drive, and some areas near Lemmon Valley Elementary School. He said residents expressed concern about the Hesco barriers, saying they were an imminent failure, had a short lifespan, and were the wrong choice. He referred to slide 7 and indicated the evaluation confirmed the Hesco barriers were the proper selection and design for the flooding issues and they were in good, working condition. The evaluation mentioned some installation issues along Lemmon Drive, which had been corrected. He stated concerns were brought up about ramps on Lemmon Drive, which concealed pipes crossing the road for the purpose of pumping water; those pipes had been lowered and were no longer an issue.

Mr. Smith expressed concern for the field staff working in the Lemmon Valley area. He said drivers were deliberately swerving and splashing the workers, driving aggressively towards them, and using profanity and inappropriate gestures. He pleaded with the public to respect the people working hard to resolve the issues.

Mr. Smith spoke about water quality being a challenge and said staff needed to know and understand the lake quality. He stated the Health District tested the water previously and focused on bacteria concentrations. They were concerned about the impacts septic systems created in the lake. Due to claims that Washoe County was discharging untreated waste water into the lake, the Community Services Department took over testing the water to look for lead, iron, and arsenic in addition to bacteria. He referred to a letter from the Health District related to water testing, which was included in slide 9. He highlighted that the letter included the criteria for recreational water and noted that the testing identified the quality levels were well within Environmental Protection Agency recommendations. He stated the lake continued to maintain a recreational standard and said it did not meet drinking water standards, but that was not expected. He indicated the water was considered safe for sprinkling on land to enhance the proposed natural evaporation processes. Due to questions about the process for testing water

samples, the Nevada Department of Agriculture was accompanying them to observe the samples being obtained. He stated the City of Reno also showed interest in accompanying them and he noted anyone could observe the process of gathering the samples, changing custody of the samples, and the testing itself.

Mr. Smith explained some projects helped create additional storage in the lake, though evaporation was the only way the water was naturally leaving the lake. He said the City of Reno was also working to create additional storage in the lake. He noted some barrier projects such as tiger barriers and berms were being discussed.

Mr. Smith stated staff was working with the North Valleys Investment Group, who owned the land shown on slide 12. He said they were very responsive to the County's requests and they looked forward to receiving the final documents for the use of their properties. He explained the lake receded as the elevation in the lake continued to drop. The goal was to continue to pump water from the lake to the east side to enhance the evaporation process because the ground conditions were slightly different in that area. He mentioned they would expand the land application and flood pool management areas in the future if the process proved to be highly successful.

Mr. Smith stated the County was in the middle of a 5-year update of the Regional Hazard Mitigation Plan (RHMP), led by Emergency Management Administrator Aaron Kenneston. Part of the RHMP update included closed basin mitigation planning and staff was considering long-term processes for closed basins.

Chair Hartung asked about the anticipated timeline for reimbursement from FEMA. Ms. Hill stated the reimbursements were passed through to the State and would take two to seven years.

Chair Hartung asked about the timeline for pre-disaster mitigation grants. He mentioned Congressman Mark Amodei had promised to work with the County to help secure those grants. Mr. Smith stated the timeline for the additional assistance was approaching. He said he spoke to State representatives regarding the purchase of four homes that were not included in the class action lawsuit. The application was accepted, clarifying information was requested and submitted, and they expected to hear back before the end of the year, which was in line with the original timeline. He stated FEMA had been inundated with disasters and, though the priority of the County had not changed, the workload for FEMA employees had increased.

Chair Hartung opined items included on the dashboard matrix should remain on the list, even if they were not feasible, to indicate the idea had been considered.

Chair Hartung asked about the timelines for berms to be installed on the north and south sides of the lake. He thought Lemmon Drive issues needed to be coordinated with the Regional Transportation Commission (RTC). Mr. Smith stated staff was working with the property owners, North Valleys Investment Group. He explained

staff was waiting for the water level to drop as low as possible. He asked the Commission to recognize that, during 2017, workers built berms and barriers in water and this would be the same situation on the south side of the lake.

