

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

TUESDAY

10:00 A.M.

JANUARY 26, 2010

PRESENT:

**David Humke, Chairman**  
**Bonnie Weber, Vice Chairperson\***  
**Bob Larkin, Commissioner\***  
**Kitty Jung, Commissioner**  
**John Breternitz, Commissioner**

**Nancy Parent, Chief Deputy Clerk (10:03 – 11:38 a.m.)**  
**Amy Harvey, County Clerk (11:38 a.m. – 8:12 p.m.)**  
**Katy Simon, County Manager**  
**Melanie Foster, Legal Counsel**

The Washoe County Board of Commissioners convened at 10:03 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:

County Manager Katy Simon stated: "The Chairman and the Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings."

**10-69            AGENDA ITEM 3 – RESOLUTION OF APPRECIATION –**  
**SOCIAL SERVICES**

**Agenda Subject:** “**Resolution--Recognizing the Reno Rodeo Foundation for their Denim Drive and viewing of video of appreciation for same.**”

Kevin Schiller, Director of Social Services, introduced the following Rodeo representatives: Bill Bertelson, President of the Reno Rodeo Foundation; Marie Baxter, Executive Director of the Reno Rodeo Foundation; Steven Brown, Trustee of the Reno Rodeo Foundation and former County Commissioner; Alan Kingsley, Executive Director of the Reno Rodeo Association; Ray Callahan, President of the Reno Rodeo

Association; Clint Thiesse, Second Vice President of the Reno Rodeo Association; and District Attorney Dick Gammick, Director of the Reno Rodeo Association.

Mr. Schiller showed a brief video highlighting the efforts of the Reno Rodeo Foundation to provide clothing for children in protective custody and foster care in Washoe County. He stated children were placed in custody because of abuse and neglect, and it was impossible to express in words what the County's partnership with the Reno Rodeo Foundation meant to the children. He said the efforts of the Reno Rodeo Foundation emphasized how a community must work as a team to foster its children.

Chairman Humke thanked Marketing Coordinator Alice McQuone for producing and narrating the video.

**\*10:15 a.m.** Commissioner Weber arrived at the meeting.

Commissioner Breternitz read and presented the Resolution to Rodeo representatives. Mr. Bertelson said the Reno Rodeo Foundation liked to take care of the kids in Northern Nevada any way they could. He noted the Denim Drive had expanded to all eight northern Nevada counties over the past year. He thanked the Board, County staff, and news media for their contributions.

In response to the call for public comment, Sam Dehne acknowledged what a great operation the Reno Rodeo was.

On motion by Commissioner Breternitz, seconded by Commissioner Jung, which motion duly carried with Commissioner Larkin absent, it was ordered that the Resolution in Agenda Item 3 be approved and adopted. The Resolution for same is attached hereto and made a part of the minutes thereof.

**10-70            AGENDA ITEM 4 – EXCELLENCE IN PUBLIC SERVICE**

**Agenda Subject: "Presentation of Excellence in Public Service Certificates honoring Washoe County employees who have completed essential employee development courses."**

Katy Simon, County Manager, recognized the following employees for successful completion of the Excellence in Public Service Certificate Programs administered by the Human Resources Department:

- Essentials of Management Development**  
Leslie Burke, Librarian I  
Sherri Cline, Social Services Supervisor  
Carolyn Garlington, Legal Secretary Supervisor  
Danielle Henderson, Natural Resource Manager  
Brooke Keast, Deputy Public Information Officer  
Chris Melloway, Competency Development Coordinator

Ryan Sullivan, Deputy Public Defender IV  
Valerie Vaughn, Administrative Assistant

**Essentials of Personal Effectiveness**

Rose Gordon, Social Worker III

**\*10:21 a.m.** Commissioner Larkin arrived at the meeting.

**10-71            AGENDA ITEM 5 – PUBLIC COMMENT**

**Agenda Subject:** “Public Comment. Comment heard under this item will be limited to two minutes per person and may pertain to matters both on and off the Commission agenda. The Commission will also hear public comment during individual action items, with comment limited to two minutes per person. Comments are to be made to the Commission as a whole.”

