

**MINUTES OF THE FEBRUARY 26, 2016
PUBLIC SCHOOLS OVERCROWDING &
REPAIR NEEDS COMMITTEE MEETING**

1. Opening Items

1.01 Call to Order

The meeting of the Public Schools Overcrowding & Repair Needs Committee was called to order at 9:02 a.m. at the Washoe County Complex, 1001 East Ninth Street, Caucus Room, Reno, Nevada.

1.02 Roll Call & Introductions

Chairman Shaun Carey and Committee Members Bridget Burckhard, Mike Cate, Josh Hicks, Todd Koch, Dylan Shaver, Kevin Sigstad, and Len Stevens were present. Committee Member Mike Kazmierski was not present at the time of roll call. Committee Members Assemblywoman Teresa Benitez-Thompson, Commissioner Marsha Berkgigler, Anthony Carano, Dana Galvin, and Greg Peek were absent from the meeting. Superintendent Traci Davis and District staff were also present.

Chairman Carey requested the Committee observe a moment of silence in honor of Senator Debbie Smith. She would forever be present in spirit and deeply missed.

1.03 Public Comment

There was no public comment at this time.

Committee Member Dylan Shaver arrived at the meeting at 9:04 a.m.

2. Items for Discussion and Possible Action

2.01 Presentation of the Board Policy 9405 as considered by the Washoe County School Board of Trustees concerning the creation of a new Capital Fund Protection Committee to oversee capital funds

Superintendent Traci Davis explained the Board of Trustees requested the drafting of Board Policy 9405 because they heard the concerns from the Committee and the community regarding transparency and accountability. The issues concerning overcrowding and future funding for the District were bigger than the individuals on the Board and it was critical the future of 64,000 children be addressed. The Board provided preliminary approval to the Policy at their February 23, 2016 Regular Meeting. The Policy was currently in the public review period and would be scheduled for final approval at

the April 5, 2016 Regular Meeting of the Board of Trustees.

Lindsay Anderson, Director of Government Affairs, Washoe County School District, reviewed the Policy. She noted the Policy would create a new framework for oversight for school construction, which was based on the Oversight Panel for School Facilities and the process used in Clark County. The new committee created was the Capital Funding Protection Committee and would be tasked with reviewing all capital improvement plans prior to being submitted to the Board of Trustees for final approval. The Board would be able to approve the plans or publically discuss why they disagreed with aspects of the plans, which would then be sent back to the committee for another review.

Committee Member Mike Kazmierski arrived at the meeting at 9:07 a.m.

Ms. Anderson explained the Policy contained language that would require additional information in an agenda title if the Board was considering a change to the Policy at any point moving forward. The membership of the new committee was included and mirrored the membership of the Oversight Panel for School Facilities. The intent would be to have the Oversight Panel adjourn their meetings, then convene a new meeting as the Capital Funding Protection Committee. The members of the Oversight Panel had been requesting additional responsibilities and dialogue with the Board of Trustees for a number of years, so they were looking forward to taking on their new roles on the Protection Committee.

Mr. Hicks asked if there was a sunset or expiration date to the Policy. Ms. Anderson stated there was not a sunset. Additionally, regardless of what would eventually occur with the ballot question, once the Policy received final approval from the Board of Trustees, all capital construction projects would go through the new committee.

Chairman Carey requested clarification of the meaning of the "notice" requirements included in the Policy. Neil Rombardo, Chief General Counsel, Washoe County School District, explained "notice" referred to the additional language that would be included for the particular agenda item. The meeting would be posted in accordance with Nevada's Open Meeting Law.

Mr. Stevens wondered if Mr. Cate could provide his thoughts on the new committee since he was currently a member of the Oversight Panel for School Facilities. Mr. Cate felt the new committee would provide a better dialogue between the Board of Trustees and both the Oversight Panel and Protection Committee. In the past, there had been items the Oversight Panel approved, but were removed by the Board without explanation. The new process would allow for a conversation to occur on why that was the case. Additionally, the Oversight Panel was responsible only for the expenditure of bond funds and not all capital monies.

Mr. Kazmierski thanked the Board and District for the efforts. He felt the new committee was more oversight than the community was hoping the Board would give and could be able to provide the additional accountability the community was looking for from the Trustees.

2.02 Presentation and consideration of an analysis of the impact of setting an end term for the proposed tax rate as authorized by Senate Bill 411

Dylan Shaver, City of Reno Representative, Public Schools Overcrowding and Repair Needs Committee, explained, after the previous meeting of the Committee where a sunset of the tax was discussed, he met with District staff to determine what the needs and requirements would be for the District in terms of bonding if the tax were to end. The tax would need to be in effect for 30 years to meet the needs related to bonding and preserving the District's ability to bond for 20-year terms. While a sunset would be more palatable to many, he did not want to see another group of citizens discussing the same issue in 30 years because the current Committee "did not get it right."

