



**Sun Valley General Improvement District
Board Meeting Minutes of
August 08, 2019**

Board Members Present:

Sandra Ainsworth	Chair
Susan Severt	Vice Chair
Garth Elliott	Secretary
Carmen Ortiz	Treasurer
Joseph Barstow	Trustee

Board Members Not Present:

Staff Present:

Jon Combs	SVGID, General Manager
Chris Melton	SVGID, Public Works Director
Jennifer Merritt	SVGID, Administrative Assistant
Maddy Shipman	SVGID, Legal Counsel

Other Members Present:

Linda Elliott	Audience
Mike Rider	Audience
Glenda Walls	Audience

The meeting of the Sun Valley General Improvement District was called to order by Chairperson Ainsworth at 6:00 pm in the Sun Valley District Administrative Building, 5000 Sun Valley Blvd., Sun Valley, NV.

Item# 1. Roll call and determination of a quorum.

Board members present; Chairperson Ainsworth, Vice Chair Severt, Secretary Elliott, Treasurer Ortiz, and Trustee Barstow. A quorum was present.

Item# 2. Pledge of Allegiance.

Led by Mr. Combs

Item# 3. Public comments for items not on the agenda.

None

Item# 4. Motion to approve the agenda.

Vice Chair Severt made a motion to approve the agenda. Treasurer Ortiz seconded the motion. The motion carried unanimously.

Item# 5. Certify posting of the agenda.

Ms. Merritt certified posting of the agenda.

Item# 6. Trustee/Manager's announcements, request for information, and statements relating to items not on the agenda.

Mr. Combs announced the Sun Valley Pool is hosting its end of year pool party Saturday, August 10th from noon to 5pm. There will be games and prizes throughout the day, general admission fees apply. Sunday, August 11th is the last day for the Sun Valley Pool; as a reminder the pool season is scheduled around the Washoe County School District calendar and students go back to school on Monday, August 12th. He announced there is a tour of the new Desert Skies Middle School scheduled for Friday, August 10th at 11am. He also announced the Family Classic Car Show is scheduled for Saturday, August 24th 9am to 3pm.

Item# 7. Discussion and action to approve accounts payable for August 08, 2019.

Treasurer Ortiz gave a brief report of the accounts payable, customer refunds and payroll checks for August 08, 2019.

Treasurer Ortiz made a motion to approve the accounts payable for August 08, 2019 in the total amount of \$154,428.30. Secretary Elliott seconded the motion. After discussion the motion carried unanimously.

There were no public comments.

Item# 8. Discussion and action to approve Board Meeting Minutes of July 25, 2019.

Treasurer Ortiz made a motion to approve the Board Meeting Minutes of July 25, 2019 with the following correction; Item 12 replace "Nevada League of Cities and Municipalities" with "Nevada Association of Counties". Chairperson Ainsworth seconded the motion. The motion carried unanimously.

There were no public comments.

Item# 9. Review of proposed fall newsletter articles with possible direction to staff.

Ms. Merritt provided a list of suggested articles for the upcoming 2019 fall newsletter. Articles include: Tribute to Patricia Lancaster, Family Resource Center new address, Thank you to Community Services Agency, New employee announcement for Recreation Coordinator and Accountant, Recreation season recap and thanking our lifeguards, (potential article) Truckee Meadows Fire Protection District regarding yard debris cleanup event, Veterans Day Celebration and Washoe County Animal Services Vaccination Event. The fall newsletter is scheduled for distribution October 1st.

Ms. Merritt reported both her and Ms. Dowling will collaborate together with creating the fall newsletter in absence of the District's Public Relations/Marketing consultant.

Audience member Mr. Rider requested an article for consideration regarding cars "Donate Don't Dump". He had reported several Sun Valley citizens had a meeting to discuss the abandoned vehicle issue.

After some discussion Vice Chair Severt made a motion to approve the article list as presented with adding an article on abandoned vehicles if space is available. Treasurer Ortiz seconded the motion. The motion carried unanimously.

Item# 10. Recommendation to approve an Intergovernmental Funding Agreement between Sun Valley General Improvement District and Washoe County regarding Residential Construction Tax for neighborhood park development within Sun Valley approximately \$43,000.00.

Mr. Combs provided a copy of an Intergovernmental Funding Agreement between the District and Washoe County. The Agreement is for the use of the Residential Construction Tax that is collected by Washoe County to be used for park development within Sun Valley. The District has requested for \$43,000.00 of the Residential Construction Tax to be used for the purpose of purchasing a new playground structure for Gepford Park. The Agreement has been reviewed by both the District and Washoe County legal counsel and is scheduled for the Washoe County Commission approval on Tuesday, August 27, 2019.

Chairperson inquired if the funds are needed prior to purchasing the playground structure.

