

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

TUESDAY

10:00 A.M.

MARCH 22, 2016

PRESENT:

Kitty Jung, Chair
Bob Lucey, Vice Chair
Marsha Berkgigler, Commissioner
Vaughn Hartung, Commissioner
Jeanne Herman, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

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:

16-0216 AGENDA ITEM 3 Public Comment.

Thelma Lou Gray Beal expressed her concerns regarding a burned out trailer across from her house. She submitted documentation and photographs regarding the subject property, which were placed on file with the Clerk. She stated the trailer caught on fire in March 2014 and an order to demolish the structure was issued in August 2015. She asked why the order to demolish the structure was not complied with. She said she was informed by the County that there were only three options to deal with the issue, which were abatement, criminal court or civil court. She felt the only acceptable option was abatement. She considered the property a nuisance and unsafe.

Bob Ackerman provided the obituary of former Sierra Fire Protection District (SFPD) Chief Michael Green to the Board, which was placed on file with the Clerk. He gave a brief history of Chief Green's roots in Nevada. He said he had no information as to any future plans to recognize the Chief, but mentioned naming Fire Station 36 after him. He stated there were residents who wanted to honor the late Chief and they would help finance the cost of a plaque.

Rick Snow spoke about his concerns regarding the burned out trailer located at 275 Magnolia Way. He said he made phone calls and visited the County's Code Compliance and Health Department offices. He noted six warnings and six fines were issued to the subject property's owner. He stated the biggest problem faced by the neighbors of the subject property were the odors emanating from it. He mentioned he previously appeared before the Board about this issue and was informed someone would

get back to him, which had not happened. He asked for something to be done and for someone at the County to follow up with the residents residing near the subject property.

Sam Dehne stated Storey County should be paying for Washoe County's new schools since their economic growth brought more people into Washoe County.

Tim Stoffel claimed animal rights groups were attempting to wipe out the animal population by banning the breeding of animals. He said the proposed bill regarding exotic animals was completely wrong.

Kathy Bohall mentioned there was a moratorium on new signs which had expired. She asked what it would take to bring the issue to the public for a vote.

Cathy Brandhorst spoke about matters of concern to herself.

Timothy Callicrate, Chairman of the Red, White and Tahoe Blue organization, spoke in favor of the Board accepting their proposal for an event under Agenda Item 17. He stated his organization had taken the necessary precautions for the health and safety of the attendees. He mentioned the event was open to the public. There would be three events they would be charging an attendance fee for; however, all the other events would be free of charge. He invited the Commissioners to attend.

Jim Galloway echoed the kind words spoken about former SFPD Chief Michael Green.

16-0217 **AGENDA ITEM 4** Announcements/Reports.

Commissioner Hartung spoke about a traffic issue on Nicole Drive, a very narrow street without speed limit signs, near the middle and high schools in Spanish Springs. He stated youths were drag racing on Nicole Drive which happened to cause a recent accident. One of the solutions he said residents would like to see was to have Nicole Drive blocked off at Missy Drive. He mentioned Nicole Drive was being utilized as an alternate route due to traffic on Eagle Canyon Road. He hoped staff would be able to propose potential solutions to resolve the traffic issues.

Commissioner Lucey stated he had constituents who were concerned about an increase in speeding on Arrow Creek Parkway and he wanted to speak with the Sheriff's Office regarding traffic enforcement. He also mentioned his constituents in Hidden Valley were concerned about the parking of recreational vehicles along the street and he requested to have a discussion with the Community Services Department regarding the issue.

Chair Jung mentioned it was the annual Take Your Kids to Work Day. She acknowledged the youths in the audience and she stated it was great for the youths to see how hard their professional parents worked. She concurred with Bob Ackerman's statement about the late and former Sierra Fire Protection District Chief Michael Green.

She asked staff to present a memorandum of proposals on how to honor Chief Green, and for staff to include Mr. Ackerman and his advocacy group on the memorandum. She indicated she would allow Commissioner Herman to take on the Lemmon Valley issue since it was in her district. She added the County may want to establish a new ordinance or policy and procedure in which the County could pursue civil legal action against property owners who were not in compliance. She said two years was far too long for residents deal with a nuisance. She also mentioned the grand reopening of the San Rafael Regional Park off-leash dog area. She commended the Communications team, the Park Rangers, and Animal Services for their assistance.

Commissioner Herman asked what legal options the County had in regards to the Lemmon Valley issue.

Paul Lipparelli, Legal Counsel, said it was not appropriate for the Board to engage in an extensive conversation about the various options under the current agenda item. He noted in order for the Board to have a full discussion and to provide direction on how the County could approach those types of issues, there needed to be a full agenda item with notice to the public.

Chair Jung confirmed with Commissioner Herman that she was requesting for the issue to be placed on an agenda. Chair Jung stated the issue would be discussed at the next Board meeting.

Commissioner Hartung asked Chair Jung to lead the Board and attendees in a moment of silence for the victims of the terrorist attacks in Brussels, Belgium.

Chair Jung called for a moment of silence.

16-0218 **AGENDA ITEM 5** Approve minutes for the meetings of the Board of County Commissioners of February 9, 2016 and February 23, 2016.
There was no public comment.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 5 be approved.

CONSENT ITEMS 6A THROUGH 6I2

16-0219 **6A** Recommendation to accept Notice of Sub-Grant Award Amendment #7 in the amount of [\$25,000; Cash Match \$6,250] for additional Chafee program funds from the State of Nevada - Division of Child and Family Services (DCFS), retroactive to July 1, 2015 through June 30, 2016, to support youth in making the transition from foster care to economic self-sufficiency; authorize the Department to execute the Sub-Grant Award and direct the Comptroller's Office to make the appropriate budget adjustments. Social Services. (All Commission Districts.)

- 16-0220** **6B** Recommendation to acknowledge a grant award and general fund allocation, to develop the Sober24 program, from the Nevada Office of Traffic Safety to the Reno Justice Court [\$45,000.00/ 20% in-kind match required], retroactive from February 11, 2016 to September 30, 2016; and direct the Comptroller to make the appropriate budget adjustments. Reno Justice Court. (All Commission Districts.)
- 16-0221** **6C** Request the Board of County Commissioners to retroactively acknowledge [a grant award of \$25,000, awarded to the Second Judicial District Court from the Lee F. Del Grande Foundation (No County Match Required)], effective November 13, 2015 – November 12, 2016 for “Security Enhancements at the Family Peace Center,” and direct the Comptroller’s Office to make the necessary budget adjustments. District Court. (All Commission Districts.)
- 16-0222** **6D** Approve roll change requests, pursuant to NRS 361.765 and/or NRS 361.768, for errors discovered for the 2012/2013, 2013/2014, 2014/2015 and 2015/2016 secured and unsecured tax rolls and authorize Chair to execute the changes described in Exhibit A and direct the Washoe County Treasurer to correct the error(s). [Cumulative amount of decrease \$12,507.67]. Assessor. (Parcels are in Commission Districts 1, 2, 3.)
- 16-0223** **6E** Award bid #2967-16 for CARGO CONTAINER BUILDING PROPS on behalf of the Regional Public Safety Training Center to the sole bidder, Falcon Structures, 7717 Gilbert Rd., Manor TX in the amount of [\$146,089.00]. Comptroller. (All Commission Districts.)
- 16-0224** **6F1** Approve Lease Agreements for three parks concession buildings located at South Valleys Regional Park (Washoe Little League lessee), Eagle Canyon Park (Spanish Springs Cal Ripken lessee) and Lemmon Valley Park (Valley Providence Little League lessee); and one parks storage building at South Valleys Regional Park (Washoe Little League lessee) for 60-month terms commencing April 1, 2016 through March 31, 2021 with two 12-month renewal options. (Commission Districts 2, 4 and 5.)
- 16-0225** **6F2** Recommendation to designate the Division Director Engineering and Capital Projects - Community Services Department as the County Engineer and recognize Kimble Corbridge for his service as the Acting County Engineer. (All Commission Districts.)
- 16-0226** **6F3** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Incline Justice Court Holding Cell/Restroom and Customer Service Counter Remodel Project [staff recommends Building Solutions, Inc. in the amount of \$99,875] and

approval of [a separate \$10,000 contingency fund]. (Commission District 1.)

- 16-0227** **6G1** Approve amendments totaling an increase of [\$4,662] in both revenue and expense to the FY16 HIV Prevention Grant Program, IO-10013; and if approved direct the Comptroller's office to make the appropriate budget adjustments. (All Commission Districts.)
- 16-0228** **6G2** Approve amendments totaling an increase of [\$1,639.36] in both revenue and expense to the FY16 Immunization Grant Program, IO-10029; and if approved direct the Comptroller's office to make the appropriate budget adjustments. (All Commission Districts.)
- 16-0229** **6G3** Approve amendments totaling an increase of [\$22,948] in both revenue and expense to FY16 HPP Ebola, IO-11286; and if approved direct the Comptroller's office to make the appropriate budget adjustments. (All Commission Districts.)
- 16-0230** **6G4** Approve amendments totaling an increase of [\$18,182] to the AFDO - Community Outreach Grant, IO-11299; and if approved direct the Comptroller's office to make the appropriate budget adjustments. (All Commission Districts.)
- 16-0231** **6H1** Recommendation to authorize the [payment of \$29,675] to Tahoe Regional Planning Agency pursuant to the Tahoe Regional Planning Compact (Article VIII, Public Law 96-551, December 1980). Manager. (All Commission Districts.)
- 16-0232** **6H2** Recommendation to approve a 2016 Nevada State Emergency Response Commission, Hazardous Materials Emergency Preparedness Training grant for [\$29,952.00, no County match required], retroactive for the period of February 8, 2016 through September 30, 2016 and if accepted, authorize Chair to execute a Resolution to subgrant funds to other governments which make up the Local Emergency Planning Committee as follows: [\$1,623 to North Lake Tahoe Fire Protection District; \$3,247 to Reno-Tahoe Airport Authority; \$3,247 to Washoe County Regional Animal Services; \$15,885 to City of Sparks on behalf of the Sparks Fire Department/TRIAD; \$5,950 to Washoe County Emergency Management], and authorize the County Manager, or his designee, to sign a subgrant contract with the Local Emergency Planning Committee member; and direct the Comptroller's Office to make the appropriate budget adjustments. (All Commission Districts.)
- 16-0233** **6H3** Approve and adopt Resolution creating the Gerlach/Empire Citizen Advisory Board that will provide feedback to the Washoe County Board of Commissioners on planning, public safety and community issues and

consist of 5 At-Large Members, and 2 At-Large Alternates positions, appointed by the County Commissioner for District 5 that together represent a broad area within the district; approve Resolutions necessary for the same. (Commission District 5.)

16-0234 **6I1** Recommendation to approve funding [\$45,000.00, no match required] from the US Department of Justice, United States Attorney, Organized Crime Drug Enforcement Task Force (OCDETF) for reimbursement of overtime costs incurred while involved in the investigation of OCDETF Initiative number PA-NV-0271 for the retroactive period of 07/01/2015 – 06/30/2016; and if approved, authorize Comptroller’s Office to make the necessary budget amendment. (All Commission Districts.)

16-0235 **6I2** Approve Security Agreement between the Reno Rodeo Association and the County of Washoe on behalf of Washoe County Sheriff’s Office to provide uniformed Deputy Sheriffs for security [No fiscal impact to County, Estimated \$90,000 Annual Security Costs Reimbursed] during Reno Rodeo events occurring for the period of June 15, 2016 through the last day of the Reno Rodeo 2018 performance. (All Commission Districts.)

On the call for public comment, David Humke, District Court Judge, spoke in favor of Agenda Item 6C. He read from Mary Herzik’s, Family Services Manager, summary on the staff report regarding the use of the donation to ensure the Family Peace Center’s security. He stated Lee F. Del Grande was a very fine and caring Court Master until he passed, and that Master Del Grande’s family continued his work through the Lee F. Del Grande Foundation, which had been very generous to the Court. He acknowledged Senior Judge Peter Breen for signing the Grant Agreement. He spoke about the different types of cases presented to the Family Peace Center, which involved domestic violence, child abuse or neglect, and high conflict conditions.

Chair Jung thanked Judge Humke for his work. She said Judge Humke, who had his Master’s degree in social work and was the first executive director of the Children’s Cabinet, was a great humanitarian. She added he mentored many children in high conflict conditions.

Cathy Brandhorst spoke about matters of concern to herself.

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Consent Agenda Items 6A through 6I2 be approved. Any and all Resolutions or Interlocal Agreements pertinent to Consent Agenda Items 6A through 6I2 are attached hereto and made a part of the minutes thereof.

BLOCK VOTE – AGENDA ITEMS 11, 12, 13, 14 AND 15

16-0236 **AGENDA ITEM 11** Approve an Intergovernmental Agreement Regarding North Valleys Regional Park Phase Five Project Funding between the City of Reno and Washoe County [Total Agreement Amount: \$2.2 million – City of Reno share is \$1 million funded by Residential Construction Tax and Washoe County share is \$1.2 million funded by Sierra Sage Golf Course Water Rights Proceeds]; and direct the Comptroller’s Office to make the appropriate budget adjustments. Community Services. (Commission District 5.)

Chair Jung noted the North Valleys Regional Park was within the city proper; however, this was a joint collaboration between the City of Reno and the County.

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

16-0237 **AGENDA ITEM 12** Recommendation to award a bid and approve the Agreement to the lowest responsive, responsible bidder for the Detention Center Housing Units One and Two Air Handler Replacement Project [staff recommends Applied Mechanical, Inc., in the amount of \$1,050,000] and approval of a [separate \$50,000 project contingency fund]. Community Services. (Commission District 3.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 12 be awarded and approved.

16-0238 **AGENDA ITEM 13** Approve the settlement of the claims by Leticia Romero, on behalf of herself and her minor child, against Washoe County et al, for a total sum of \$120,000 for all claims against all defendants, with funding from the Risk Management fund. Comptroller. (All Commission Districts.)

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

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 13 be approved.

16-0239 **AGENDA ITEM 14** Approve the 2017 Interlocal 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 Department of Business and Industry of the State of Nevada in the amount of [\$162,015 (no match required)] to provide emergency housing

assistance effective July 1, 2016 through June 30, 2019; and direct the Comptroller's Office to make necessary budget adjustments. Social Services. (All Commission Districts.)

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered that Agenda Item 14 be approved and directed. The Interlocal Agreement for same is attached hereto and made a part of the minutes thereof.

16-0240 **AGENDA ITEM 15** Approve purchase of iLOOKABOUT Streetscape digital photography, Geoviewport and professional services in the [amount of \$346,200, project funded by Washoe County Assessor's Office Technology Fund as authorized by Nevada State Legislature] and if approved authorize Purchasing and Contracts Manager to execute the Three Year iLOOKABOUT Terms of Service Agreement attached hereto. Assessor. (All Commission Districts.)

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

16-0241 **AGENDA ITEM 7** Department Presentation – Washoe County District Attorney's Office, highlighting services and operations.

Chris Hicks, District Attorney, began his PowerPoint presentation with a video about the District Attorney's (DA's) Office. The video provided information and facts about the Criminal Division, Child Advocacy Center and the Civil Division. In the video, Mr. Hicks stated the Civil Division was the law firm for the County and the Criminal Division was the chief law enforcement agency for the County. The PowerPoint presentation was placed on file with the Clerk.

Mr. Hicks thanked SoSu.TV for the production of the video. He mentioned as the elected department head he was prominently on display throughout the video; however, the success of the DA's Office rested with the people that worked there. He said he was honored on a daily basis to be able to lead the very dedicated public servants who made up the DA's Office. He continued with the PowerPoint presentation by covering the following topics: Mission Statement, Major Functions of the DA's Office, the DA's Office organizational chart, Child Advocacy Center, 2015 Notable Cases, Advancements and Achievements, and the Officer Involved Shooting Report.

