

Chair LaRiviere called for any additional comments or concerns on Item #2; hearing none, he move on to Item #3.

No public comment cards were received for this agenda item.

- 3. Presentation and discussion of a proposed recommendation to the Board of County Commissioners of Washoe County to be made pursuant to Section 2 of Assembly Bill 375 (79th Session 2017) to submit a question to the voters of Washoe County as to whether a property tax should be imposed to provide funding to the Truckee River Flood Management Authority for the design and construction of the Truckee River flood protection project. Possible action to establish the rate of the recommended property tax increase, approve the recommendation as written or with changes for submission to the Board of County Commissioners, or provide direction to staff. (For Possible Action)**

Michael Wolz, TRFMA General Counsel explained that the new recommendation reflects changes asked for at last meeting. Wolz worked with Kendra Follett, a ballot question expert from Sherman and Howard who has represented the County in the past. Follett recommended keeping as close to Dept of Taxation's ballot language templates as possible. Outside counsel emphasized the only statutory authority the committee has is to identify the tax rate and the period of operation of that tax. The County has to vote on it and get it on the ballot. The County is happy with the more truncated language; however the BCC could change the language a bit.

LaRiviere asked about the last sentence of the question on page 2. Wolz explained that language comes directly from AB375; there are two limitations placed on property tax by the State of Nevada. John Sherman added that this is required language in a ballot question and it is clarified in the explanation. Wolz stated that actual amount of the tax is bracketed; you have not voted on the amount, so that could change today.

Scott Smith commented that the average person is always confused between market value and assessed value; we need to make it clear.

Marge Frandsen asked why we are using the word "*potentially*" on the explanation. Wolz explained because we have no guarantees with the federal money. Jay Aldean added the process that the feds set up is a process with no guarantees, you go through Congressional Authorization to get the number, then you have the possibility that Congress will not always fund the annual infusion. The word "*potentially*" was used to keep it with the legality of the wording.

Ratti arrived at 9:23 am

Chair LaRiviere asked if the committee will get the chance to review this after the BCC. Aldean answered that the County has the authority to make changes; however the County's desire is not to make any changes. They will only make changes to legality of the question and that will be worked out between the District Attorney and our attorney.

Robison added that every time the Corps goes to give money back to TRFMA, they're going to need a Congressional Authorization. The timing of that and how it's going to happen will be very unpredictable. It's not going to exactly fit this model. Every time it's up, you will be talking to the Corps and Congress to get the money; we could also look at the Corps' long term record when you have a matching partner, they almost always fund

it, but the timing stinks; it could be years after the project is done before you finally get the money. Wolz stated if this committee wants to alter this language, that's what will go to the County; that may be risky and may face a challenge.

Mike Kazmierski moved to accept this language; pending changes required by law and typo corrections and ask counsel to find a way to include the sentence "new property tax will sunset upon payment of the bonds issued for the project." Andrew Diss seconded for discussion.

Aldean asked for clarification regarding issuing bonds for the project that have several different revenue streams. Kazmierski asked if we need that level of detail. Aiazzi asked if it has to say bonds paid for with which revenue source.

Kazmierski amended his motion as follows: to accept this language, pending changes required by law and typos, and guidance to counsel to include language that clearly articulates the sunset provision with this sentence as guidance: "The tax will terminate when these bonds issued have been retired in approximately 30 years from the dates they are issued." Diss seconded the amended motion.

There was discussion about the details of the wording in the amended motion. Laura Bayer read the motion as stated above for the vote. Chair LaRiviere called for any further discussion; Chair LaRiviere called for a vote. **It passed unanimously.**
No public comment cards were received for this agenda item.

4. Discussion of future meetings to develop a report regarding the issue of flooding in areas of Washoe County not covered by the Truckee River Flood Management Authority flood protection plan pursuant to Section 5 of Assembly Bill 375 (79th Session 2017) . Possible action to request preliminary information and reports and identify potential topics, dates, times, and venues for future meetings. (For Possible Action)

Chair LaRiviere's opinion is to leave this work to the three entities.

Jay Aldean said he put in more steps than was included in AB375 language. Would the entities even want the extra information included in the report? If not, tailor it down to an engineering report. But if they want that report, we wouldn't have a meeting for a couple of months.

Chair LaRiviere asked for the committee's input. Dave Aiazzi said it would be a mistake to not take advantage of this opportunity. Mike Kazmierski said there are entities that have been focused on flood issues for a long time that are smarter at doing things like this. He would like to see the committee sunset sooner rather than later. Tray Abney stated if all this work is being done by the entities already, they should do that.

Dick Mills asked how this was put into the legislation. Julia Ratti noted that Mike Sprinkle, the bill sponsor, was not in attendance. She briefly recounted the history of AB375 going through legislature, noting that the regional flooding we had the last time came with neighborhood flooding and that happened while we were in session and this bill was going through the process. There was some localized flooding. There was a push to include a solution for neighborhoods into the overall proposal. This committee will collect information and submit a report to the parties called for in AB375 stating that this

committee at least looked at neighborhood flooding. Most of that is data that could be collected from entities and turning the report over meets the legislative intent. This committee could receive that report, read it, but beyond that you really are moving outside of the legislative intent. This committee needs to meet one more time to review the report, bless it and submit it.

Aldean stated we are also charged with taking testimony from neighborhoods that flood. The master plans are old; there is new information. There would have to be some provision for us to speak to the community; we don't have the staff or money to go out to redo the masterplans. All we would do is identify problems and recommend general solutions. Wolz added per AB375 the committee will receive information and evidence concerning flooding; the report can contain recommendations for issues that need further studying.

Ratti said she appreciates what Aldean suggested, but disagrees with opening that door. Collect the existing information, identify what we know, what we don't know, and get all three pulled into one report. And that would be incredibly valuable for our community. Bring that report back to the committee. Happy to hear recommendations and put that into the report. Then the entities have all of it in one place. Mike Kazmierski seconds that direction.

Public Comment:

Kerri Lanza, Engineering Manager, City of Reno said she agrees with Senator Ratti's comments. The cities do have the opportunity to set up a stormwater utility. Reno City Council is kind of going that way. The need for a flood project that wasn't covered in each of the jurisdiction's stormwater utility is because you could not build a feature in your city which would not have downstream impacts to the Truckee River. The Reno ditches start in Washoe County, go into Reno, back to Washoe County and that's where we're seeing the regional issues.

Jay Aldean stated that staff would need three months to compile the information.

5. Committee Member Comments, Requests, and Future Agenda Items

Chair LaRiviere thanked everyone on the committee for their hard work and dedication. Scott Smith added it's a tough committee and the Chair has done an outstanding job.

Jay Aldean spoke about his belief in community. Aldean is very proud of this group for giving the voters of Washoe County a chance to remain great. Hopefully the voters will take it and vote for it. Staff believes in this project and appreciates everyone on this committee.

6. Public Comment - Chair LaRiviere called for Public Comment and hearing none, he closed this item.

7. Adjournment (For Possible Action) – the meeting adjourned at 10:29 am

Respectfully Submitted,
Laura Bayer, FCPNC Liaison
Approved in Session on _____.