Chair Hartung asked whether the Hesco barriers could be removed when the water levels went down to create workspace. Mr. Smith said they needed to clear large areas of brush and debris to lay out a geo-grid, which was a very strong orange material. He stated that area had no Hesco barriers associated with it so it would be a straightforward process with the biggest consideration being working in water.

Chair Hartung stated the County needed to work with the City of Reno and the RTC to resolve road issues in Lemmon Valley. He thought elevating the road was a viable alternative and would both provide access to the back of the valley regardless of the conditions and restore the pathway. He said a map of storm water in the region had been requested from the Western Regional Water Commission to be separated into two categories, water that was trying to reach the Truckee River and water that was not. He said Dr. Jeremy Smith was working on this project and was close to completing the map. He wondered about the timeline for a storm water utility in the north valleys. Mr. Smith stated it was a necessary piece of the mitigation planning work but he emphasized the funding element. He said regional storm water utilities had proved to be successful and provided benefits to many residents, but costs for any long-term solutions were significant. He took note that some sort of storm water utility was important to Chair Hartung.

Chair Hartung stated different areas would need to be assessed and would not be built at one time. He said the Spanish Springs storm water utility was built in stages in conjunction with the City of Sparks. He noted flooding still occurred but it was mild compared to how it flooded in the past.

1:16 p.m. Commissioner Jung joined the meeting via telephone.

Commissioner Berkbigler referred to slide 12 and asked how deep the water currently was on Pompe Way. Mr. Smith replied the water was four to five feet deep on the back side of the properties at the furthest south end.

Commissioner Berkbigler thought it was dangerous to do berm work with that much water. Mr. Smith stated that work would start around the middle of October when water levels were at their lowest.

Commissioner Berkbigler wondered whether the berm could be completed before the end of the year or before the snow started. Mr. Smith explained the inflatable dams would not be removed until the berm was complete. He stated work would stop if problems occurred and the inflatable dams would stay in place for protection. He said the goal was to get barriers off private properties as quickly as possible.

Commissioner Berkbigler asked whether staff was close to reaching an agreement with the land owners for the land application and flood pool management areas. Mr. Smith stated staff was working to get them finalized.

Commissioner Berkbigler wondered about the process to move water from the lake to the ponds. She asked whether aeration was being considered for the ponds by the sewer system. Mr. Smith said he was not sure of the final details; they were not fine mist aeration systems but could be compared more to sprinklers that would spray class C effluent. He stated this was the same process as the University of Nevada Reno farms. He noted requirements included setbacks and high winds, which would shut down the system. He stated it would enhance the situation by spraying the water back into the ponds.

Commissioner Berkbigler expressed concern about the upcoming winter and said she had discussed it with Mr. Smith. She wondered whether any of the projects would be in place to reduce impacts if the winter was as bad as the previous three winters. Mr. Smith referred to the graph of water levels on slide 6. He stated they were always concerned about how they responded to natural events. He reminded Commissioner Berkbigler the lake was dry in 2016 and, through a series of precipitation events, flood waters raised the lake over ten feet in elevation. Water evaporated throughout the year at a rate of approximately 2.5 vertical feet a year but rose again during the winter months. He noted the lake rose approximately four feet during the past year. He said the barrier system in place provided protection up to an elevation of 4,926 feet but indicated another year of precipitation like the previous year could push the water over the protection level. He said he was not concerned with the barriers failing but they might need to be raised or stacked. He stated staff made a commitment to the public to maintain the lake elevation within the barriers and they would work with the National Weather Service and other partners to understand impacts and be proactive. He mentioned staff needed to be prepared for another bad winter like 2017.