Mr. Hicks highlighted the following areas in his presentation: 1) He stated he rewrote the mission statement when he took over the office to state the philosophy of the DA's Office. 2) The DA's Office was the largest law firm in the County. 3) The Child Advocacy Center was the newest division in the DA's Office and far exceeded expectations. It involved a multi-disciplinary team which began working the minute a child reported to the Center. 4) Regarding Advancements and Achievements, he said

victims of domestic violence were reaching out to the DA's Office. There was also an online system to collect payment of restitutions. Information regarding cases, which allowed a victim or witness to check whether the cases were still scheduled, was also placed online. 5) Lastly, he spoke about the public reporting system regarding officer involved shootings. Since those cases were heavily scrutinized, he felt detailed reports should be made public. The public could go to the DA's website to see the reports he released. The reports included pictures, evidence, and a list of relevant case law which controlled the DA's decision. He stated he was confident that the public would understand how he reached his conclusions by reading the reports.

Commissioner Lucey commended Mr. Hicks for his presentation and for having done a phenomenal job. He mentioned the improvement by Mr. Hicks' staff was commendable since they were already operating at a high level.

Commissioner Hartung commended Mr. Hicks for the work he had done. He said the caliber of attorneys who worked for the DA's Office was the best.

Chair Jung concurred with the other Commissioners. She said she adored the Board's assigned District Attorney, Paul Lipparelli. She stated all of Mr. Hicks' civil attorneys had done a great job keeping the Board informed. She said the DA's Office's news releases were incredible.

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

16-0242 **AGENDA ITEM 8** Discussion and possible adoption of a resolution designated as the "2016 School Financing Election Resolution", and thereby approve the submittal of a question to the registered voters of Washoe County at the General Election on Tuesday, November 8, 2016 concerning the imposition and effective date of certain taxes for school financing as recommended by the Public Schools Overcrowding and Repair Needs Committee. Manager. (All Commission Districts)

Shaun Carey said he represented the Public Schools Overcrowding and Repair Needs Committee. He named and praised several people, including the late State Senator Debbie Smith, for their tireless work on this issue. He spoke about the Washoe County School District's (WCSD) website data gallery which provided statistical information for each school, information regarding the problems they had and how those problems could be addressed in a cost effective manner. A few of the priorities the Committee addressed included the safety of the children who attended the County's schools and how to avoid having to implement double sessions. He stated every child needed an education which could help them succeed. He noted Governor Sandoval signed the most comprehensive piece of legislation which changed the funding of education on a per pupil basis; however, the funding did not include any money for the construction of schools. He said since 1993 the system to fund the construction of schools was in the hands of the County's voters, which according to Carole Vilardo of the Nevada Taxpayer Association was broken and had been broken since its inception. He

noted the Committee looked at four levels of funding from ideal to bare bones and the Committee chose a level of funding which would invest \$315 million into the repair of the schools. The Committee also found a need for new schools to be built. He talked about the failing conditions in the schools and mentioned that Brown Elementary School was at 148 percent of capacity even with the usage of 10 portable buildings. He also mentioned Double Diamond Elementary School's overcrowding issue where 1,100 children attended a school with the capacity for 950 students. He said the WCSD would change the way it looked at protecting capital funds and honor what the Committee had come up with. The WCSD committed to following a plan to utilize the \$315 million to repair existing schools and to restrict the use of said funds to that purpose only. The WCSD would also create a Capital Protection Committee which would make recommendations and provide oversight prior to the WCSD Trustees' vote on a bond issue. He urged the Board to consider appointing members of the Public Schools Overcrowding and Repair Needs Committee to a pros and cons committee related to the ballot question. He stated The Coalition to Save Our Schools was being built; whose website was www.SOSWashoe.com, and asked the Commissioners to join the coalition. He hoped the Board would pass the Resolution to begin the ballot process.

On the call for public comment, Phillip Kaiser, McQueen High School Teacher, stated every child deserved a quality opportunity for education regardless of the number of children crammed into a classroom, regardless of the wealth of their neighborhood and regardless of the age of their school. He gave an example of overcrowding by noting that McQueen High School utilized 14 mobile, portable or temporary structures on their campus. The mobile classrooms at McQueen High School had been in their parking lot for over 15 years. He said in the WCSD there were 220 mobile, portable or temporary classrooms which were not really temporary. He expressed his concerns regarding the growing population and the time needed to construct new schools.

Cathy Brandhorst spoke about matters of concern to herself.

Jeffrey Church provided handouts which were placed on file with the Clerk. He stated he was opposed to the ballot measure as written since it was open-ended with no sunset clause. The measure would also make the County's sales taxes one of the highest in the nation. He urged the Board to send the measure back in order for safeguards to be added.

Bill Horn stated he supported the ballot measure. He spoke about his children's and grandchildren's education. He said he participated in several meetings regarding the overcrowding issue so that he would be able to convince others of its importance. He noted he asked the WCSD's staff to figure out a way to make the data gallery easier to navigate. He hoped the Board would vote to adopt the Resolution.

Commissioner Berkbigler said it was an honor to serve on the Public Schools Overcrowding and Repair Needs Committee as an appointee of the Board. She noted the importance of educating children as it was related to attracting new businesses

to the area. She expressed her concerns regarding the implementation of split or double sessions. She commended the WCSD staff for their assistance. She remarked that the Legislature passed a law which dictated how the process would work which would result in the Commission placing the issue on the ballot once the Public Schools Overcrowding and Repair Needs Committee finished their work. She mentioned a constituent asked her why they should support the issue when they no longer had a child in the WCSD. Her response to the constituent was that someone else put their money forward when their child attended school, so now it was their turn. She inquired how the Board would go about establishing a pros and cons committee.

John Slaughter, County Manager, stated the Registrar of Voters was preparing for that process and would present a recommendation before the Board.

Paul Lipparelli, Legal Counsel, informed the Board that if it adopted the Resolution, Section 4 of the Resolution directed the Registrar of Voters to follow the statutory procedure for the establishment of the committee.

Commissioner Lucey voiced his support of the Resolution. He said as a young father, he believed the issue could not be prolonged any further. He felt the community would not continue to thrive if the County did not focus on education and the future of its youth. He believed the adverse effect of not acting would be more costly in the long run.

Commissioner Hartung said he was very supportive of any initiative that asked the voters to decide on an issue. He believed the WCSD should be able to ask the voters for an increase in their funding at any time. He mentioned his children were educated by the WCSD which did a great job. Even though he did not currently have any children in the WCSD, he believed he still had a fiduciary responsibility towards the education of children.

Commissioner Herman stated a strong argument for the initiative would include halting the additional taxes once the new schools were built. She also stressed the importance of not spending any of the funds for anything but the construction of the schools.

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

Chair Jung thanked Commissioner Berkbigler and Mr. Carey for their work. She stated she was embarrassed by and ashamed of the fact that the County's students were being educated in squalor and that they lacked technological enhancement. She mentioned she understood why teachers with advanced degrees would not want to work in those conditions. She spoke about embracing educators. She said she was willing to help in any way she could to help pass the ballot measure.

Commissioner Berkbigler thanked Mr. Carey and members of the Public Schools Overcrowding and Repair Needs Committee for their service. She also thanked the business community for their assistance.

11:51 a.m. The Board recessed.

12:01 p.m. The Board reconvened with all members present.

16-0243 **AGENDA ITEM 9** Recommendation to approve updated Washoe County Smoking Policy and possible discussion and direction to staff to return to the Board with recommendations on restriction of smoking and vaping to designated areas on Washoe County properties. Manager. (All Commission Districts.)

Kevin Dick, Health District Health Officer, recognized the County Manager's Office, Human Resources and the District Attorney's Office for their assistance. He also acknowledged Joey Orduna Hastings, Assistant County Manager, and John Listinsky, Human Resources and Labor Relations Director, for their work. He noted the County's smoking policy would be updated to prohibit vaping; as well as, smoking within County owned, operated, and leased buildings and equipment. The smoking policy was created on October 2, 2002 and at that time did not include electronic cigarettes. The updated policy would refer to electronic cigarettes and vaping as the use of electronic nicotine delivery systems or electronic smoking devices, which captured all related activities commonly referred to as vaping. He sought direction from the Board regarding the designation of outside areas on County properties as smoking areas in order to reduce the exposure to second-hand smoke and second-hand aerosol.

Chair Jung said when she first came onto the Board in August 2007 she asked for a County-wide restriction of smoking on all County campuses. She noted the trouble with that was enforcement. She stated the Board of County Commissioners and the Board of Health wanted to create social awareness and social penalties regarding smoking. She said telling someone that they could not smoke within 25 feet of a building was meaningless since most people did not know how far 25 feet was. She added the policy should be changed to disallow employees from vaping in County vehicles or at their desks. She mentioned information regarding the second-hand effects of vaping. She commented there should be designated smoking areas so people would not be subjected to second-hand smoke. She thought the direction to staff should be for them to consider the constraints of the County's public facility and then attempt to enforce the rules.

Commissioner Berkbigler mentioned her claim to fame was that she was the non-smoking lobbyist in Nevada. She spoke about a family member who had a health issue and had to avoid secondary smoke. She did not want people to be smoking right outside the doors into County buildings. She said she was supportive of staff designating smoking areas.

Chair Jung stated she did not want County employees to think she was being unkind to people who had a very serious addiction. She wanted to ensure people were not affecting others in an ill-manner in order to satisfy their own needs. She urged employees to utilize the County's Employee Assistance Program which had a smoking cessation program that could help them to overcome smoking addiction.

John Slaughter, County Manager, said the direction he sensed was that staff would conduct a building-by-building review to designate the appropriate smoking areas depending on the facility.

Commissioner Hartung stated he was in favor of prohibiting vaping inside County properties immediately. He said he did not think people who vaped realized the damage being done to those around them.

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

16-0244 **AGENDA ITEM 10** (1) Acknowledge the Report to the Washoe County Board of Commissioners from the Washoe County Planning Commission on potential changes to various aspects of the proposed Sign Code including minimum lane requirements for certain electronic signs adjacent to roads, minimum hold time for the copy of certain electronic signs, and the prohibition of offsite commercial advertising signs and the collection of revenue from such signs; and (2) Introduce and hold the first reading of an ordinance amending Washoe County Code (WCC) Chapter 110 (Development Code) at Article 500, Sign Regulations: Title and Contents, to remove Article 502, Billboard Regulations, and Article 504, Sign Regulations, and replace them with Article 505, Sign Regulations, which will involve a wholesale change to the sign code provisions of Washoe County; and if supported, set the public hearing for second reading and possible adoption of the ordinance on April 12, 2016. Community Services. (All Commission Districts.)

The Chair opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

Nancy Parent, County Clerk, read the title for Bill No. 1762.

Trevor Lloyd, Community Services Department Senior Planner, stated the item had been brought before the Board in different forms over the last several years. He said he received direction at a fall 2015 Board meeting to take several proposed changes to the Planning Commission and report back to the Board with the Planning Commission's responses. The three main changes were: 1) Reduce the hold time for Electronic Message Display signs from 20 seconds to 8 seconds. 2) Reduce the required number of travel lanes from four lanes to two lanes. 3) Ensure on-premise signs did not

advertise off-premise messages and to prevent the collection of revenue for those type of signs. He noted the response from the Planning Commission was varied. He stated what was being presented was a draft including the three provisions of the Code. All the changes were reflected in the staff report. He acknowledged there were representatives from Scenic Nevada, the sign industry, and individuals representing the average citizen in attendance.

Commissioner Lucey asked whether subsection 3, which stated “revenue shall not be collected for messages displayed on the sign”, was stricken from the General Standards’ Section 110.505.15(1) Sign Restrictions.

Mr. Lloyd noted a provision was identified as possibly being problematic from a legal standpoint. He stated their Legal Counsel, Nathan Edwards, was not available but he had updated Paul Lipparelli, Legal Counsel, regarding the issue.

Chair Jung inquired whether the Board could strike the provision and proceed with the other items.

Mr. Lipparelli said it was entirely within the direction of the Board as to which provisions would stand and those that could be taken out. It was the recommendation of the District Attorney’s Office that Section 110.505.15(1)(3) Sign Restrictions which stated, “revenue shall not be collected for messages displayed on the sign” should be removed since it had the potential to be legally problematic.

Commissioner Berkbigler asked whether Regional, Recreation, Travel and Tourism (RRTT) signs had any restrictions on advertising, time frame limits, strength of lights, and locations. She also inquired whether the RRTT signs could only be utilized during the time a recreation program was taking place.

Mr. Lloyd replied that the language in the Code was all-encompassing, which would address all commercial signage including RRTT signs. The restriction to limit the messages to on-premise messaging also included RRTT signs. In regards to the limitation of the time frame and other restrictions, he indicated restrictions would be imposed at the time the request was brought forward through a Special Use Permit.

On the call for public comment, Kathy Bohall stated she would like to see no signs at all; however, she supported the staff’s report with the addition of the amendment regarding not allowing off-site commercial advertising signs.

Jim Galloway submitted a handout which was placed on file with the Clerk. The handout reflected the General Standards Section 110.505.15(1) Sign Restrictions. He spoke about subsection 3 being stricken out and how it would prevent some unfortunate things from happening in the County. He said he had no problem with a business advertising their services at their place of business but he did not want them advertising at another site.

Tray Abney, from The Chamber of Reno, Sparks, and Northern Nevada, stated The Chamber supported the staff's report with the changes. He said The Chamber thought the changes struck the right balance between making sure the unincorporated County was different from the urban areas, but was similar enough to work across regional lines. He mentioned it was a rare occurrence for The Chamber, the sign industry and Scenic Nevada to agree on compromised language.

Leah Tauchen, with the Retail Association of Nevada, spoke in support of the recommended changes to the Code. She said their association also had members that operated in multiple jurisdictions in the region and consistency would lead to greater compliance. She noted the minimum lane and hold time requirements were reasonable as they adhered to national industry standards.

Karen Munson spoke about compromise and having a consistent standard throughout the community. She agreed with the off-site advertising section of the Code.

Lori Wray, on behalf of Scenic Nevada, spoke about a specific free-standing sign located directly outside a business in Reno that advertised another business. Since this type of advertising was allowed in Reno, she was afraid the same thing would happen in the County. She said she was fine with free-standing signs as long as they advertised the business they were located at. She expressed her concern over the possibility of more free-standing signs advertising off-premise businesses which would create clutter and blight. Blight could lead to lower property values and other problems. She said the best part of the Code would be that the approval process for every digital sign would include a public hearing. She hoped the Board would approve the Ordinance.

William Naylor thanked Mr. Lloyd for his work and he concurred with all the comments that had been made.

Diane Young McCormack thanked the Board and County staff. She said she would not like to see any billboards, but she supported the Ordinance which was a good compromise.

John Hara stated rational and reasonable sign control was in the best interest of the community. He spoke about business signage which was depicted in photographs that he displayed on the overhead projector. He noted how businesses took advantage of free-standing signs throughout the area. He mentioned a business whose operations were negatively affected by another business' sign. He advocated for strong sign controls.

Nancy Parent, County Clerk, said she had a public comment card from Berry Hall, who did not want to speak, but wanted to express her support for Scenic Nevada's position.

Chair Jung thanked the sign industry and the advocacy group. She thought they were a model of how things were done correctly. She spoke about the importance of compromise. She commended Mr. Lloyd for his work and patience.

Commissioner Hartung also praised Mr. Lloyd. He also spoke about the importance of compromise and how each party involved received something they advocated for. He believed the RRTT sign section was important since it was difficult to find certain businesses. For that reason, he said he fully supported onsite advertising.

Commissioner Berkbigler commended Mr. Lloyd and she said she would be happy to make a motion.

Mr. Lipparelli stated the Board's approach for First Readings was for someone to make an introduction. There was usually not a motion that was voted on, but this was a two part deal where staff was seeking acknowledgment of what the final version was going to be. He urged the Board to state what the Board's decision was on the three key points. He added the Board needed to verify what was in the record for the item which included the drafts that were contained in the staff report. He wanted the Board to clarify which version of the Ordinance the Board was introducing so when it came back for a Second Reading it would contain what the Board wanted it to say.