Mr. Combs responded the District will purchase the playground equipment and submit to be reimbursed for the purchase via the terms in the Intergovernmental Funding Agreement.

Secretary Elliott inquired if the Residential Construction Tax could be used to purchase security cameras for the parks. He stated there has been a lot of graffiti activity at Highland Ranch Park and would like to deter and/or catch the individuals.

Mr. Combs responded the Residential Construction Tax can only be used towards "new" park development, facilities and structures. The funds cannot be used towards park amenities.

After further discussion Secretary Elliott made a motion to approve the Intergovernmental Funding Agreement Regarding Residential Construction Tax for Neighborhood Park Development within Sun Valley Park District 2. Treasurer Ortiz seconded the motion. The motion carried unanimously.

There were no public comments.

Item# 11. Discussion to consider adopting a policy regarding naming/renaming of parks and/or recreation facilities and memorial donations. .

Mr. Combs reported the District currently does not have a policy for naming recreation facilities or memorial donations. Vice Chair Severt requested staff to investigate sample policies regarding naming/renaming parks and/or recreation facilities for memorials. He provided a copy of Washoe County Regional Parks and Open Space Department Policy and Procedure regarding naming of parks and facilities for consideration. He reported Washoe County strongly discourages renaming of parks and facilities once they have already been established. Washoe County is in support of the Naming Policy for new parks and facilities and Mr. Combs stated he feels the same way for the District's parks and facilities. He also reported on the City of Sparks Bench Replacement Program that was recently adopted. This program allows for the public to honor an individual or organization. The City of Sparks has divided all their parks into three districts. How the Bench Replacement Program works: City of Sparks staff identifies what benches that are in need of replacement, therefore the bench style and location is determined by the City of Sparks, not the applicant. Benches are

required to be the City of Sparks standard "style" bench and standard "color" bench to make sure all benches are uniform. Each bench comes with a plaque; plaques are 3x5 standard plaques. City of Sparks uses an outside vendor to make sure all plaques are uniform. Text is open (Dedicated by, in Memory of) with the exception of no foul messages. Each bench cost up to \$800.00 per bench, through the Bench Replacement Program the applicant would participate with cost sharing; the applicant is responsible for \$150.00 towards the bench. Plaque replacements are \$30 per occurrence paid by the applicant. Mr. Combs suggested after researching various policies he recommends the Board continue with reviewing each request on a case by case basis instead of being restricted to a policy and receiving an abundance of requests. He also suggested limiting the naming of parks and facilities after individuals that have served on the District Board or have done something significant for the betterment of the Sun Valley community.

Vice Chair Severt concurred with not renaming parks that already exists. She requested the agenda item for discussion to see if there was any desire to name park benches and/or fields after specific individuals. She believes that there should be some guideline for requester's to follow when requesting to honor an individual, but agrees everything should be on a case by case basis. Requester's should have to provide a record of proof of accomplishments/work performed for the District and the Sun Valley community for consideration and approval.

Secretary Elliott concurred requester's should have to provide records showing proof of work for the community. He also agrees that the work must be significant in order to be considered.

Treasurer Ortiz inquired about planting a tree in honor of an individual.

Ms. Shipman responded the Board had prior discussions regarding planting trees in honor of individuals and or organizations. The Board already voted not to allow adopting/planting trees in honor of any individuals or organizations.

Chairperson Ainsworth responded the District Board had voted not to adopt a policy or accept donations of any living tree/plants for the parks in honor of individuals for various reasons. Both Washoe County and the City of Sparks eliminated their own tree programs due to the high amount of maintenance, vandalism and funding purposes.

Trustee Barstow inquired if the proposed policy would allow for a non District representative to have a new building named after them, providing that they had performed a significant service to the Sun Valley community.

Mr. Combs responded any such request on a case by case basis would be considered by the District Board. He stated the District's existing park facilities are already named, so it would be restrictive to only new parks and/or facilities if constructed.

Audience member Mr. Rider commented the District can only put in so many benches within its parks. He had suggested for consideration the option for multiple plaques to one bench to allow for more individuals to be honored and to keep costs down.

After further discussion staff was directed to draft a proposed policy for review and consideration at the next board meeting.

Item# 12. Discussion and consideration to approve memorial for Patricia Lancaster.

Mr. Combs reported the District has received verbal requests for consideration in honor of Patricia Lancaster. The three requests were a tree, bench and naming of a ball field at that the Sun Valley Community Park. He requested direction from the Board if they would like to include naming of the ball fields as part of policy for naming recreation facilities.

Chairperson Ainsworth inquired if any of the fields had names currently. She believes that fields should be included for the opportunity to be named after an individual.

Mr. Combs responded none of the fields have been named only the parks and facilities have been named.