Chairman Carey remarked that the plan approved by the Committee would only "catch the District up" to where it needed to be in terms of a 1.7% growth rate. The District did need a sustainable source of funding moving forward, like all the other counties in Nevada currently had.

Mr. Kazmierski believed that voters would either vote for or against the proposed tax increase and including a sunset would not sway a voter one way or another. The District's ideal plan was well over \$1 billion in need and the Committee voted to approve the \$781 million plan, so already there would be needs not covered under the plan. Additionally, the projected growth rate of 1.7% was conservative at best and the region was already seeing the impacts of inflation and increased construction costs.

The consensus from other Committee members was that a sunset was not needed, especially since the new committee would not have a sunset attached to it either. Some concern was raised about the possible diversion of funds in the future away from capital projects. Neil Rombardo, Chief General Counsel, Washoe County School District, noted the legislation required any revenue from the proposed tax increase be spent on capital projects, to include the repair and maintenance of facilities.

Mr. Sigstad indicated it was important to remember that the need for new schools and maintenance on existing schools would not go away after the end of the 30 year term of increase. He was not interested in seeing another committee repeat the same work in 30 years. The comments he had heard from others in the community was more related to the oversight of the funds and not that the District did not need the funds for capital projects. He felt the creation of the new oversight committee was a more important step

than the sunseting of the tax.

Mr. Hicks stated his intent was to make sure the community understood the funding would be going to only capital projects. If there were changes to Nevada Revised Statutes to allow for the transfer of funds to another account, his intent was to make it as difficult and transparent as possible for the Board to move the funds away from school construction and repair.

Chairman Carey opened the meeting to public comment.

Bill Horn agreed with the Committee that there should not be a sunset on the proposed tax. He had been talking with voters and there seemed to be a lack of understanding of the need. Voters were also fearful that the Nevada Legislature could redirect the money somewhere else in the future. The community knew the funds were needed but they wanted assurances to where it would go.

Les Anderson remarked that Senate Bill (SB) 411 stated how any revenue raised from a potential increase to certain taxes would be spent. The creation of a new committee by the Board of Trustees would not make any difference. It was similar to "a group of foxes taking care of the chicken house."

It was moved by Mr. Kazmierski and seconded by Mr. Hicks that **the Public Schools Overcrowding & Repair Needs Committee does not include a sunset provision in the proposed initiative.** The result of the vote was Unanimous: Pass. Final Resolution: Motion Carries.

2.03 Discussion and possible action to adopt a recommendation to the Washoe County Commission as required by Senate Bill 411

Mr. Shaver expressed that he was not comfortable moving forward with the recommendation to the County Commission until the issues discussed in the previous agenda item were included in the document.

Chairman Carey indicated the Committee would have the ability to edit the recommendation during the next agenda item. The Committee could then either vote on the recommendation or wait until the next meeting for approval.

2.04 Discussion and possible action to forward the recommendation in the form of a proposed resolution, ballot question, explanation, and Description of Anticipated Financial Impact

Mr. Hicks remarked that he had no major changes to the recommendation, aside from an

additional “whereas” clause to make a clear statement that the Committee intended all funds be used for the purposes set forth in the capital construction statutes as they currently existed. If in the future, if the Nevada Legislature made changes to the statutes, it was the intent of the Committee that the funds always be used for capital construction and repair projects only.

Mr. Kazmierski noted that the provision could be included under the third “whereas” of the current draft of the resolution. He appreciated that the resolution included some specificity of where the money would go that could be shown to the voters.

Mr. Shaver remarked that it would also be important to show in the resolution that the Committee voted unanimously and not just by majority.

Chairman Carey opened the meeting to public comment.

Malena Raymond indicated that she was a declared candidate for the District D seat on the Board of Trustees. She had been talking to voters and they had expressed concern that the money would only be going for the construction of new schools and not the repair of existing schools. She mentioned that the wording could be clearer that some of the funds would be used for the repair of the older schools because many did not want to approve a tax increase that would only go toward the construction of new schools in the north and south of the County.

It was moved by Mr. Sigstad and seconded by Mr. Shaver that **the Public Schools Overcrowding & Repair Needs Committee approves the three amendments to the resolution as discussed and reviews the changes at the next meeting of the Committee for possible final approval of the resolution.** The result of the vote was Unanimous: Pass. Final Resolution: Motion Carries.

2.05 Requests for future agenda items

Chairman Carey stated the Committee would vote on adopting the final resolution and send it to the Washoe County Commission for inclusion on the November 2016 General Election ballot.

3. Closing Items

3.01 Announcement of Next Meeting

The next meeting of the Public Schools Overcrowding and Repair Needs Committee would be held on March 4, 2016 at 9:00 a.m. at Sparks City Hall.

3.02 Public Comment

Tray Abney provided the Committee with details on the memorial service for Senator Debbie Smith.

3.03 Adjourn Meeting

There being no further business to come before the members of the committee, Chairman Carey declared the meeting adjourned at 9:52 a.m.

Shaun Carey, Chair