Chair Jung, Commissioner Berkbigler and Mr. Lipparelli discussed the language content and how the motion should be made to reflect the information in the staff report.

On motion by Commissioner Berkbigler, seconded by Commissioner Hartung, which motion duly carried with Commissioner Herman voting "no", it was ordered that Agenda Item 10 be acknowledged with Board direction to strike Section 110.505.15(1)(3) of the Draft Sign Code.

Mr. Lipparelli added the County's ordinances had to be able to withstand legal challenges. He reminded the Board that it started out with the idea of content neutrality and that they were not going to look at the content of the sign, merely regulate the size, shape, location and other non-content requirements. It had been the judgment of the people involved that it was important to restore the distinction between on-premise and off-premise signs, which was within the Board's discretion. The good news was that the new Ordinance contained a severability clause which meant if there was a First Amendment challenge to that section, that section could be stricken and the rest of the Code could survive. He mentioned the Board could take notice of Ms. Wray's testimony, that her group's perspective was that it was important to prevent the proliferation of signs to prevent clutter and blight, as evidence of what could happen if the distinction was not there. He thought that might be a compelling government interest that could save the Sign Code from a First Amendment challenge. He closed by saying the Board could include some legislative finding regarding the potential problems associated with the proliferation of signs during the Second Reading.

Bill No. 1762 was introduced by Commissioner Berkbigler with the inclusion of Ms. Wray's testimony, and legal notice for final action of adoption was directed.

16-0245 **AGENDA ITEM 16** Presentation and discussion on Single Stream Recycling Proposed Models, Services and other related matters; and provide direction to staff on future changes to the current Garbage Franchise Agreement. Manager. (All Commission Districts.)

Kevin Schiller, Assistant County Manager, stated his goal was to get direction specific to the contract in order to bring it before the Board. He said services for bear containers were already an option provided by Waste Management (WM) but the cost of the containers was a significant issue. He noted the County worked with WM on the issue and he highlighted some of the issues regarding bears in terms of what the incidences looked like and what was happening. One of the challenges was looking at the percentage of homeowners that needed the bear containers and the estimated costs associated with them. Another challenge was determining how many homeowners would be interested in obtaining bear containers. He reported the cost of the containers would increase a homeowner's bill \$7 to \$9 per month. He spoke about including a clause in the contract to allow for the Homeowner Associations to determine the number of containers to order which would alleviate staff workload. In regards to single-stream recycling, he mentioned there were issues related to the rural areas. There were some constituents who wanted the ability to be exempt from single-stream recycling, and other constituents who requested additional receptacles. The challenge was how to address additional costs so that smaller land owners were not subsidizing the larger land owners, and how to address potential service options. He said the rate structure remained unchanged in terms of the negotiations and the option services. He mentioned there were several District Forums and Community Advisory Board (CAB) discussions where rural residents expressed their concerns regarding service availability, tags and additional cans. He asked the Board to provide direction as to how to facilitate the residents' concerns into the contract language. In addition to the issue of single-stream recycling, another issue rural residents faced had to do with trash pickup service. A photograph, which was placed on file with the Clerk, was displayed depicting a WM truck stuck in muddy terrain. He said this was an example of what could happen during inclement weather. He added the new Garbage Franchise Agreement should include a statement in terms of WM's service commitment to areas which were difficult to access at specific times. He spoke about a rural option for single-stream recycling where additional containers could be purchased to support larger parcels and the cleanup of surrounding areas. He also spoke about the possibility of increasing the franchise fee to help subsidize regional plans; such as, Keep Truckee Meadows Beautiful. He stated he did not receive direction at the December 8, 2015 Board meeting in terms of whether the Board wanted to increase rates for that since the Board was looking at a rate increase associated with single-stream recycling. He sought direction regarding whether the County should provide additional options within the Agreement for rural residents, and he recommended including service related to the bear containers.

Greg Martinelli, Waste Management Area Manager, said the big issue last time he was before the Board was the concerns regarding bears. He mentioned Mr. Schiller had done a lot work with the concerned parties and it appeared that approximately 700 customers might need the bear containers. He spoke about container and shipment costs. He stated WM did not want to keep a stock of containers due to the fact that the shipment of a single bear container could cost just as much as the container itself. He noted the most cost effective approach would be to have language written into the Agreement requiring a minimum order of a pallet full of bear containers. He said another big issue had to do with WM's inability to access certain areas of the County during inclement weather events. He spoke about a few specific incidents where WM vehicles got stuck on muddy roads and the costs associated with getting them out. He noted drivers had to be able to make the safest decisions they possibly could for themselves and the Community. He also noted that WM would service customers in those types of areas once conditions improved. He stated language addressing this issue should also be contained in the Agreement. He noted the issues in each District varied and it was a monumental task to manage all of it in the same manner. He mentioned the only way consumers could opt out of recycling was to not participate; however, they would still have to pay for the service. One proposal by WM would be to create a Franchise Zone, but he felt it would not address the various needs.

Commissioner Lucey spoke about a proposal of an additional service which would allow County residents, as part of their service, to dump garbage at the Transfer Station. He stated there needed to be some sort of understanding and reassurances that the fees being charged for dumping garbage at the Transfer Station would not be a guestimate. He asked if a system could be put in place to ensure consistency.

Mr. Martinelli stated the allowance of dumping at the Transfer Station was included in the proposed Agreement. He said WM was regulated by weights and measures, so they had to post the rate they were going to charge; as well as, the method utilized to determine the rates. WM charged by the yard; however, in order to address Commissioner Lucey's concern they would have to charge by weight. He noted two issues: 1) The culture shock from how a price sheet would look since it would have to list the rate in terms of tonnage; for example, \$90 per ton; however, the average customer's rate would be approximately \$25 per ton. 2) The customer would have to weigh their garbage load coming into the facility and when they left, which would cause logistical issues. He mentioned WM was developing an area on Commercial Row for customers to drop off their recyclables so they could avoid having to go into the Transfer Station altogether. He remarked that a standard-sized pickup's load was roughly three yards; therefore, the cost should be consistent for a standard-sized pickup.

Commissioner Lucey reiterated his concern for the need of consistency regarding how much was charged. He noted his appreciation for what had been done to address the bear container issue. Regarding rural issues, he spoke about a bridge that gave out which resulted in WM being unable to service a particular area. He agreed there needed to be compromise for the safety of WM's drivers and the community.

Mr. Martinelli said under normal conditions WM did not have any issues servicing particular areas; however, when the environment changed, they had to have the option not to service an area if a driver had safety concerns.

Commissioner Berkbigler stated she was satisfied with the proposed Agreement granting WM an exclusive franchise to operate garbage collection and disposal services in the unincorporated County as long as it was only for residential services. She requested that Mr. Schiller ensure language was added to the Franchise Garbage Agreement to clarify that the Agreement would not interfere with the business of private recycling companies.

Commissioner Hartung mentioned he received complaints from constituents regarding the lack of single-stream recycling, recyclables not being picked up in Wadsworth, and rate increases. He noted there were some assertions WM was not recycling at all, rather they were taking recyclables to the landfill. He also mentioned WM had picked up just about everything that was placed on the curb, and how it was going to be very difficult for people to get used to the idea of paying for services WM had previously provided for free. Another issue was that some residents did not want to recycle at all, so how would WM deal with that. Since those residents did not want to recycle, they felt they should not have to pay for a recycling bin. He asked Mr. Martinelli how that scenario would be addressed; as well as, whether the issue regarding a constituent who could not obtain a trash container because that person was not listed on the Assessor's rolls had been addressed.

In response to Commissioner Berkbigler's comments, Mr. Martinelli stated WM was not proposing anything affecting the commercial side of the business. In terms of the commercial side, WM was requesting the Board consider eliminating the customer-owned 32 gallon can. Instead WM would provide customers with a 64 or 96 gallon rolling cart. Under the current agreement, a customer would be saving money if they utilized the 96 gallon cart as oppose to three 32 gallon cans. He noted WM was not asking to franchise recycling services; however, they were requesting to deal with the Board's constituents' demand for single-stream recycling.

Regarding Commissioner Hartung's questions, Mr. Martinelli said the issue regarding the Assessor's roll had been resolved. He stated a customer should not be denied garbage service just because the Assessor's Office did not reflect that a sale took place. To avoid further issues for other customers, a process was put in place instead of going through the Assessor's database. He remarked that unlimited garbage service was a thing of the past. As far as recycling, people did not have to participate in recycling if they did not want to but they would still have to pay the \$1.25 per month fee. This had been in effect since 1991. He stated the goal was to increase participation in recycling; however, if the County made it simpler for the consumer to throw everything away then there was no reason for them to recycle. Another issue WM ran into was consumers throwing away trash in recycling containers which ended up contaminating recycling loads. WM implemented processes to attempt to curb that issue but it also wanted to

educate the consumer. This was another item WM recommended to be in the Agreement. He mentioned there was not a market for plastics with recycling codes three and seven, so unfortunately WM was stockpiling those. Due to the fact that WM could not throw those plastics away, it was hoping for markets to turn around. He spoke about a business that might be able to utilize those plastics once its bio-refinery went online. In regards to Wadsworth, he stated he was surprised by those comments and would look into the issue.

Mr. Martinelli stated there was nothing final about the proposed Agreement. If there was something missing, it could be added. He noted he had done his best to try to capture and address the items and concerns each Commissioner had brought up.

Commissioner Herman sought clarification as to what a consumer could opt out of.

Mr. Martinelli reiterated that someone did not have to participate in recycling. His understanding was the Board was not going to pass an ordinance requiring its constituents to recycle. He noted the Board was only required to have the recycling program in place.

Chair Jung suggested Mr. Martinelli meet one-on-one with Mr. Schiller to go over the issues and ideas rather than attempting to resolve it all in a public hearing. She noted there needed to be a point where WM, as the Franchise holder, indicated what they were willing and not willing to do. She said the County, who was collecting the Franchise Fee, should also note what was important and what it wanted. She thought the Board would better serve its constituents if it were able to explain why it took certain courses of action rather than attempt to advocate for every issue.

Mr. Martinelli stated WM staff attended all the community meetings with Mr. Schiller and heard the concerns of residents. He sought direction from the Board as to whether it wanted to continue to allow for unlimited service. He added the result of adding single-stream recycling to unlimited service would increase rates unless certain services were removed.

Commissioner Berkbigler asked Mr. Schiller whether he wanted direction from the Board regarding the list of items on page 4 of the staff report.

Mr. Schiller replied he received direction on most of the items and he was pretty clear on the direction in terms of the Agreement. He thought the rate structure was as reasonable as it could get. He said he would come back before the Board with the Agreement once the language and specifics were worked out. He spoke about the concerns he received from residents at the District Forums and CAB meetings, and said they would be managed and addressed within the Agreement.

In response to Commissioner Hartung's question, Mr. Martinelli replied the age for the senior discount was 70.

Chair Jung urged Commissioner Hartung to make his recommendations known so that they could be incorporated into the Garbage Franchise Agreement before it was signed.

John Sande IV, representing Green Solutions Recycling, said his client was a local company that employed over 40 people, and specialized in single-stream recycling and waste disposal. He stated they were encouraged by the conversation which would allow businesses to compete on a level field and provide options for the County's constituents.

On motion by Commissioner Lucey, seconded by Commissioner Berkbigler, which motion duly carried, it was ordered to acknowledge the update and presentation on Single Stream Recycling Proposed Models and Services within the unincorporated area, and related matters thereto with direction to staff to draft proposed changes to the Garbage Franchise Agreement and bring it back to the Board as soon as possible.

PUBLIC HEARINGS

16-0246 **AGENDA ITEM 17** Public hearing and possible approval of an Outdoor Festival business license application (pursuant to Washoe County Code chapter 25 and related provisions) and associated License Conditions for the Red, White and Tahoe Blue 2016 Outdoor Festival, scheduled to be held from July 1 through July 4, 2016 in Incline Village at the following locations: Village Green (APN:127-010-07), Aspen Grove (APN:127-010-04), Incline's Main Firehouse (APN:132-223-07), 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). Off-site parking will be available at Diamond Peak Ski area (APN: 126-010-60), Incline High School (APN: 124-071-52) and Sierra Nevada College (APN: 127-040-10). Event set-up is proposed to begin on June 29, 2016, and event takedown and dismantle is proposed to end on July 6, 2016. Event organizers estimate that each event will have between 100 and 1,500 participants and spectators in attendance, except for the fireworks display, which is expected to draw between 8,000 and 10,000 spectators. The event also proposes to hold a parade on July 2, 2016 that will require closing a section of Tahoe Boulevard, Southwood Boulevard and Incline Way to traffic at 10:00 a.m. for approximately 2 hours. If approved, authorize the Director of the Planning & Development Division, Community Services Department to issue the license when all pre-event conditions have been met. Community Services. (Commission District 1.)

Chair Jung noted she was asked by the event organizers and Commissioner Berkbigler as to why this item could not be placed in a block vote. Due to the size of the event, she stated a public hearing was required for the item.

Eva Crouse, Planning and Development Division Planner, added that she recently received a letter, which was placed on file with the Clerk, from residents who objected to the event and the size of it.

Commissioner Berkbigler said she appreciated Ms. Crouse's work. She commended the Red, White and Tahoe Blue organization for getting an early start on preparations, which she felt was very important to the smooth running of the operation.

Commissioner Hartung stated he was in support of the event. He felt these types of events were important to celebrate the nation. He said he knew it was an inconvenience but it was beneficial to the community.

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

On motion by Commissioner Berkbigler, seconded by Commissioner Lucey, which motion duly carried, it was ordered that Agenda Item 17 be approved and authorized.

16-0247 **AGENDA ITEM 18** Public Hearing, discussion, and possible action on Case No. AX16-001 (Encore DEC, LLC), an appeal of the Board of Adjustment's decision to deny Amendment of Conditions No. AC15-005, which requested an amendment to Special Use Permit Case Number SB06-017 to expand the approval to allow for the outdoor construction and temporary setup of metal structures up to 40 feet tall for a period of time not to exceed four months at any one time. The Board of County Commissioners may take action to confirm the Board of Adjustment's denial; reverse the Board of Adjustment's denial and issue the Amendment of Conditions Request; or modify the Amendment of Conditions and issue the request. The applicant and property owner is Encore DEC, LLC. The subject parcel (APN: 017-055-36) is located at 14830 Kivett Lane within the Southeast Truckee Meadows Area Plan and South Truckee Meadows/Washoe Valley Citizen Advisory Board boundaries, Section 27, Township 18N, Range 20E, MDM. The Development Code article applicable to this amendment is Article 810, Special Use Permits. Community Services. (Commission District 2.)

Dave Solaro, Community Services Department Director, stated the issue before the Board was an appeal to the Board of Adjustment's decision regarding the expansion of the Special Use Permit on the subject site. He said the business appealing the decision was conducting work that was outside the current bounds of the Special Use

Permit. He noted the issue had to do with the definition of “industrial” and how the South Truckee Meadows Area Plan did not allow industrial businesses in the area.

Commissioner Lucey indicated he had visited Encore DEC, LLC’s facility. He said Encore DEC, LLC had a general contractor’s license and operated as such within the County. He noted the County Code regarding this type of business was very vague. He mentioned how the business, which occupied properties on Geiger Grade, had made phenomenal improvements to the area. He explained that the business built different types of pumps and was requesting to amend their Special Use Permit to allow them to erect temporary pumping structures in order to complete the fitting process. He stated he disagreed with the Board of Adjustment.

As Commissioner Lucey was making a motion, Paul Lipparelli, Legal Counsel, intervened and said the issue at hand was an appeal of a denial which was decided by the Board of Adjustment. The applicant had the burden to prove that the Board of Adjustment’s decision was incorrect. The applicant needed an opportunity to present their case and place evidence on the record which the Board may or may not rely on in overturning or sustaining the Board of Adjustment’s decision. He noted the staff report was very comprehensive and it had a lot of information; however, the applicant had to succeed in their argument. He urged the Board to allow Encore DEC, LLC’s representative to make their case and then consider acting.