Vice Chair Severt requested to name the ball field at the Sun Valley Community Park. She reported both Patricia Lancaster and her husband were extremely instrumental with advocating for recreational facilities within Sun Valley. Mr. Lancaster was intimately involved with the construction of Gepford Park and baseball field as well as maintaining the ball field. Patricia Lancaster was a long standing Trustee for the District. During her tenure with the District, she was the acting Chair and advocated for the District to take over the parks and pool when Washoe County was going to close them in 2009. She thought it would be fitting to name the ball field the Lancaster Field in memorial of the Lancaster's.

Secretary Elliott responded he would be open to considering any requests to name something after Patricia Lancaster providing the requester provides a detailed report that verifies/confirms contributions by the individual of which a facility would be named after.

Audience member Mr. Rider commented Gepford Park has one ball field that is named, the Hansen Field. Mr. Hansen was intimately involved with the Cal Ripken Program and directed and oversaw the program for many years.

After further discussion staff was directed to continue this item until the next meeting after the Board reviews and potentially adopts a policy for naming recreation facilities.

Item# 13. Review of Personnel policy 9.3.1 Evaluation Process for employee performance appraisals.

Mr. Combs provided an appendix to the District's Personnel Policy 9.3.1 Evaluation Process for employee performance appraisals. The appendix was adopted in 2005 and revised in 2010, but has never been added to the Personal Policy. The appendix states, "During June of each year, the Sun Valley General Improvement District Board will determine the percentage calculations on which raises are to be based. Evaluation scores as set by the Manager/Supervisor that determine the individual employees raise based on the employee evaluation score." He wanted to clarify that the Board does not have to make a separate motion each year to include the multiplier for employees who score above target on their annual evaluations per the policy.

Secretary Elliott is not fond of the multiplier. He has a source that claims that prior management used the multiplier in a way to punish employees that he was not fond of and rewarded other employees who he had stronger relationships with. He would be curious if other general improvement district's have a similar policy providing a multiplier.

Mr. Combs responded that he is not familiar with other general improvement district's evaluation policies. He reported other general improvement district's offer the same

incentive a cost of living raise and merit raise. He stated the Sun Valley General Improvement District Board sets the cost of living portion and any additional merit increase would be strictly based on the evaluation score. He wants the employees to succeed and when they work hard he will score them accordingly; if they are not performing well and don't go above target then they are also scored accordingly.

Ms. Merritt stated as an employee she has always looked at the District's policy regarding evaluations as merit raise and not as a cost of living raise each year. Her understanding was the Board set the percentage for the At Target score rating, per the evaluation process based on the annual cost of living for that particular year. As an employee she could work the minimum amount to receive the At Target raise, or she can go above and beyond her duties to try to get a higher evaluation score to potentially get a higher raise, all based on merit. She stated she could be interpreting the policy incorrectly, but it is not fair when employees get the same amount of raise when there is not the same amount of work and/or effort put forward by employees.

Vice Chair Severt stated she would like to see the appendix added to the Personnel Policy. The Evaluation Process clearly states an employee as the option to appeal their evaluation to the Board if they felt that have been unfairly evaluated. It is the responsibility of the employee to request for a closed personnel session 15 days from their evaluation date. This would clearly satisfy any disgruntled employees as Secretary Elliott had mentioned.

Treasurer Ortiz stated she likes the District's Evaluation Process; it is very clear and precise.

Staff was directed to bring back the District's Personnel Policy 9.3.1 for formal action to adopt the District's Evaluation Process as part of the personnel policy.

There were no public comments.

Item# 14. Legal counsel update on legislative action including but not limited to, changes in the Open Meeting Law, Ethics Law and Public Records.

Ms. Shipman gave a brief overview of the recent legislative actions that took place during the 2019 Legislative Session. Ms. Shipman reported on Assembly Bill 70 Open Meeting Law was amended that authorizes a public body to gather privately for training regarding it's legal obligations. It also authorizes a public body to delegate authority to the chair of the executive director of the public body, or an equivalent position, to make any decision regarding litigation concerning any action or proceeding in which the public body or any member or employee of the public body is a party in an official capacity. Assembly Bill 132 Pre-Employment Screening Tests is a law that doesn't prohibit pre-employment testing for marijuana but prohibits any failure to employ an otherwise qualified candidate based solely on test results. Using test results only from marijuana results cannot be the sole reason for not hiring an individual. The District has a no drug tolerance policy and employees that have safety sensitive positions must adhere to the policy. She recommended the District adopting a list of criteria regarding marijuana testing results if used when considering a candidate for employment. Assembly Bill 274 Bolsters Whistleblower Protection it requires employers to inform employees of whistleblower protection laws (NRS281.611-281.681) via a written summary or video developed by the Division of Human Resources Management within 30 days of hire and annually thereafter and obtain written confirmation that this has occurred. Assembly Bill 397 Removal of Public Officers for Misconduct requires that any fine or penalty assessed must be paid personally by the public officer if removed from office. Senate Bill 162 Electronic Transactions prohibits a governmental agency of the state and its