Commissioner Berkbigler asked about an island-type area on the slide 10 map. She understood there was talk about dredging that area to make it deeper and wondered whether that was an option staff was still considering. Mr. Smith explained that property was owned by the North Valleys Investment Group and they anticipated needing up to 250,000 cubic yards of fill material for the Prado Ranch North development. He said the intention was to take the fill material from the area Commissioner Berkbigler identified. FEMA standards stated development in flood plain areas was required to mitigate water volumes and effects that could be made to water levels if fill was needed from another area to maintain normal water levels. He stated this process would require an agreement between the City of Reno and Washoe County to ensure all pieces of the project worked together. He explained moving material was costly but it could help with development and maintaining the flood pools.

Commissioner Berkbigler thought these were great short-term resolutions and knew long-term solutions were also being addressed. She thought this was the type of weather the area would continue to experience and the lake would continue to be a lake

until the climate changed again. She wondered what staff was exploring in the long term to deal with mitigation. Mr. Smith said the short-term projects would roll into long-term solutions. He remarked someone advised him in 2017 to notify the Board of the long-term recommendations in Lemmon Valley. He said he met with a team of engineers and consultants and indicated it was clear they could not make recommendations without going through this process because some of the solutions would cost between \$30 and \$100 million. He stated the issues would all be resolved if it were easy. He noted it was complicated due to the ownership of water, water rights, natural habitats, challenges with moving the water, and water quality; most importantly it was impacting the residents. The goal of the mitigation planning process was to bring everyone together and understand the options in the matrix, including their pros and cons, and to narrow down the options so in-depth feasibility studies could be performed and funding strategies could be considered.

Commissioner Berkbigler stated people had said the County continued to study things, but she thought these particular studies had never been performed. A study had not yet been performed to show where water could be moved for the greatest benefit. Mr. Smith stated the process of this mitigation planning study was very narrow for specific questions to be asked and answered. He said everyone had to come together with a process that could express ideas and concerns.

Commissioner Berkbigler asked for clarification that much of the north valleys was a closed basin lakebed. She wondered whether water pooling in other places due to a significant rain event had anything to do with the lake. Mr. Smith stated closed basins did not have a way for water to escape. He said water went to the natural level of elevation for that amount of water.

Vice Chair Lucey asked about the status of the land application for the property in Lemmon Valley. Mr. Smith stated the land application was a short-term project currently in the design phase. Staff was working collaboratively with the property owners, who were willing to examine how the property could be utilized for land application and flood pool management. As the lake continued to drop, water could be pumped to the flood pool management areas to create a larger surface area for evaporation and increased infiltration. He indicated staff had met with the District Attorney's Office to finalize the easements and license agreements necessary for the use of the property in this manner. Mr. Smith spoke with the managing partner and confirmed the interest in the project, and said they were moving forward quickly. He noted the flood pool management was something they wanted to continue throughout the entire winter if progress did not move forward or evaporation dropped off. Staff would then have the agreements in place for the spring.

Vice Chair Lucey thought the land application would be located in a different area within the Lemmon Valley Hydrobasin than the City of Reno land application. Mr. Smith confirmed that was correct.

Commissioner Jung wondered whether staff had researched the best practices in similarly-situated areas and whether the Community Outreach department coordinated with the City of Reno. She further wondered how long the land near the airport would be used. Mr. Smith stated he did not have the expected date for the use of airport land as that was a City of Reno project, but noted he would work to get that information from them. He said the Citizen's Input Group had collaborated with City of Reno staff and brought in some regional collaborators to help stakeholders communicate in a more effective manner. He stated representatives from that group were in the audience to answer any questions. He noted closed basins were a challenge from a best practices stance due to a lack of closed basins in the country. He said there was a closed basin in North Dakota called Devil's Lake where the determination had been made to buy properties instead of providing mitigation. He mentioned staff was always interested in learning from others who dealt with similar situations and the matrix had been created using input received from other professionals in the area. He said any new best practices discovered by staff would be brought forward in the mitigation process.