Mike Burgess, Encore DEC, LLC representative, said Encore DEC, LLC had a land use designation of General Commercial and was a General Commercial business. Encore DEC, LLC shipped assembled and prefabricated items to designated job sites for final construction. He said the business did not see itself as an industrial business. They were a licensed general contractor conducting work that fell within the jurisdiction of what their general contracting license allowed, which made them feel that they were a general commercial business. He closed by saying the County was attempting to label them as industrial when they were not.

Chair Jung commented that staff was acting in accordance to the County’s ordinances. She stated the support of job and economic development growth while protecting neighborhoods was very important to the Board. She asked Mr. Lipparelli whether Mr. Burgess did enough to plead Encore DEC, LLC’s case.

Mr. Lipparelli stated Mr. Burgess had provided the Board with some evidence that they may wish to rely on. The key legal issue was the industrial use ban contained in the South Truckee Meadows Master Plan. The statement in the Master Plan was that no new industrial uses were allowed. He noted it was important for the Board’s finding to indicate this was not an industrial use because the County would have no chance of defending a legal challenge from the neighbors if it were industrial use. It was important for there to be evidence showing the activity and land use did not fit the definition of industrial. If the Board made that finding based on the available evidence, then it may have a basis for overturning the Board of Adjustment’s decision.

Commissioner Hartung asked Mr. Solaro for the definition of industrial.

Mr. Solaro provided the Merriam-Webster Dictionary's definition of "industrial" as, "of or relating to industry: of or relating to factories, the people who work in factories, or the things made in factories"; the definition of "factory" as, "a building or set of buildings with facilities for manufacturing"; and the definition of "manufacture" as, "the process of making products especially with machines in factories".

Commissioner Hartung spoke about a business he came across in Idaho which constructed log homes on their property but would then deconstruct them in order to ship them somewhere else. He noted that was not an industrial use, which was similar to the subject being discussed.

Commissioner Lucey concurred with Commissioner Hartung. He said Encore DEC, LLC was not fabricating the equipment onsite. The business was assembling the equipment onsite which to him was not industrial. He stated the business fell under General Commercial and was part of economic development. He said he did not see this as a hindrance or detriment to the safety and welfare of the people around the area. He thought the site was extremely suitable for the type of construction being done.

There was no public comment.

On motion by Commissioner Lucey, seconded by Commissioner Hartung, which motion duly carried, it was ordered to reverse the Board of Adjustment's denial and approve Amendment of Conditions No. AC15-005, which requested an amendment to Special Use Permit Case Number SB06-017 to expand the approval to allow for the outdoor construction and temporary setup of metal structures up to 40 feet tall for a period of time not to exceed four months at any one time. This reversal is based on this Board's review of the written materials and oral testimony at the public hearing, and this Board's interpretation that all five required findings can be made in accordance with Washoe County Development Code Section 110.810.30.

16-0248 **AGENDA ITEM 19** Possible Closed Session for the purpose of discussing labor negotiations with Washoe County, Truckee Meadows Fire Protection District and/or Sierra Fire Protection District per NRS 288.220.

There was no closed session.

16-0249 **AGENDA ITEM 20** Public Comment.

Cathy Brandhorst spoke about matters of concern to herself.

16-0250 **AGENDA ITEM 21** Announcements/Reports.

Commissioner Lucey wanted to know what the County could do in conjunction with the Truckee Meadows Fire Protection District in providing a memorial for the late and former Sierra Fire Protection District Chief Michael Green.

Commissioner Hartung stated he had been informed that the County's ditches along Eagle Canyon Road were filled with debris. He asked Dave Solaro, Community Services Department (CSD) Director, to ensure the debris would be cleared out and requested an update to be provided to the Board.

Chair Jung asked Mr. Solaro to provide the Board with CSD's policy regarding the clearing of ditches and, if necessary, to recommend any changes to the policy.

* * * * * * * * *

1:58 p.m. There being no further business to discuss, the meeting was adjourned without objection.

KITTY K. JUNG, Chair
Washoe County Commission

ATTEST:

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

*Minutes Prepared by:
Michael Siva, Deputy County Clerk*

WASHOE COUNTY GRANT AWARD RESOLUTION



WHEREAS, Washoe County is a member of the Local Emergency Planning Committee (LEPC) and has been awarded a grant from the State Emergency Response Commission (SERC) in the amount of \$29,952.00 in support of local hazardous materials training; and

WHEREAS, under this grant Washoe County is both a recipient and a fiscal agent for other local government entities and nonprofit organizations, which are subgrantees as members of LEPC; and

WHEREAS, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a nonprofit organization created for religious, charitable or educational purposes, or other governmental entity, to be expended for a selected purpose; and



WHEREAS, Washoe County as fiscal agent for the other government entities or nonprofit organizations that are members of LEPC, desires to pass through some of these grant funds and grant assurances as listed below for the amounts and uses stated below.

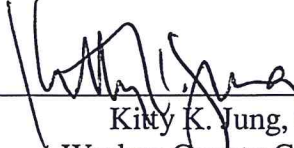
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, that the Board hereby grants to the government entities (other than Washoe County departments for which the Board has accepted funds from the award) and nonprofit organizations listed below, as a pass through of the amounts and for the uses shown below, finding that said amounts and uses will provide a substantial benefit to the inhabitants of Washoe County, and the Board authorizes the County Manager, or designee, to sign subgrants with the entities listed below, which subgrants, herein incorporated by reference, will set forth the maximum amount as listed below to be expended under the subgrants, the use and purposes of the subgrants as described below, and the conditions, limitations and the grant assurances of the subgrants.

16-0232

Washoe County Emergency Management	\$5,950.00	Hazmat IQ Training
Sparks Fire Department	\$15,885.00	Continuing Challenge Conference
Washoe County Regional Animal Services	\$3,247.00	Continuing Challenge Conference
Reno-Tahoe Airport Authority	\$3,247.00	Continuing Challenge Conference
North Lake Tahoe Fire Protection District	\$1,623.00	Continuing Challenge Conference

ADOPTED this 22nd day of March, 2016.


 ATTEST:

 Nancy L. Parent
 Washoe County Clerk


 Kitty K. Jung, Chair
 Washoe County Commission

STATE OF NEVADA

STATE EMERGENCY RESPONSE COMMISSION

Grant Award

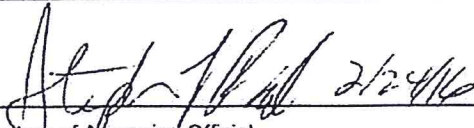
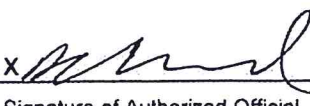
SUBGRANTEE: Washoe County Local Emergency Planning Committee	GRANT NO.: 16-HMEP-16-01
ADDRESS: 5195 Spectrum Blvd Reno NV 89512	TOTAL AWARD: \$29,952
PROJECT TITLE: HMEP GRANT Funds provided by: U.S. Department of Transportation CFDA # 20.703 Through State of Nevada Tax ID: 88-6000022	GRANT PERIOD: 02/08/16 to 09/30/16

APPROVED BUDGET FOR PROJECT

CATEGORY	AMOUNT
Operations:	\$0
Planning:	\$0
Training: Continuing Challenge and Hazmat IQ Custom Course (details in application)	\$29,952
Equipment:	\$0
TOTAL GRANT AMOUNT	\$29,952

This award is subject to the requirements established by the Federal Granting Agency, the State of Nevada, the Department of Public Safety, and the State Emergency Response Commission (SERC) including the Special Condition attached hereto.

Any changes to the budget categories must have approval by the SERC Office prior to implementation.

APPROVAL	SUBGRANTEE ACCEPTANCE
Stephanie L. Parker Executive Administrator Name and Title of Authorized Official	Darryl Cleveland, Chair Name and Title of Appointing Official
X  2/24/16	X  2/24/16
Signature of Approving Official Date	Signature of Authorized Official Date

RESOLUTION

WHEREAS, The Washoe County Commission is dedicated to improving citizen involvement in Washoe County; and,

WHEREAS, The Washoe County Commission directed on May 12, 2015 to enact changes to the Citizen Advisory Board program that addresses the purpose of the program as an avenue to discuss neighborhood planning and development within Washoe County's jurisdiction; and

WHEREAS, Citizens in Washoe County Commission District 5 have expressed desire to continue a formal organization through which they can regularly communicate their concerns and views to the Washoe County Board of Commissioners; and

WHEREAS, Washoe County Commissioners wish to obtain information and advice on the concerns of citizens within District 5 on a regular basis; now, therefore, be it

RESOLVED, By the Board of County Commissioners of Washoe County, Nevada, that the Gerlach/Empire Citizen Advisory Board be established under Sections 5.425 to 5.435 inclusive, of the Washoe County Code; and be it further

RESOLVED, That the Gerlach/Empire Citizen Advisory Board's purpose is to provide feedback and two-way discussion between the community and elected officials on land use, planning, proposed development and related concerns within Washoe County's jurisdiction; and be it further

RESOLVED, That the Gerlach/Empire Citizen Advisory Board geographical area of responsibility shall include the area within Washoe County District 5 Commission District as more specifically defined on attached map; and be it further

RESOLVED, That the membership of the Gerlach/Empire Citizens Advisory Board consists of 5 at-large members, and 2 at-large alternate positions, appointed by the County Commissioner for District 5 that together represent a broad area within the District; and be it further

RESOLVED, That in addition to applications from individuals as described under Sections 5.425 to 5.435, inclusive, of the Washoe County Code, membership nominations may be made by homeowner associations, other neighborhood-based organizations and community groups; and be it further

RESOLVED, That the initial terms of office shall officially begin the date the District 5 County Commissioner appoint the members, but shall thereafter run from July 1 through June 30 of the appropriate years; and be it further



16-0233

RESOLVED, By the Board of County Commissioners of Washoe County, Nevada, that the Gerlach/Empire Citizen Advisory Board shall be established effective March 1, 2016.

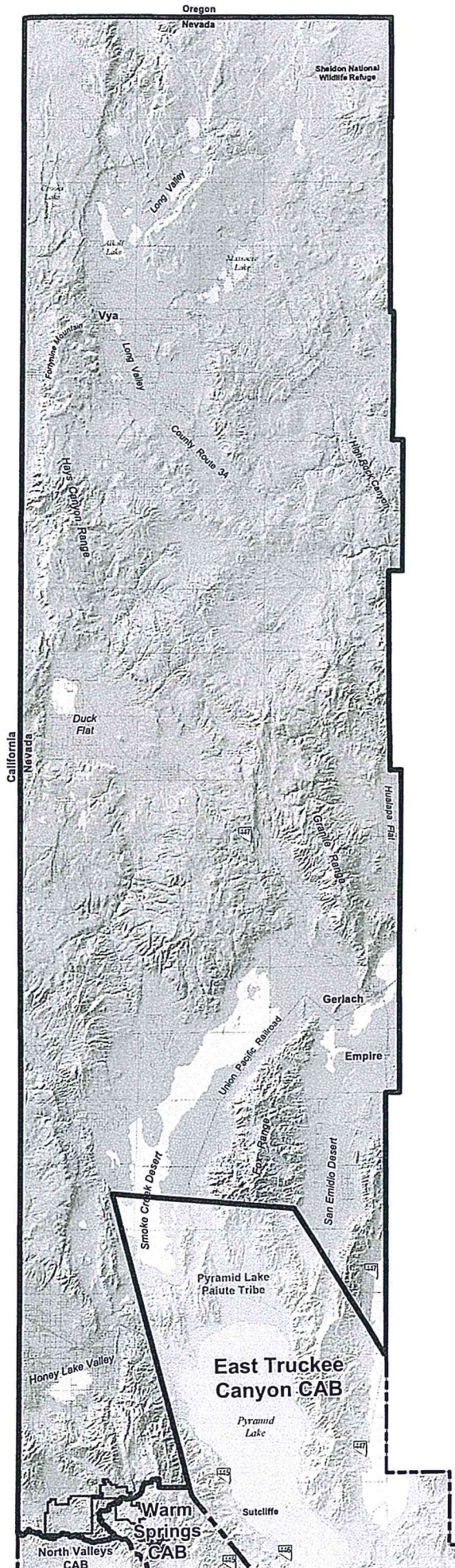
ADOPTED this 22nd day of March, 2016.



Kitty Jung, Chair
Washoe County Commission








ATTEST:



Nancy L. Parent
Washoe County Clerk



Washoe County
Citizen Advisory Boards

GERLACH/EMPIRE

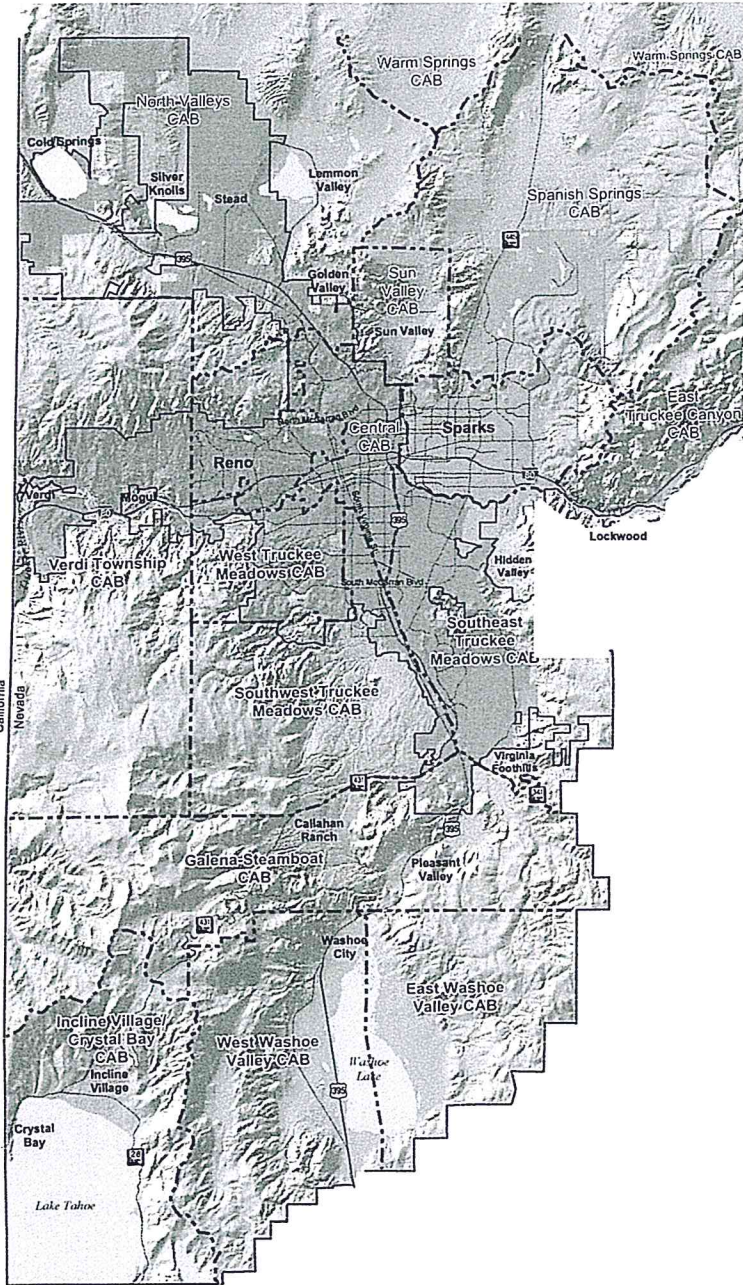
-  Gerlach/Empire CAB boundary
-  Other CAB boundaries
-  Washoe County boundary
-  Other CAB Geographic Areas
-  Dry Lakes
-  Water Bodies
-  Hillshade, 10 meter elevations

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.