political subdivisions from refusing to accept, process, use, or rely upon a certified copy of a record from another governmental agency solely because the copy is in electronic form. It also specifies that the agency providing the certified copy may charge and collect the same fee for a certified copy in electronic form as is provided by law for a certified copy in paper form and the same for the receiving agency, as long as the charge does not exceed actual cost. She reported actual cost does not include staff time only cost of materials. Senate Bill 245 Tort Action Damages increases the limitation on the amount of damages that may be awarded in a tort action brought under NRS 41.035 or against a present or former officer or employee of a political subdivision of the State from \$100,000 to \$150,000 until June 30, 2022. The limitation will be increased to \$200,00 as of July 1, 2022. Senate Bill 287 Public Records required a public entity to provide a written explanation if records are not provided within five business days, including an explanation of the reason the public record is not available with a date and time the entity reasonably believes the public record will be available. It also requires a public entity to make reasonable effort to assist the focus to the request in such a manner as to maximize the likelihood the request will be able to inspect, copy or receive a copy of the public record as expeditiously as possible. Failure to comply the court can impose damages for willful violations for failing to produce a public record \$1,000, \$5,000 and \$10,000 within ten year period. Money collected from violations is applied towards the State Library. Senate Bill 388 Records amends NRS Chapter 239 to require that records, or portions thereof, that contain personally identifiable information collected by automated means over the internet or other digital network by a government entity as part of the electronic collection of information from the general public is confidential if the governmental entity determines that the disclosure of the information could create negative consequences, including without limitation, financial loss, stigmatization, harm to reputation, anxiety, embarrassment, fear, or other physical or emotional harm, for the person to whom the information pertains. It is also requires an entity to maintain a list of records deemed to be confidential. The list must describe each record without revealing the personally identifiable information contained in the record. Senate Bill 302 Records relates to internet security, more specifically compliance with the current version of the CIS Controls as published by the Center for Internet Security.

There were no public comments.

Item# 15. Legal report by Maddy Shipman.

None

Item# 16. Field report by Chris Melton.

Mr. Melton reported on the following items;

- The SCADA replacement project is 95% complete; staff has been assisting with this project by mounting hardware while the contractor focuses on the programming of the new equipment. Programming of the new equipment will take some time, during this time the old and new SCADA system will run parallel to each other until such time the District is confident to shut the old system down.
- The August 3rd Free Swim Day sponsored by Washoe County Commissioner Kitty Jung was a success, there was a total of 255 patrons that visited the pool.

Item# 17. Manager's report by Jon Combs.

Mr. Combs reported on the following items;

- The BMX Track Operator has not paid their rider fee deposit that was due on July 1st required per the Lease Agreement; staff sent 30 day notice of non-compliance. They were supposed to be on the agenda, but the District never received their formal

written request detailing items of which they wanted to discuss. Without that request, staff would not be able to prepare any staff reports. Lastly, staff provided a follow up letter to the Track Operator detailing the estimated rider fees of \$1,600.00 that are due by Friday, August 9th or the track is subject to lockout. The letter also stated management would take a partial payment of \$1,000.00 to help them out while they secure funding. He reported all fees collected by the District from the BMX Program go back into the maintenance for the track itself.

Item# 18. Public Comments.

Mr. Rider commented the Track Operator would still like to be placed on the agenda and will be submitting their formal request to the District. He also commented Sun Valley Cal Ripken will be having a fall ball this season for their prep league. The league will not be playing games in Sun Valley this time; they will only be using the ball field for practice.

Item# 19. Board Comments.

None

Item# 20. Future Agenda Items.

Mr. Combs reported the following items will be on the next agenda;

- Possible discussion regarding the BMX Lease Agreement
- Presentation by Michael Drinkwater with Truckee Meadows Water Reclamation Facility
- Continuation of adopting a policy for naming of parks and memorial bench
- Continuation of consideration of a memorial for Patricia Lancaster
- Discussion and action to amend Personnel Policy 9.3.1. to add evaluation process to the Personnel Policy

Secretary Elliott would like to have discussion how the District can assist with the growing problem of abandon vehicles.

Item# 21. Adjournment.

Trustee Barstow made a motion to adjourn at 7:32 pm. Treasurer Ortiz seconded the motion. The motion carried unanimously.

Approved by the SVGID Board of Trustees on August 22, 2019.

Minutes Prepared by:
Jennifer Merritt, Administrative Assistant