Commissioner Herman stated the Great Salt Lake had experienced similar flooding years ago but not for the same reasons as Lemmon Valley. She said it was also a closed basin. She mentioned an engineer from the Reno area was instrumental in draining enough water off the lake to save Salt Lake City from flooding. She wondered why this process had not been researched, asserting she had previously suggested something to this effect. Mr. Smith stated it was captured in the matrix. He did not believe pumping water off the basin was off the table and thought the suggestion could be gaining traction. However, there were significant challenges involved, including: water rights ownership; water quality; properties the water crossed; the final destination of the water; and impacts of the water. There was quite a bit of work underway to consider that particular option as a short-term or potentially long-term solution. He said staff knew the lake would come down to a drier state but did not know when that would happen.

Chair Hartung said he remembered a consultant talking to him about that process but said he was open to any suggestions.

Mr. Solaro concurrence was needed to move forward with these specific items so staff could bring back any contracts per Nevada Revised Statute. He said it had already been determined by the Reno City Council to use the \$2.5 million in the capital improvement fund. Chair Hartung stated this was not for one particular project; it was just one budget for the projects.

On the call for public comment, Ms. Tammy Holt-Still expressed frustration about items being heard out of order. She said she had questions regarding the City of Reno and the timeline of the airport project. She stated the committee that was supposed to be created was put on hold until the next meeting. She had an issue with stakeholders not being included in discussions and she alluded to concerns that Lemmon Valley residents were not included in conversations between the Desert Research Institute and County staff. She indicated any contracts with North Valleys Investment Group should be public for all stakeholders to review. She thought spraying effluent

water was questionable. She expressed concern about pumps not working due to blockages during a thunderstorm. She stated the sewer plant was in violation by being located in a flood plain.

Mr. Steve Wolgast expressed concern about the County using HDR, Inc. for water testing because it was proven during trial they had inadequate and inconsistent data. He said the conclusions they made were not supported by the data gathered. He stated they had no peer or internal technical reviews to substantiate if the information was arguable. He hoped feasibility studies could be performed to ensure quality data.

Mr. Roger Edwards spoke about recharge and flooding in Golden Valley. Referring to slide 10 of Mr. Smith's presentation, he pointed out what he thought was a levy in the upper right hand corner inside the Hesco barriers. He stated there was no reason the County could not purchase the property, dredge it, and complete the levy all the way to Pompe Way to solve the flooding issues. He said most of the levy was completed and could be raised up five or six feet to allow a few years to determine what to do for a permanent solution.

Commissioner Jung's call was disconnected at some time during the discussion. It was confirmed her vote was not needed as there was a quorum.

On motion by Commissioner Berkbighler, seconded by Vice Chair Lucey, which motion duly carried on a 4-0 vote with Commissioner Jung absent, it was ordered that Agenda Item 8 be approved.

19-0675 **AGENDA ITEM 23** Recommendation to: 1) approve Q&D Construction, LLC as the Construction Manager At Risk (CMAR) for the Northern Nevada Adult Mental Health System (NNAMHS) Homeless Housing Project, total construction project not to exceed \$10,400,000.00; and, if approved, 2) approve the initial Project Owner-CMAR Construction Agreement between Washoe County and Q&D Construction, LLC, for Guaranteed Maximum Price (GMP) #1 in the amount of [\$3,336,181.00]; and, if approved, 3) authorize Assistant County Manager Kate Thomas to enter into all future CMAR GMP agreements and design/construction contracts for the development and implementation of the NNAMHS Homeless Housing Project within the approved budget amount [\$11,000,000.00]. Community Services. (Commission District 3.)

Director of Engineering and Capital Projects Dwayne Smith provided the background on this project. He stated the project was complicated and said the key elements of the item were to confirm Q & D Construction as the Construction Manager at Risk (CMAR) and to award Guaranteed Maximum Price (GMP) #1, which was a competitive process that included three of the 15 total buildings. He said the third item for approval was to authorize Assistant County Manager Kate Thomas to work on implementation of the project and budget.