**Department of
Community Development**

**WASHOE COUNTY
NEVADA**



0 1 2 4
Scale in Miles



0 5 10 20
Scale in Miles

WASHOE COUNTY CITIZEN ADVISORY BOARDS

- CAB boundary
- Washoe County boundary
- Pyramid Lake Palute Tribe boundary
- City of Reno Sphere of Influence
- City of Sparks Sphere of Influence
- City of Reno
- City of Sparks
- Dry Lakes
- Water Bodies
- Hillshade, 10 meter elevations

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.

Scale Bars are shown below each map



WASHOE COUNTY NEVADA

**INTERGOVERNMENTAL AGREEMENT REGARDING
NORTH VALLEYS REGIONAL PARK PHASE FIVE
PROJECT FUNDING**

This Agreement is entered into this ____ day of _____, 2016, by and between Washoe County, a political subdivision of the State of Nevada (hereinafter, "Washoe County") and City of Reno, a municipal corporation of the State of Nevada, (hereinafter "City"), collectively referred to as the "Parties".

WHEREAS, Nevada Revised Statue 277.180 allows public agencies to enter into inter-local contracts to perform governmental services for which they are authorized by law to perform; and

WHEREAS, Washoe County owns, leases, and operates North Valleys Regional Park (hereinafter, the "Property" as identified in Exhibit A, attached hereto and incorporated by reference; and

WHEREAS, Washoe County intends on constructing additional improvements identified as North Valleys Regional Park Phase Five (hereinafter, the "Project") as identified in Exhibit B, attached hereto and incorporated by reference on the Property to meet the recreational needs of its constituents; and

WHEREAS, the Property is located within Reno's Sphere of Influence and is completely surrounded by the Reno City limits, and the City has collected approximately \$1,000,000 in Residential Construction Tax compliant with NRS 278 from new construction within this park district; and

WHEREAS, in an effort to meet the recreational needs of the Parties' constituents and in the spirit of mutual cooperation, the City and Washoe County wish to jointly fund the Project on the Property for approximately \$2,100,000, a portion of which will be remitted to Washoe County to complete the improvements identified as part of the Project and in accordance with the Financial Plan attached hereto as Exhibit C, attached hereto and incorporated herein by reference; and

NOW, THEREFORE, for and in consideration of the respective promises and duties herein contained, the Parties agree as follows:

RESPONSIBILITIES OF THE CITY

1. City shall provide to Washoe County \$1,000,000 from Residential Construction Tax District #1 for construction of the Project.
2. The City shall review and comment on design and construction documents related to the Project to ensure it is meeting the recreational needs of its constituents.
3. City shall promptly transfer funding to Washoe County for the Project in two equal installment payments. First payment shall be within thirty (30) days of award of a contract

16-00230

for construction of the Project and final payment shall be no later than at 75% completion of construction of the Project as indicated by the constructing contractor's project billings.

RESPONSIBILITIES OF WASHOE COUNTY

4. Washoe County shall manage the Project, including scope and design, bidding, construction and maintenance.
5. Funding for the Project shall be spent, or the funding legally obligated (encumbered), within two (2) years from the date of this agreement. If the funding allocated to the Project has not been spent or legally obligated within the two (2) year time period, this agreement will automatically terminate.
6. If the funding for the Project has not been spent or legally obligated within two (2) years from the date of receipt and the Board of Washoe County Commissioners determines that the funding for the Project will not be spent pursuant to Section 5, then Washoe County shall transfer the funding, including all accrued interest income, back to the City within thirty (30) days of the Board of Washoe County Commissioners' determination.
7. Washoe County agrees to perform or have others perform all work in compliance with all applicable laws and further agrees to indemnify, defend and hold harmless the City from and against any and all losses, liabilities, damages, claims, liens, encumbrances, obligations, liabilities, actions, causes of actions, costs and expenses of any kind whatsoever, including without limitation, claims of bond holders and attorney's and other professional expenses and fees, suffered or incurred by, or asserted against the City, which arise from or relate to, in whole or in part, : (a) Washoe County's negligence in the management, design, construction or maintenance of the Project pursuant to this Agreement, or (b) Washoe County's failure to perform all work in compliance with applicable laws.
8. In the event that the Project is completed at a cost that is less than the amount identified in Section 1, Washoe County shall transfer the unspent balance, with all accrued interest income, to the City. Washoe County shall be solely responsible for the costs of the Project in excess of the amount approved for the Project as indicated in Section 1 of this Agreement.
9. Washoe County shall be responsible to the City for providing Project status reports quarterly and an annual cost accounting of the appropriate use of all Project funds (including all accrued interest), and a final report within ninety (90) days after completion of the Project. The final report shall provide brief statements addressing any problems encountered, time delays expected and any adjustments to the completion date. The first Project status report shall be due three months after the execution of this Agreement and the annual cost accounting shall be due one year after the execution of this Agreement.

10. By execution of this Agreement, Washoe county certifies, acknowledges and agrees that any subcontractors performing work relating to or arising from either the granting of these Project funds or the Project itself shall be governed by all other applicable federal, state and local laws. Washoe County further acknowledges that this certification is a material representation of fact, which the City has relied upon when entering into this Agreement. This certification and acknowledgement must be included, without modification, in all contracts with subcontractors and in all solicitations for contracts with subcontractors to perform work related to the granting of these funds and the Project. The City reserves the right to withhold Project funds in the event Washoe County, its employees, agents, representatives or subcontractors fail to perform work hereunder in accordance with the terms and conditions as set forth herein, and all applicable federal, state and local laws.
11. In accordance with NRS Chapter 239, Washoe County agrees to maintain all records relevant to the Project. Additionally, Washoe County must keep records at least six (6) years from the end of the County fiscal year (July-June) in which the Project was completed. If any litigation concerning the Project is begun before the expiration of this six (6) year period, the individual file must be retained for six (6) calendar years from the date of resolution of the litigation; and before any files are destroyed recipient must contact the City to obtain and verify final disposition instructions. This requirement also applies to Washoe County's contractors and any subcontractors.

GENERAL PROVISIONS

12. Entire Agreement:
This Agreement represents the full and complete understanding by all of the Parties and changes may be made only with the approval of the Parties.
13. Assignment:
This Agreement shall be binding upon the Parties, their representatives, successors and assigns. No assignment or transfer of this agreement or any part thereof shall occur unless mutually agreed upon in writing by both parties.
14. Modification:
This Agreement may be modified in writing and signed by both parties.
15. Severability:
Each paragraph and provision of this Agreement is severable, and if one or more paragraphs or provisions of this Agreement are declared invalid, the remaining paragraphs and provisions of this Agreement will, if possible, remain in full force and effect.
16. Governing Law:
This Agreement shall be governed by and construed in accordance with the laws of the State of Nevada regardless of the fact that any of the parties hereto may be or may

become a resident of a different country, state, or jurisdiction. Any suit or action arising out of this Agreement shall be filed in a court of competent jurisdiction within the County of Washoe, State of Nevada. The Parties hereby consent to the personal jurisdiction of such courts within Washoe County, State of Nevada. The Parties hereby waive any objections to venue in such courts within Washoe County, State of Nevada.

17. Notices:

All notices required by this Agreement shall be in writing, must be sent to the addresses provided below and are deemed effective upon placement in the United States Mail, postage prepaid addressed to:

Director
Washoe County Community Services Department
P.O. Box 11130
Reno, NV 89520

Director
City of Reno Parks, Recreation and Community Services
P.O. Box 1900
Reno, NV 89505

Signatures on following page.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this _____ day of _____, 2016.

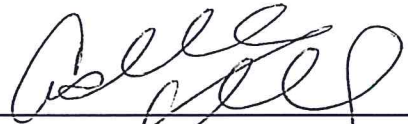
THE CITY OF RENO,
a municipal corporation of the State of Nevada



Hillary Schieve, Mayor *Oscar Delgado for*




ATTEST:



Ashley Turney, Reno City Clerk

COUNTY OF WASHOE, by and through its
Board of County Commissioners

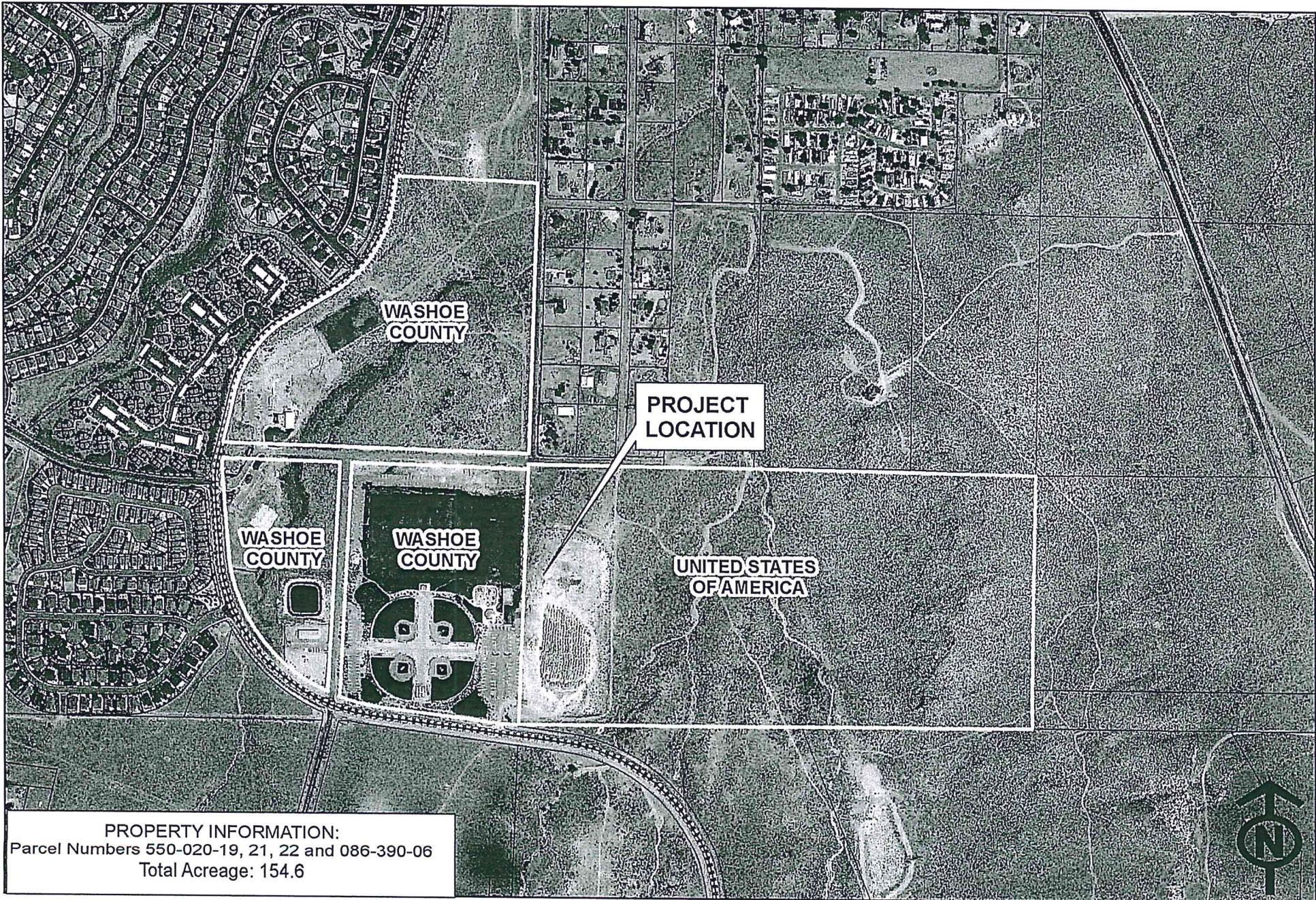


Kitty Jung, Chair

ATTEST:



Nancy Parent, County Clerk



PROPERTY INFORMATION:
Parcel Numbers 550-020-19, 21, 22 and 086-390-06
Total Acreage: 154.6

EXHIBIT A NORTH VALLEYS REGIONAL PARK

**EXHIBIT B
North Valleys Regional Park Phase V
Probable Construction Costs**



LUMOS & ASSOC. IN: 8485.000

Date: FEB. 2016 estimates

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
BASE BID*					
EARTHWORK-- Ball Fields graded w/ Lower Pad					
1	Ball Fields + Lower Pad - (MASS GRADED BALANCED SITE)	28,500	CY	\$ 4.00	\$ 114,000.00
Earthwork Ball Fields + Lower Pad MASS GRADE (BALANCED SITE) Total					\$ 114,000.00
FOOTBALL FIELD Improvements					
1	SDMH	4	EA	\$ 4,000.00	\$ 16,000.00
2	Construct new PCC culvert headwall	3	EA	\$ 2,000.00	\$ 6,000.00
3	SD Pipe (24" SDR)	60	LF	\$ 55.00	\$ 3,300.00
4	SD Pipe (18" SDR)	720	LF	\$ 45.00	\$ 32,400.00
5	Gravel Access	7,330	SF	\$ 3.75	\$ 27,487.50
6	Drop Inlet	3	EA	\$ 1,500.00	\$ 4,500.00
7	Electrical conduit	1	LS	\$ 20,000.00	\$ 20,000.00
8	ADA Sidewalk access	1,750	SF	\$ 8.00	\$ 14,000.00
9	Emergency Access - Asphalt Paving	7,000	SF	\$ 5.25	\$ 36,750.00
10	Additional Storm Abatement (DI, Manholes, SD Pipe)	1	LS	\$ 15,000.00	\$ 15,000.00
11	Access road erosion control	1	LS	\$ 5,000.00	\$ 5,000.00
12	Access road removable bollards	3	EA	\$ 1,000.00	\$ 3,000.00
13	PCC Stairs	480	SF	\$ 15.00	\$ 7,200.00
14	Handrails	200	LF	\$ 20.00	\$ 4,000.00
15	PCC landings	1,120	SF	\$ 11.00	\$ 12,320.00
16	PCC concrete access to field (North)	3,020	SF	\$ 12.00	\$ 36,240.00
17	Portable restroom enclosure and pad	1	LS	\$ 15,000.00	\$ 15,000.00
18	Lower field - trees	40	EA	\$ 200.00	\$ 8,000.00
19	Drip Irrigation to trees	1	LS	\$ 2,500.00	\$ 2,500.00
20	Field soil amendments and seeding	122,500	SF	\$ 0.55	\$ 67,375.00
21	Field Irrigation	122,500	SF	\$ 0.60	\$ 73,500.00
22	Field Fine Grading	122,500	SF	\$ 0.15	\$ 18,375.00
23	Field Fencing- 4 ft. tall	1,050	LF	\$ 20.00	\$ 21,000.00
24	Field Fencing- 6 ft. tall	350	LF	\$ 30.00	\$ 10,500.00
25	Gates- single	2	EA	\$ 750.00	\$ 1,500.00
26	Gates- double	2	EA	\$ 1,500.00	\$ 3,000.00
FOOTBALL FIELD Improvements TOTAL					\$ 463,947.50
CIVIL SITE Improvements (Areas outside of fields)					
1	PCC Sidewalk	7,440	SF	\$ 8.00	\$ 59,520.00
2	PCC Curb & Gutter (1'-Curb)	282	LF	\$ 45.00	\$ 12,690.00
3	PCC Post Curb	1,062	LF	\$ 22.00	\$ 23,364.00
4	PCC Valley Gutter	225	SF	\$ 17.00	\$ 3,825.00
5	AC Paving new parking lot	32,530	SF	\$ 5.25	\$ 170,782.50
6	Extended Retaining Curb (Cast in place)	450	SF	\$ 44.00	\$ 19,800.00
7	PCC Stairs	72	SF	\$ 15.00	\$ 1,080.00
8	Handrails	40	LF	\$ 20.00	\$ 800.00
9	Install 15" SD pipe	340	LF	\$ 55.00	\$ 18,700.00
10	PCC pad for dumpster enclosure and mower access	642	SF	\$ 12.00	\$ 7,704.00
11	Dumpsture enclosure	1	LS	\$ 7,500.00	\$ 7,500.00
12	Striping and signage	1	LS	\$ 3,000.00	\$ 3,000.00
13	Paved emergency access road	9,390	SF	\$ 5.25	\$ 49,297.50
14	Access road removable bollards	5	EA	\$ 1,000.00	\$ 5,000.00
15	TMWA Domestic Water connecton (2" tap)	1	LS	\$ 1,500.00	\$ 1,500.00
16	Domestic Water Line - 2" (with appurtanances)	1,000	LF	\$ 30.00	\$ 30,000.00
17	TMWA Meter, Backflow, and Vault	1	LS	\$ 5,000.00	\$ 5,000.00
18	Fees (TMWA - 2")	1	LS	\$ 500.00	\$ 500.00
19	SWPPP BASE ITEMS	1	LS	\$ 20,000.00	\$ 20,000.00
20	Landscape - Trees	14	EA	\$ 320.00	\$ 4,480.00
21	Landscape - Shrubs	70	EA	\$ 30.00	\$ 2,100.00
22	Irrigation outside of the field areas (drip only)	1	LS	\$ 5,000.00	\$ 5,000.00
23	Parking lot planters - landscape and irrigation	2,600	SF	\$ 4.00	\$ 10,400.00
24	Erosion control seeding (small areas, no irrigation)	2	AC	\$ 1,742.50	\$ 3,485.00
25	Electrical Conduit and Parking lot Lighting	1	LS	\$ 97,163.00	\$ 97,163.00
CIVIL SITE Improvements Total					\$ 562,691.00
WATER Improvements - County Reclaimed (At existing pump house)					
1	10" Fairbanks Morse Pump	1	EA	\$ 30,000.00	\$ 30,000.00
2	Sierra Controls	1	LS	\$ 30,000.00	\$ 30,000.00
WATER Improvements Total					\$ 60,000.00

EXHIBIT B
North Valleys Regional Park Phase V
Probable Construction Costs



LUMOS & ASSOC. IN: 8485.000

Date: FEB. 2016 estimates

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
BABE RUTH FIELD Improvements					
1	Bleachers	3	EA	\$ 5,000.00	\$ 15,000.00
2	Fencing - 20 ft. tall, without plastic slats	60	LF	\$ 120.00	\$ 7,200.00
3	Fencing - 20 ft. tall, with plastic slats	60	LF	\$ 150.00	\$ 9,000.00
4	Fencing - 8 ft. tall	1,290	LF	\$ 40.00	\$ 51,600.00
5	Backstop (40 ft. tall)	100	LF	\$ 300.00	\$ 30,000.00
6	Bicycle Rack	1	EA	\$ 2,000.00	\$ 2,000.00
7	Foul poles	2	EA	\$ 5,000.00	\$ 10,000.00
8	Clay pitcher's mounds and clay batter's box	1	LS	\$ 3,400.00	\$ 3,400.00
9	Dugout Benches	2	EA	\$ 1,800.00	\$ 3,600.00
10	Picnic Tables	3	EA	\$ 1,900.00	\$ 5,700.00
11	Benches	2	EA	\$ 1,000.00	\$ 2,000.00
12	Gates - Double	2	EA	\$ 1,500.00	\$ 3,000.00
13	Gates - Single	6	EA	\$ 750.00	\$ 4,500.00
14	Drinking Fountain	1	LS	\$ 5,500.00	\$ 5,500.00
15	Bases and pitchers pads	1	LS	\$ 2,400.00	\$ 2,400.00
16	Infield and warning track material - select dirt mix and Turface additive	1	LS	\$ 31,000.00	\$ 31,000.00
17	Trees at the perimeter	39	EA	\$ 320.00	\$ 12,480.00
18	Shrubs at the perimeter	80	EA	\$ 30.00	\$ 2,400.00
19	Rock swales	1	LS	\$ 7,680.00	\$ 7,680.00
20	Seed outfield and infield, with soil amendments	71,100	SF	\$ 0.55	\$ 39,105.00
21	Grading - fine grading lawn area to .5 - 1%	71,100	SF	\$ 0.25	\$ 17,775.00
22	Irrigation system outside the field for trees and lawn	1	LS	\$ 25,000.00	\$ 25,000.00
23	Irrigation system within the field	71,100	SF	\$ 0.60	\$ 42,660.00
24	Dg surfacing at the ballfield perimeter	183	CY	\$ 70.00	\$ 12,810.00
25	Bat Racks	2	EA	\$ 1,400.00	\$ 2,800.00
26	Concrete mow strip	220	LF	\$ 6.00	\$ 1,320.00
27	Concrete surfacing for seating and walkways	5,970	SF	\$ 6.00	\$ 35,820.00
28	Electrical Conduit	1	LS	\$ 16,224.00	\$ 16,224.00
BABE RUTH FIELD Total					\$ 401,974.00
LITTLE LEAGUE FIELD Improvements					
1	Bleachers	2	EA	\$ 5,000.00	\$ 10,000.00
2	Fencing - 20 ft. tall	50	LF	\$ 120.00	\$ 6,000.00
3	Fencing - 4 ft. tall	480	LF	\$ 20.00	\$ 9,600.00
4	Fencing - 8 ft. tall	460	LF	\$ 40.00	\$ 18,400.00
5	Backstop - 30 ft. tall	90	LF	\$ 200.00	\$ 18,000.00
6	Foul Poles	2	EA	\$ 3,650.00	\$ 7,300.00
7	Clay pitcher's mounds and clay batter's box	1	LS	\$ 3,000.00	\$ 3,000.00
8	Picnic Tables	3	EA	\$ 1,900.00	\$ 5,700.00
9	Dugout Bench	2	EA	\$ 1,200.00	\$ 2,400.00
10	Gates - Double	1	EA	\$ 1,500.00	\$ 1,500.00
11	Gates - Single	4	EA	\$ 750.00	\$ 3,000.00
12	Bases and pitchers pads	1	LS	\$ 2,100.00	\$ 2,100.00
13	Infield and warning track material - select dirt mix and Turface additive	1	LS	\$ 13,200.00	\$ 13,200.00
14	Seed outfield and infield, with soil amendments	29,900	SF	\$ 0.55	\$ 16,445.00
15	Grading - cut to fill and fine grading to .5 - 1% - Fine Grade	29,900	SF	\$ 0.25	\$ 7,475.00
16	Irrigation system outside the field for trees and lawn - N/A	1	LS	\$ 10,000.00	\$ 10,000.00
17	Irrigation system within the field	29,900	SF	\$ 0.60	\$ 17,940.00
18	Dg surfacing at the ballfield perimeter and between ballfields	165	CY	\$ 70.00	\$ 11,550.00
19	Trees at the perimeter	36	EA	\$ 320.00	\$ 11,520.00
20	Shrubs at the perimeter	82	EA	\$ 30.00	\$ 2,460.00
21	Rock swales	1	LS	\$ 1,440.00	\$ 1,440.00
22	Fractured Rock	1	LS	\$ 7,000.00	\$ 7,000.00
23	Drainage and detention, with erosion control	1	LS	\$ 4,000.00	\$ 4,000.00
24	Concrete mow strip	52	LF	\$ 6.00	\$ 312.00
25	Concrete surfacing for seating and walkways	3,620	SF	\$ 6.00	\$ 21,720.00
26	Electrical Conduit	1	LS	\$ 13,467.00	\$ 13,467.00
LITTLE LEAGUE FIELD Total					\$ 225,529.00

EXHIBIT B
North Valleys Regional Park Phase V
Probable Construction Costs



LUMOS & ASSOC. #N: 8485.000

Date: FEB. 2016 estimates

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
ADD ALTERNATE					
Alternate 1 - RESTROOM / CONCESSION BUILDING					
1	Restroom and Concession Structure and Pad	1	LS	\$ 228,000.00	\$ 228,000.00
2	Sanitary Sewer Pipe	625	LF	\$ 45.00	\$ 28,125.00
3	SMMH or SSCO	4	EA	\$ 3,500.00	\$ 14,000.00
4	PK Electric (Electrical Plan Design)	1	LS	\$ 5,500.00	\$ 5,500.00
5	Hyytinen Engineering (footing, slab, plumbing connections)	1	LS	\$ 1,500.00	\$ 1,500.00
6	SS Lift Station	1	EA	\$ 15,000.00	\$ 15,000.00
7	Material Testing and Permits	1	EA	\$ 7,875.00	\$ 7,875.00
Alternate 1 - Restroom / Concession Total					\$ 300,000.00

SUMMARY:

Base Bid=Mass Grade+Both ballfields+Football Field improvements+CIVIL SITE IMPROVEMENTS+
 Water improvements

* BASE BID does NOT include additional water rights, testing/inspection costs in estimate.

*BASE BID SUBTOTAL	\$	1,828,141.50
Contingency @10%	\$	182,814.15
*Permit Fees	\$	50,000.00
Base Bid Design Fees	\$	31,500.00
BASE BID TOTAL	\$	2,092,455.65

**EXHIBIT C – FINANCIAL PLAN – NORTH VALLEYS PHASE V
NORTH VALLEYS REGIONAL PARK**

Washoe County FUNDING SOURCE: Sierra Sage Golf Course water rights proceeds	City of Reno FUNDING SOURCE: Residential Construction Tax	TOTAL PROJECT Phase V Funding
\$1,200,000	\$1,000,000	\$2,200,000

Washoe County Share **\$1,200,000**

- Design
- Permits
- Civil site improvements
- Earthwork
- Water improvements
- Babe Ruth Field
- Little League Field
- Contingency

City of Reno Share **\$1,000,000**

- Design
- Permits
- Civil site improvements
- Earthwork
- Football field
- Concession/Restroom

2017 INTERLOCAL AGREEMENT TO USE ACCOUNT FOR LOW-INCOME HOUSING
WELFARE SET-ASIDE
FUNDS BY WASHOE COUNTY

THIS AGREEMENT is made between Washoe County a political subdivision of the State of Nevada, (hereinafter called "Washoe") by and through its Board of County Commissioners, and the Nevada Housing Division of the Department of Business and Industry of the State of Nevada, (hereinafter called "NHD").

WHEREAS, NHD is the administering agency for the Account for Low-Income Housing hereinafter called "Trust Fund".

WHEREAS, NHD desires to assist Washoe by providing Trust Funds to Washoe on behalf of its Social Services Department, hereinafter called "Social Services" in order to assist with qualified welfare set-aside activities under Trust Fund Administrative Guidelines, statutes, and regulations.

WHEREAS, the Interlocal Cooperation Act authorizes public agencies to enter into cooperative agreements allowing the joint exercise of any power, privilege or authority capable of exercise by one of them, see, NRS 277.080, et. seq.; and

WHEREAS, Washoe and NHD are public agencies within the meaning of the Interlocal Cooperation Act.

NOW, THEREFORE, in consideration of the foregoing premises, that the use of Trust Funds be conveyed to Washoe on behalf of Social Services, by NHD subject to the following conditions and limitations:

I. Scope of Services.

A. NHD will provide, effective July 1, 2016, funds not to exceed the total of \$162,015.00 to assist Washoe with qualified Trust Fund activities hereinafter referred to as "Activities."

B. Washoe agrees that any program costs, with regard to the distribution of welfare set-aside funds unless otherwise specified will be the responsibility of Washoe through Social Services. Any ongoing activity costs such as maintenance and operations shall be the sole responsibility of Washoe through Social Services.

C. Before disbursing Trust Funds to any recipient, Washoe agrees to enter into an agreement by way of a signed application with the recipient.

D. Changes in the Scope of Services as outlined herein must be in accordance

16-0239

with NRS 319 and NAC 319, made by written amendment to this Agreement and approved by both parties. Any such changes must not jeopardize the Trust Fund program.

II. Division General Conditions. Washoe agrees to abide by all conditions fully set forth below.

A. Washoe has requested the financial support of NHD that is provided for in this Agreement in order to enable Washoe to provide emergency housing assistance. NHD shall have no relationship whatsoever with the services provided, except the provision of financial support, monitoring, and the receipt of such reports as are provided for herein. To the extent, if at all, that any relationship to such services on the part of NHD may be claimed or found to exist, Washoe shall be an independent contractor only.

B. Washoe will provide NHD with client usage records per activity on a monthly basis (quarterly data will be allowed if approved in advanced) during the period of this Agreement. Failure to provide this information in the required timeframe may result in forfeiture of these funds. Records will contain, but are not limited to, the following data:

1. Total clients served;
2. Race and ethnicity breakdown of clients served in accordance with the U.S Department of Housing and Urban Development criteria;
3. Name or client number of each head of household served;
4. Household income for clients served;
5. Number of persons in each household served;
6. Type of assistance provided to each household served; and
7. Other information as indicated in the Exhibit F-Welfare Set-Aside Client Information Report.

C. Washoe will not use any portion of the allocated Trust Funds for other than qualified Trust Fund activities, as defined in NRS 319 and NAC 319. Any recipient or subgrantee must meet program requirements and serve eligible families.

D. Washoe may not assign or delegate any of its rights, interests or duties under this Agreement without the prior written consent of NHD. Any such assignment or delegation made without the required consent shall be voidable by NHD, and may at the option of NHD, result in the forfeiture of all financial support provided herein.

E. Washoe shall allow duly authorized representatives of NHD to conduct such occasional reviews, audits and on-site monitoring of activities as NHD deems to be appropriate in order to determine:

1. Whether the objectives of the program are being achieved;
2. Whether the program is being conducted in an efficient and effective manner;
3. Whether management control systems and internal procedures have been established to meet the objectives of the program;

4. Whether the financial operations of the program are being conducted properly; and
5. Whether the periodic reports to NHD contain accurate and reliable information.

Visits by NHD shall be announced to Washoe in advance of those visits and shall occur during normal operating hours. The representatives of NHD may request, and, if such a request is made, shall be granted, access to all of the records of Washoe which relate to the program. The representatives of NHD may, from time to time, interview recipients of the housing services of the program who volunteer to be interviewed.

F. At any time during normal business hours, Washoe's records with respect to the Program shall be made available for audit, examination and review by NHD, the Attorney General's Office, contracted independent auditors, Legislative Counsel Bureau, or any combination thereof.

G. Limited Liability

The parties will not waive and intend to assert available NRS chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. To the extent applicable, actual contract damages for any breach shall be limited by NRS 353.260 and NRS 354.626.

H Indemnification

1. Consistent with the Limited Liability paragraph of this Contract, each party shall indemnify, hold harmless and defend, not excluding the other's right to participate, the other party from and against all liability, claims, actions, damages, losses, and expenses, including but not limited to reasonable attorneys' fees and costs, arising out of any alleged negligent or willful acts or omissions of the indemnifying party, its officers, employees and agents. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.

2. The indemnification obligation under this paragraph is conditioned upon receipt of written notice by the indemnifying party within 30 days of the indemnified party's actual notice of any actual or pending claim or cause of action. The indemnifying party shall not be liable to hold harmless any attorneys' fees and costs for the indemnified party's chosen right to participate with legal counsel.

I. Washoe will not use any funds or resources which are supplied by NHD in litigation against any person, natural or otherwise, or in its own defense in any such litigation and also agrees to notify NHD of any legal action which is filed by or against it in conjunction with this program.

J. This Agreement will commence upon its approval and signature and appropriate official action by the governing body of both parties. Funds allocated by NHD to Washoe under this agreement must be used within 3 years after its award to Washoe as defined in

NAC 319. Upon written request by Washoe and for good cause, NHD may extend the period of the grant for not more than 1 year.

K. In the event that Washoe and/or NHD anticipate the total amount of funds allocated for this Agreement will not be expended, NHD reserves the right to extract that portion for other projects/programs operated under NHD's Trust Fund program.

L. Washoe agrees that no public officer or public employee of Washoe may seek or accept any gifts, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in that position to depart from the faithful and impartial discharge of the public duties of that position.

M. Washoe agrees that no public officer or public employee of Washoe may use his or her position in government to secure or grant any unwarranted privilege, preference, exemption or advantage for himself or herself, any member of his or her household, any business entity in which he or she has a significant pecuniary interest or any other person. As used herein, "unwarranted" means without justification or adequate reason.