Commissioner Berkbigler expressed gratitude to staff for this project and thanked them for their hard work. She thought this project would be a national model and she looked forward to the campus being in place.

Chair Hartung said he was pleased this project was moving forward and he looked forward to the growth of the Daybreak program.

Deputy District Attorney Paul Lipparelli stated the agreement established the contractual relationship, contained general conditions which were extensive, and contemplated both the initial phase of the project being performed for the amount stated and additional phases coming forward. Board approval would constitute the required approval under State law for hiring the CMAR and establishing that contractual relationship. As various phases of campus buildout came into better focus, there would be further opportunities to see updates. He stated Ms. Thomas would present quarterly updates of the project's status. He advised staff to receive Board approval on future phases but said the contingency of having Ms. Thomas authorized to implement action would ensure there would not be time issues with future phases. He noted the suggested motion in the staff report would be an appropriate motion.

There was no response to the call for public comment.

On motion by Commissioner Berkbigler, seconded by Commissioner Herman, which motion duly carried on a 4-0 vote with Commissioner Jung absent, it was ordered that Agenda Item 23 be approved and directed as stated in the staff report, and Assistant County Manager Kate Thomas be directed to provide quarterly updates to the Board.

2:02 p.m. **Chair Hartung left the meeting.**

19-0676 **AGENDA ITEM 24** Introduce and conduct a first reading of an ordinance amending the Washoe County Code at Chapter 110 (Development Code), within Article 410, Parking and Loading Table 110.410.10.3, Off-Street Parking Space Requirements (Commercial Use Types), to reduce the requirement for one parking space per storage unit to one parking space per 2,000 square feet of building footprint; and for other matters necessarily connected therewith and pertaining thereto. If supported, set the public hearing for second reading and possible adoption of the Ordinance for September 10, 2019. Community Services. (All Commission Districts.)

Derek Sonderfan, Deputy Clerk, read the title for Bill No. 1829.

There was no public comment on this item.

Bill No. 1829 was introduced by Commissioner Lucey, and legal notice for final action of adoption was directed.

19-0677 **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.

Interim County Manager Dave Solaro stated there was no need for a closed session.

2:05 p.m. **Chair Hartung returned to the meeting.**

19-0678 **AGENDA ITEM 26** Public Comment.

Ms. Heather Matthews spoke about a California university interfering with her attempts to publish a book. She stated she had a case in Carson City Justice Court to stop them from interfering, which had been dismissed. She spoke about sovereign immunity and opined Judge James Wilson Jr. had failed to recuse himself from the case; she wanted him dismissed as a judge. She thought the government needed to be accountable for their actions and asked the Board for help with her issue.

19-0679 **AGENDA ITEM 27** Announcements/Reports.

Interim County Manager Dave Solaro referenced the discussion held during Agenda Item 8 and pleaded for civility and for citizens to treat workers appropriately as they were working to make the issues in Lemmon Valley better.

Commissioner Berkbigler stated she needed ‘no parking’ signs in Incline Village.

Vice Chair Lucey requested a staff update about the traffic plan at Edmonton and Butch Cassidy Drives. He stated many concerned residents in Rolling Hills wanted answers to the traffic plan. He asked for a status update on an abandoned RV issue that staff was handling.

Chair Hartung wanted a review of a special use permit for Spanish Springs and wanted to ensure the message was conveyed that the County was not responsible to constantly monitor issues. He said it could be brought back as an item on a future agenda if needed.

Commissioner Herman asked for an update about a safe place on the west side for people to shoot and clarification on the public availability of other facilities. Chair Hartung opined it would be helpful to have information about regional shooting and the issue needed to be discussed. Commissioner Herman stated residents were not asking for a fancy place to shoot, just a safe one. She said people would shoot on Bureau of Land Management land if there were not safe places to shoot.

* * * * *

2:14 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

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

Minutes Prepared by:
Doni Gassaway, Deputy County Clerk

Pending Board Approval