N. Washoe agrees that no public officer or public employee of Washoe may participate as an agent of Washoe in the negotiation or execution of a contract between Washoe and any private business in which he or she has a significant pecuniary interest.

O. Washoe agrees that no public officer or public employee of Washoe may suppress any report or other document because it might tend to affect unfavorably his or her pecuniary interests.

P. Washoe, and any subgrantee, shall be bound by all county ordinances and state and federal statutes, conditions, regulations and assurances which are applicable to the entire Welfare Set-Aside Program or are required by NHD.

Q. Any material breach of this section may in the discretion of NHD, result in forfeiture of all unexpended Welfare Set-Aside Program funds received by Washoe pursuant to this Agreement, or any part thereof.

R. No officer, employee or agent of NHD shall have any interest, direct or indirect, financial or otherwise, in any contract or subcontract or the proceeds thereof, for any of the work to be performed pursuant to the activity during the period of service of such officer, employee or agent, for one year thereafter.

III. Financial Management.

A. Washoe agrees, and shall require any subgrantee to agree, that all costs of any activity receiving funds pursuant to this agreement, shall be recorded by budget line items and

be supported by checks, payrolls, time records, invoices, contracts, vouchers, orders and other accounting documents evidencing in proper detail the nature and propriety of the respective charges, and that all checks, payrolls, time records, invoices, contracts, vouchers, orders or other accounting documents which pertain, in whole or in part, to the activity shall be thoroughly identified and readily accessible to NHD.

B. Washoe agrees that excerpts or transcripts of all checks, payrolls, time records, invoices, contracts, vouchers, orders and other accounting documents related to or arguably related to the activity will be provided upon request to NHD.

C. Washoe agrees that it may not request disbursement of funds under this Agreement until the funds are needed for payment of eligible costs. The amount of each request must be limited to the amount needed.

IV. Modification or Revocation of Agreement.

A. NHD and Washoe will amend or otherwise revise this Agreement should such modification be required by NRS 319 or NAC 319.

B. In the event that any of the Trust Fund monies, for any reason, are terminated or withheld from NHD or otherwise not forthcoming, NHD may revoke this Agreement with 15 days written notification to Washoe.

C. NHD may, with 15 days written notification, suspend or terminate this agreement if Washoe fails to comply with any of its terms.

D. In the event the Washoe County Board of Commissioners does not appropriate funds necessary to carry out the purposes of this Agreement, the County may terminate the Agreement upon 15 days written notification to the Division.

E. This agreement may be terminated at the convenience of NHD with 15 days written notice.

F. This Agreement constitutes the entire Agreement between the parties and may only be modified by a written amendment signed by the parties, or as otherwise set forth in the terms of the Agreement.

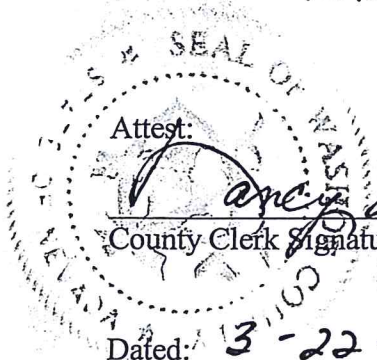
G. This Agreement shall be governed by the laws of the State of Nevada. In the event litigation ensues arising out of this Agreement, it shall be filed in the Second Judicial District Court, Washoe County, Nevada.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and intend to be legally bound thereby, this _____ day of _____, 2016.

WASHOE COUNTY BOARD OF COMMISSIONERS

[Signature]
Signature

Lithy L. Jung 03-22-16
Name of Chairman Date
woman



Attest:
[Signature]
County Clerk Signature

Dated: 3-22-16

By: Nancy Parent
Printed Name

NEVADA HOUSING DIVISION

[Signature]
CJ Manthe
Administrator

State of Nevada)
Carson City)

On this _____ day of _____, 2016, before me, a Notary Public, personally appeared _____, who did say that she is the Administrator of the Nevada Housing Division, named in the foregoing instrument, and acknowledged that he executed the same.

[Signature]
Notary Public

Summary - a resolution submitting a question concerning school financing in Washoe County to the registered voters at the 2016 general election.

A RESOLUTION DESIGNATED AS THE “2016 SCHOOL FINANCING ELECTION RESOLUTION”; SUBMITTING A QUESTION TO THE REGISTERED VOTERS AT THE GENERAL ELECTION ON TUESDAY, NOVEMBER 8, 2016, CONCERNING THE IMPOSITION OF CERTAIN TAXES FOR SCHOOL FINANCING AS RECOMMENDED BY THE PUBLIC SCHOOLS OVERCROWDING AND REPAIR NEEDS COMMITTEE; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County (the “County”), in the State of Nevada (the “State”), was duly organized and created pursuant to Nevada Revised Statutes (“NRS”) 243.340 and is operating as a county under NRS chapter 244 and the general laws of the State; and

WHEREAS, Washoe County School District (the “School District”) was duly organized and is operating as the school district of the County under NRS chapter 386 and the general laws of the State; and

WHEREAS, the Public Schools Overcrowding and Repair Needs Committee (the “Committee”) was created pursuant to Senate Bill No. 411 of the 2015 Legislative Session (“SB 411”) to prepare and submit recommendations to the Washoe County Board of County Commissioners (the “Board of County Commissioners”) for the imposition of one or more taxes in the County to provide funding for capital projects for the School District; and

WHEREAS, the Committee has unanimously recommended the imposition of an increased tax of 0.54% on the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed in the County (“Recommendation”). The Committee makes this Recommendation with the intent and understanding that any funds will be used only for the purposes set forth in NRS 387.328 and NRS 387.335(1) as those statutes exist on the date of the Recommendation and that the Committee intended that the Legislature should rescind any sales and use tax increase implemented by this Recommendation if the funds are ever to be used for other purposes, and

16-0242

has submitted its Recommendation to the Board of County Commissioners; and

WHEREAS, the Committee on March 4, 2016 adopted its Recommendation and requested that the Board of County Commissioners adopt an ordinance imposing the tax (the “Ordinance”) if a majority of the voters of the County voting on a question asking whether the recommended tax should be imposed in the County (the “Question”) vote affirmatively on the Question at an election (the “Election”) to be held in conjunction with the State general election on Tuesday, November 8, 2016, as required by SB 411; and

WHEREAS, the Committee caused a copy of the Recommendation to be transmitted to the Board of County Commissioners; and

WHEREAS, pursuant to SB 411, the Board of County Commissioners shall submit the Question to the voters of the County at the Election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE IN THE STATE OF NEVADA:

Section 1. This resolution shall be known and may be cited as the “2016 School Financing Election Resolution” (the “Resolution”).

Section 2. The Election is hereby designated, ordered, and called to be held in conjunction with the State general election on Tuesday, November 8, 2016, at which time there shall be submitted to the voters of the County the Question hereinafter set forth in Section 3 of this Resolution. The Election shall be conducted in the manner provided by NRS chapter 293 and all laws amendatory thereof (the “General Election Act”).

Section 3. The County Clerk shall provide the County Registrar of Voters with a copy of the Question (including an explanation of the Question and a description of anticipated financial effect) substantially in the form as follows, with such changes as are approved by the Superintendent of the School District, to be submitted to the registered voters of the County:

WASHOE COUNTY QUESTION:

Shall the Board of County Commissioners of Washoe County be authorized to impose a sales and use tax of 0.54% in the County to fund only capital projects of Washoe County School District for the acquisition, construction, repair and renovation of school facilities?

Explanation:

A “yes” vote will allow the Washoe County School District to raise the funds necessary to acquire, construct, repair, and renovate school facilities in the Washoe County School District to alleviate overcrowding, address repair needs, ultimately eliminate the multi-track year round calendar and double sessions at an individual school site. The expected uses are:

- Repair, upgrade and reconstruct existing schools in the District based on a prioritization by a citizen oversight panel;
- Build an addition to Damonte Ranch High School; a Sun Valley Area Middle School; an Arrow Creek Area Middle School; a Spanish Springs Area Middle School; a Cold Springs High School; a South McCarran/Butler Ranch Area High School; a Wild Creek Area High School to replace Hug High School; repurpose Hug High School; a South Meadows Area Elementary School; and a North Valleys/Spanish Springs Area Elementary School;
- Strategically purchase properties for Sparks High School; and
- Build seven elementary schools to ultimately eliminate multi-track year round calendar for students and their families as well as expand nutrition services and a new transportation yard.

A “no” vote means the funds necessary to address the overcrowding and repair needs of the Washoe County School District will not be raised.

Argument Advocating the Washoe County Schools Question: [To be provided by the committee advocating the Question.]

Argument Opposing the Washoe County Schools Question: [To be provided

by the committee opposed to the Question.]

Rebuttal to Argument Advocating the Washoe County Schools Question:

[To be provided by the committee opposed to the Question.]

Rebuttal to Argument Opposing the Washoe County Schools Question: [To

be provided by the committee advocating the Question.]

Description of Anticipated Financial Effect: The sales and use tax increase would not terminate. The average annual cost of this sales and use tax increase is expected to be \$54.00 for a typical payer of sales and use tax in the State, based on average annual expenditures on goods that are subject to the sale and use tax of \$10,000. Following the imposition of the tax, additional operating expenses are expected to be incurred which will be paid for from the school district's General Fund.

[End of Form of Submission Clause and Other Ballot Information]

Section 4. The Registrar of Voters of the County shall follow the procedure set forth in NRS 295.121 with respect to appointment of committees to prepare arguments advocating and opposing approval of the Question.

Section 5. Nothing in this Resolution prevents the inclusion in the ballots of provisions for the expression by the qualified registered voters of the County of their choice for any questions or proposals other than the Question submitted at the Election.

Section 6. Immediately after the closing of the polls, the election officers shall proceed to canvass the votes cast on the Question, and certify the results so disclosed to the County Board.

Section 7. Within five (5) working days of the Election, the County Board shall meet and publicly canvass the returns.

Section 8. If a majority of the voters voting on the Question vote affirmatively on the Question, the County Board shall adopt the Ordinance substantially in the form attached to the Request Resolution.

Section 9. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the County Board and by the officers of the County relating to the Question is ratified, approved and confirmed.

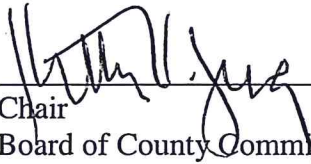
Section 10. The officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 11. All orders, bylaws and resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed. This repealer shall not be construed to revive any bylaw, order or resolution, or part thereof, heretofore repealed.

Section 12. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 13. This Resolution shall be in effect from and after its adoption.

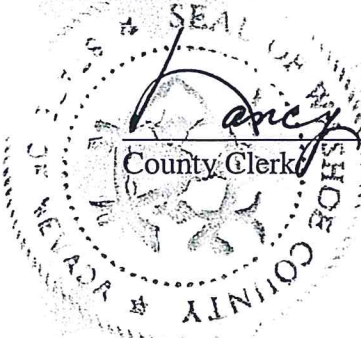

PASSED, APPROVED AND ADOPTED this March 22, 2016.



Chair
Board of County Commissioners
Washoe County, Nevada

(SEAL)

Attest:

County Clerk

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

I am the duly elected, qualified and acting County Clerk of Washoe County (the “County”), Nevada, and ex officio Clerk of its Board of County Commissioners (the “Board”), and do hereby certify:

1. The foregoing pages constitute a true, correct and compared copy of a resolution adopted at a meeting of the Board held on March 22, 2016 (the “Resolution”).

2. All members of the Board were given due and proper notice of such meeting and were present and voted on the Resolution as follows:

Those Voting Aye:

Kitty Jung, Chair
Bob Lucy, Vice-Chair
Marsha Berkbigler
Vaughn Harturky
Jeanne Herman

Those Voting Nay:

none.

Those Absent:

none.

3. Public notice of the meeting was given and such meeting was held and conducted in full compliance with the provisions of NRS 241.020. A copy of the notice of meeting and excerpt from the agenda for the meeting relating to the Resolution, as posted at least 3 working days in advance of the meeting on the County’s website, on the official website of the State of Nevada pursuant to NRS 232.2175 and at:

- a. Washoe County Administration Complex
1001 East Ninth Street, Bldg. A
Reno, Nevada 89520
- b. Second Judicial District Court
75 Court Street
Reno, Nevada 89501
- c. Washoe County Downtown Library

301 South Center Street
Reno, Nevada 89501

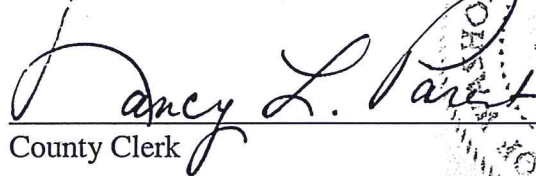
- d. Sparks Justice Court
1675 E. Prater Way, Suite 107
Sparks, Nevada 89434

is attached hereto as Exhibit A.

4. Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notice of meetings of the Board in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

5. A certified copy of the Request Resolution including the Ordinance (both as defined in the Resolution) were transmitted to the Board.

IN WITNESS WHEREOF, I have hereunto set my hand this March 22, 2016.


County Clerk

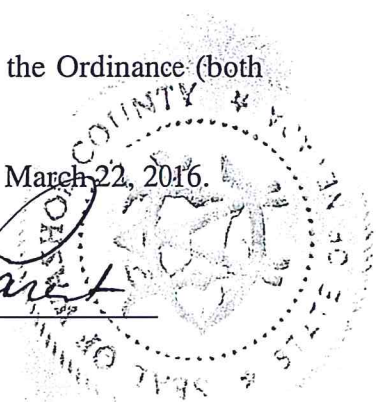


EXHIBIT A

(Attach Copy of Notice of Meeting)

**PUBLIC SCHOOLS OVERCROWDING AND REPAIR NEEDS COMMITTEE
SENATE BILL NO. 411**

**RECOMMENDATION TO IMPOSE A 0.54% INCREASE IN THE TAX ON THE GROSS
RECEIPTS OF ANY RETAILER FROM THE SALE OF ALL TANGIBLE PERSONAL
PROPERTY SOLD AT RETAIL, OR STORED, USED OR OTHERWISE CONSUMED IN
THE COUNTY TO PROVIDE FUNDING FOR THE WASHOE COUNTY SCHOOL
DISTRICT FOR THE PURPOSES SET FORTH IN NRS 387.328 AND NRS 387.335(1)**

WHEREAS, pursuant to 2015 Nevada Statutes, Chapter 425; S.B. 411 of the 78th Legislative Session of the State of Nevada ("SB 411"), the Washoe County School District Board of Trustees (Board) determined by resolution that a Public Schools Overcrowding and Repair Needs Committee (Committee) is necessary to address overcrowding and repair needs in the Washoe County School District (District);

WHEREAS, pursuant to SB 411, the Committee may recommend to establish a new rate on a particular tax, or new rates on particular taxes, to the Washoe County Commission for a ballot question on the November 2016 general election to fund the capital projects needed to address repair needs and school overcrowding;

WHEREAS, NRS 387.328 and NRS 387.335(1) require that capital project funds be used for the acquisition, construction, repair, and renovation of District facilities or debt service for capital projects;

WHEREAS, any funds raised per SB 411 and the Committee's recommendation may only be placed in the District's capital project funds;

WHEREAS, the Committee was presented a plan for acquisition, construction, repair, and renovation amounting to approximately \$781 million based on a 9-year funding package financed with proceeds of taxes and bonds to address the District's repair needs and overcrowding issues;

WHEREAS, the plan for acquisition, construction, repair, and renovation endorsed by the Committee includes: funding for school repairs; an addition to Damonte Ranch High School; Sun Valley Area Middle School; Arrow Creek Area Middle School; Spanish Springs Area Middle School; Cold Springs High School; South McCarran/Butler Ranch Area High School; Wild Creek Area High School to replace Hug High School; Repurposing of Hug High School; South Meadows Area Elementary School; North Valleys/Spanish Springs Area Elementary School; Core school investments; Strategic purchase of Sparks High School properties; Seven Elementary Schools to ultimately eliminate Multi-Track Year Round Calendar; Nutrition Services Expansion; and expansion for a new Transportation Yard;

WHEREAS, this list of projects is based on current growth projections by outside experts, including funds set aside to respond to projected cost inflation, and is subject to change based on updated projections and/or in response to actual growth should it differ from the projections;

WHEREAS, the Committee determined that the plan was necessary for the future of education in Washoe County;

WHEREAS, in order to ensure public confidence and oversight of the funds raised pursuant to SB 411, the Committee desired the creation of a public body to oversee and make recommendations to the Board for expenditures of such funds;

WHEREAS, in order to ensure public oversight, the Board created a new public body, the Capital Funding Protection Committee, which consists of government officials from Washoe County, the City of Reno, and the City of Sparks as well as a person with experience as a structural or civil engineer, a person with experience in construction of public works projects, a person with experience in finance or estimation of public works projects, a person representing the gaming industry, and one member of the general public with an interest in education, to oversee the acquisition, construction, repair and renovation of schools;

WHEREAS, the Committee unanimously voted to recommend the imposition of a tax of 0.54% on the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed in the County; and

WHEREAS, the Committee makes this Recommendation with the intent and understanding that any funds will be used only for the purposes set forth in NRS 387.328 and NRS 387.335(1) as those statutes exist on the date of this Recommendation, and that the Committee intends that the Legislature should rescind any sales and use tax increase implemented by this Recommendation if the funds are ever to be used for other purposes.

NOW, THEREFORE THE PUBLIC SCHOOLS OVERCROWDING AND REPAIR NEEDS COMMITTEE HEREBY RECOMMENDS, PURSUANT TO 2015 NEVADA STATUTES, CHAPTER 425; SB 411 OF THE 78TH LEGISLATIVE SESSION, the following:

Shall the Board of County Commissioners of Washoe County be authorized to impose a sales and use tax of 0.54% in the County to fund only capital projects of Washoe County School District for the acquisition, construction, repair, and renovation of school facilities?

THE PUBLIC SCHOOLS OVERCROWDING AND REPAIR NEEDS COMMITTEE, further provides the following “Explanation” and “Description of Anticipated Financial Effect” to assist the County Commission with preparation of the ballot question:

Explanation:

A "yes" vote will allow the Washoe County School District to raise the funds necessary to acquire, construct, repair, and renovate school facilities in the Washoe County School District to alleviate overcrowding, address repair needs, ultimately eliminate the multi-track year round calendar and double sessions at an individual school site. The expected uses are:

- Repair, upgrade and reconstruct existing schools in the District based on a prioritization by a citizen oversight panel;
- Build an addition to Damonte Ranch High School; a Sun Valley Area Middle School; an Arrow Creek Area Middle School; a Spanish Springs Area Middle School; a Cold Springs High School; a South McCarran/Butler Ranch Area High School; a Wild Creek Area High School to replace Hug High School; repurpose Hug High School; a South Meadows Area Elementary School; and a North Valleys/Spanish Springs Area Elementary School;
- Strategically purchase properties for Sparks High School; and
- Build seven elementary schools to ultimately eliminate multi-track year round calendar for students and their families as well as expand nutrition services and a new transportation yard.

A "no" vote means the funds necessary to address the overcrowding and repair needs of the Washoe County School District will not be raised.

Description of Anticipated Financial Effect [to be included in sample ballot]: The sales and use tax increase would not terminate. The average annual cost of this sales and use tax increase is expected to be \$54.00 for a typical payer of sales and use tax in the State, based on average annual expenditures on goods that are subject to the sales and use tax of \$10,000. Following the imposition of the tax, additional operating expenses are expected to be incurred which will be paid for from the school district's General Fund.

Dated: This 4 day of March, 2016.

Shaun Carey
Shaun Carey, Chairman

Ayes 10

Nays 0

Senate Bill No. 411–Senator Smith

Joint Sponsors: Assemblymen Benitez-Thompson;
Hickey, Joiner and Sprinkle

CHAPTER.....

AN ACT relating to taxation; authorizing the board of trustees of a school district under specified circumstances to adopt a resolution establishing the formation of a Public Schools Overcrowding and Repair Needs Committee to recommend the imposition of certain taxes to fund the capital projects of the school district; providing that if such a Committee is formed and submits its recommendations to the board of county commissioners within the time prescribed, the board of county commissioners is required to submit a question to the voters at the 2016 General Election asking whether the recommended taxes should be imposed in the county; requiring the board of county commissioners to adopt an ordinance imposing any such taxes that are approved by the voters; providing for the use of the proceeds of such taxes for certain school purposes; providing for the prospective expiration of the authority of a board of trustees to establish such a Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill authorizes the board of trustees of a school district to establish by resolution a Public Schools Overcrowding and Repair Needs Committee to recommend the imposition of certain taxes for consideration by the voters at the 2016 General Election to fund the capital projects of the school district. Under this bill, a Committee may not be established by the board of trustees of a school district in a county in which there is imposed for the benefit of a school district a tax on the gross receipts from the rental of transient lodging or a tax on transfers of real property, or both (currently Clark County).

Sections 2 and 2.5 of this bill provide that if such a Committee is established, the Committee may recommend the imposition of one or more of the following taxes: (1) an additional tax on the gross receipts from the rental of transient lodging in the county; (2) a supplemental governmental services tax for the privilege of operating a vehicle upon the public streets, roads and highways of the county; (3) an additional tax on the transfer of real property in the county; (4) an additional sales and use tax in the county; and (5) an additional property tax in the county. The recommendations of the Committee must specify the rate or rates for each of the recommended taxes and may specify the period during which the recommended taxes will be imposed. If the Committee submits its recommendations to the board of county commissioners by April 2, 2016, the board of county commissioners is required to submit a question to the voters at the November 8, 2016, General Election asking whether any of the taxes recommended by the Committee should be imposed in the county. If a majority of the voters approve the question, the board of county commissioners is required to impose the approved taxes at the rate



specified in the question submitted to the voters. If a majority of the voters approve the imposition of an additional property tax, the additional rate is exempt from the partial abatement of property taxes on certain property and the requirement that taxes ad valorem not exceed \$3.64 on each \$100 of assessed valuation.

Section 3 of this bill provides that the proceeds resulting from the imposition of such taxes: (1) must be deposited in the fund for capital projects of the school district; and (2) may be pledged to the payment of the principal and interest on bonds or other obligations issued for certain school purposes.

Section 4 of this bill provides that the provisions of this bill authorizing the board of trustees of a school district to establish such a Public Schools Overcrowding and Repair Needs Committee expire by limitation on April 2, 2016.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets ~~is omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. The board of trustees of a school district, other than a school district located in a county in which there is imposed for the benefit of the school district a tax on the gross receipts from the rental of transient lodging or a tax on transfers of real property pursuant to chapter 375 of NRS, or both, may, by resolution, establish a Public Schools Overcrowding and Repair Needs Committee to recommend the imposition of one or more of the taxes described in section 2.5 of this act for consideration by the voters at the 2016 General Election to fund the capital projects of the school district. If such a resolution is adopted, the Committee must be appointed consisting of:

(a) The superintendent of schools of the school district, who serves ex officio, or his or her designee.

(b) One Senator whose legislative district includes all or part the school district. If the legislative district of more than one Senator includes the school district, those Senators shall jointly appoint the member to serve.

(c) One member of the Assembly whose legislative district includes all or part of the school district. If the legislative district of more than one member of the Assembly includes the school district, those members of the Assembly shall jointly appoint the member to serve.

(d) One member who is a representative of the Nevada Association of Realtors, appointed by that Association.

(e) One member who is a representative of the Retail Association of Nevada, appointed by that Association.

(f) One member appointed by the board of county commissioners.



(g) If the county includes one or more cities, the mayor of each such city shall appoint a member to serve.

(h) If applicable to the county, one member of the oversight panel for school facilities established pursuant to NRS 393.092 or 393.096, appointed by the chair of the panel.

(i) One member who is a representative of a labor organization, appointed by the State of Nevada AFL-CIO.

(j) One member who is a representative of the largest organization of licensed educators in the county, appointed by that organization.

(k) One member of the general public, appointed by the parent-teacher association with the largest membership in the county.

(l) One member who represents economic development in the county, appointed by the regional development authority, as defined in NRS 231.009, for that county.

(m) One member who represents gaming, appointed by the gaming association with the largest membership in the county or, if there are no members of a gaming association in the county, the board of trustees.

(n) One member who represents business or commercial interests, other than gaming, appointed by the local chamber of commerce with the largest membership in the county or, if there is no local chamber of commerce in the county, the board of trustees.

(o) One member who represents homebuilders in the county, appointed by the association of homebuilders with the largest membership in the county or, if there are no members of an association of homebuilders in the county, the board of trustees.

2. The members appointed pursuant to paragraphs (d) to (o), inclusive, of subsection 1 must be residents of the county.

3. Any vacancy occurring in the appointed membership of a Committee established pursuant to subsection 1 must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. If a Committee is established pursuant to subsection 1, the Committee shall hold its first meeting upon the call of the superintendent of schools of the school district as soon as practicable after the appointments are made pursuant to subsection 1. At the first meeting of the Committee, the members of the Committee shall elect a chair.

5. A majority of a Committee established pursuant to subsection 1 constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Committee.



6. If a Committee is established pursuant to subsection 1, the superintendent of schools of the school district shall provide administrative support to the Committee.

Sec. 2. 1. If a Public Schools Overcrowding and Repair Needs Committee is established pursuant to subsection 1 of section 1 of this act, such a Committee shall, on or before April 2, 2016:

(a) Prepare recommendations for the imposition of one or more of the taxes described in section 2.5 of this act in the county to provide funding for the school district for the purposes set forth in subsection 1 of NRS 387.335. The recommendations must specify the proposed rate or rates for each of the recommended taxes and may specify the period during which one or more of the recommended taxes will be imposed.

(b) Submit the recommendations to the board of county commissioners.

2. Upon the receipt of recommendations pursuant to subsection 1, the board of county commissioners shall, at the General Election on November 8, 2016, submit a question to the voters of the county asking whether any of the recommended taxes should be imposed in the county. The question submitted to the voters of the county must specify the proposed rate or rates for each of the recommended taxes and the period during which each of the recommended taxes will be imposed, if the period was specified in the recommendations submitted pursuant to subsection 1. If the question submitted to the voters pursuant to this subsection asks the voters of the county whether to impose the tax described in subsection 5 of section 2.5 of this act, the question must state that any such tax imposed is exempt from each partial abatement from taxation provided pursuant to NRS 361.4722, 361.4723 and 361.4724.

3. If a majority of the voters voting on the question submitted to the voters pursuant to subsection 2 vote affirmatively on the question:

(a) The board of county commissioners shall impose the recommended tax or taxes in accordance with the provisions of section 2.5 of this act and at the rate or rates specified in the question submitted to the voters pursuant to subsection 2.

(b) If the question recommended the imposition of the tax described in subsection 5 of section 2.5 of this act:

(1) Any such tax imposed is exempt from each partial abatement from taxation provided pursuant to NRS 361.4722, 361.4723 and 361.4724.

(2) The provisions of NRS 361.453 do not apply to any such tax imposed.



(c) The tax or taxes shall be imposed notwithstanding the provisions of any specific statute to the contrary and, except as otherwise specifically provided in sections 1 to 3, inclusive, of this act, such tax or taxes are not subject to any limitations set forth in any statute which authorizes the board of county commissioners to impose such tax or taxes including, without limitation, any limitations on the maximum rate or rates which may be imposed or the duration of the period during which such taxes may be imposed.

Sec. 2.5. 1. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending the imposition of a tax on the gross receipts from the rental of transient lodging, in addition to all other taxes imposed on the revenue from the rental of transient lodging, the board of county commissioners shall impose a tax on the gross receipts from the rental of transient lodging at the rate specified in the question presented to the voters pursuant to section 2 of this act. The tax must be imposed throughout the county, including its incorporated cities, upon all persons in the business of providing transient lodging. The tax must be administered and enforced in the same manner as similar taxes imposed pursuant to chapter 244 of NRS on the revenue from the rental of transient lodging are administered and enforced.

2. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending the imposition of a supplemental governmental services tax for the privilege of operating a vehicle upon the public streets, roads and highways of the county, the board of county commissioners shall, in addition to any supplemental governmental services tax imposed pursuant to NRS 371.043 or 371.045, impose a supplemental governmental services tax at the rate specified in the question presented to the voters pursuant to section 2 of this act on each vehicle based in the county except:

(a) A vehicle exempt from the governmental services tax pursuant to chapter 371 of NRS; or

(b) A vehicle subject to NRS 706.011 to 706.861, inclusive, which is engaged in interstate or intercounty operations.

↪ The tax must be administered and enforced in the same manner as the taxes imposed pursuant NRS 371.043 and 371.045 are administered and enforced.

3. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending the imposition of a tax on transfers of real property, in addition to all other taxes imposed on transfers of real property



pursuant to chapter 375 of NRS, the board of county commissioners shall impose a tax at the rate specified in the question presented to the voters pursuant to section 2 of this act on each deed by which any lands, tenements or other realty is granted, assigned, transferred or otherwise conveyed to, or vested in, another person, or land sale installment contract, if the consideration or value of the interest or property conveyed exceeds \$100. The amount of the tax must be computed on the basis of the value of the real property that is the subject of the transfer or land sale installment contract as declared pursuant to NRS 375.060. The county recorder shall collect the tax in the manner provided in NRS 375.030.

4. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending the imposition of a tax on the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed in the county, the board of county commissioners shall impose the tax at the rate specified in the question presented to the voters pursuant to section 2 of this act. The tax must be administered and enforced in the same manner as the taxes imposed pursuant to chapter 374 of NRS are administered and enforced.

5. Upon approval of the registered voters of a county voting on a question presented to the voters pursuant to section 2 of this act recommending an increase in the rate of the tax levied in accordance with NRS 387.195, the board of county commissioners shall, in addition to any tax levied in accordance with NRS 387.195, levy a tax on the assessed valuation of taxable property within the county in the amount described in the question presented to the voters pursuant to section 2 of this act. The tax must be administered and enforced in the same manner as the tax imposed pursuant to NRS 387.195 is administered and enforced.

Sec. 3. The proceeds of any tax or taxes imposed pursuant to sections 2 and 2.5 of this act:

1. Must be deposited in the school district's fund for capital projects established pursuant to NRS 387.328, to be held and, except as otherwise provided in subsection 2, expended in the same manner as other money deposited in that fund.

2. May be pledged to the payment of principal and interest on bonds or other obligations issued for one or more of the purposes set forth in NRS 387.335. The proceeds of such taxes so pledged may be treated as pledged revenues for the purposes of subsection 3 of NRS 350.020, and the board of trustees of the school district may



issue bonds for those purposes in accordance with the provisions of chapter 350 of NRS.

3. May not be used:

(a) To settle or arbitrate disputes between a recognized organization representing employees of a school district and the school district, or to settle any negotiations; or

(b) To adjust the district-wide schedule of salaries and benefits of the employees of a school district.

• **Sec. 4.** 1. This act becomes effective upon passage and approval.

2. Section 1 of this act expires by limitation on April 2, 2016.





Nancy Parent, County Clerk

PO Box 11130, Reno, NV 89520-0027
1001 East 9th St., Reno, NV 89512

March 23, 2016

HAND DELIVERED

Luanne Cutler,
Washoe County Registrar of Voters
1001 E. 9th Street, Building A
Reno, Nevada 89512

Re: 2016 School Financing Election Resolution

Dear Ms. Cutler:

Please be advised that during its meeting of March 22, 2016 the Washoe County Board of Commissioners adopted a Resolution designated as the "2016 School Financing Election Resolution".

Enclosed please find a copy of said Resolution in its entirety, which contains a copy of the Question (including an explanation of the Question and a description of anticipated financial effect) as set forth in Section 3 of the Resolution.

If you have any questions or need any additional information, please feel free to contact me.

Sincerely,

NANCY PARENT
Washoe County Clerk

Enclosure