Sam Dehne played his guitar and sang a song.

**10-72            AGENDA ITEM 6 – ANNOUNCEMENTS**

**Agenda Subject:** “Commissioners’/Manager’s Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda. (No discussion among Commissioners will take place on this item.)”

Katy Simon, County Manager, indicated Item 17 had been pulled from the agenda. She noted about \$1.6 million would be invested in the community should the Commission approve the combined items on the consent agenda.

Commissioner Weber expressed well wishes for Bruno Selmi of Gerlach, who was currently in the hospital.

Commissioner Jung thanked various individuals and organizations for their generous cash donations to Senior Services, as indicated under Agenda Item 8H.

Commissioner Breternitz requested a future agenda item for discussion and review of the new false alarm ordinance. He said he received a number of calls and some valid questions had been raised. He asked to have a dialogue with the Sheriff’s Office.

**10-73            AGENDA ITEM 7 – COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Appearance – David Morton, Executive Director, Reno Housing Authority: Update on the implementation of the U.S. Department of Housing and Urban Development \$1 Good Neighbor Program and Neighborhood Stabilization Programs 1 and 2. (All Commission Districts)”

David Morton, Executive Director of the Reno Housing Authority, conducted a PowerPoint presentation, which was placed on file with the Clerk. He stated a total of 55 properties were purchased in various parts of the community over the last year, and several jobs were created for rehabilitation of the properties. He showed before and after photographs of many homes. Mr. Morton talked about the first round of the Neighborhood Stabilization Program (NSP1), which provided \$4.2 million in federal grant funds to buy foreclosure properties. Under the NSP1, 75 percent of the homes were to be sold and 25 percent were to be rented to people whose incomes were under 50 percent of the median. He explained the Good Neighbor Program used RHA funds (from investment income), and funding for the Oliver-Montello project came from the HOME Consortium. He pointed out approximately \$750,000 had been paid to local contractors for home rehabilitation in targeted neighborhoods.

Mr. Morton indicated the RHA competed against 500 applicants for approximately \$20 million in NSP2 funds, and was one of only 56 programs in the country to be approved. He noted there were plans to buy 200 more homes with NSP2 funds and ten more homes with RHA funds. Additionally, he said the RHA wanted to challenge and encourage the private sector by awarding vouchers to investors who would bring 100 units up to standards of high energy efficiency. He pointed out the NSP2 program could dramatically improve the foreclosure situation in affected neighborhoods and, unlike NSP1, the money was not limited to specific neighborhoods. There was a legal requirement to use 25 percent of the properties as long-term rentals and 75 percent were to be sold to middle income families in the community.

Commissioner Jung commended Mr. Morton and his staff. She observed the program served as a nationwide model for how to use and leverage grant funds. Chairman Humke agreed. He noted the free market did not have a good way to handle the negative social problems that were sometimes associated with foreclosed homes.

No action was taken on this item.

**10-74            AGENDA ITEM 8A**

**Agenda Subject: “Cancel February 16, 2010 Commission meeting.”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8A be approved.

**10-75            AGENDA ITEM 8B – ASSESSOR’S OFFICE**

**Agenda Subject: “Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for error discovered for the 2009/2010, secured and unsecured tax rolls; and if approved, authorize Chairman to execute Order and direct the Washoe**

**County Treasurer to correct the error [cumulative amount of decrease \$10,110.79].  
(Commission District 3)**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8B be approved, authorized, executed and directed.

**10-76            AGENDA ITEM 8C – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Approve State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License and a Washoe County Importer/Wholesaler Intoxicating Liquor License for Brandon H. Camp, dba Camp Holdings, LLC, and, if approved, direct that each Commissioner sign the original copy of the State of Nevada Application for License for Importer and Wholesale Dealer of Wine, Liquor, and Beer. (Commission District 3)”**

In response to the call for public comment, Sam Dehne said he was in favor of the liquor license because another company held a monopoly in the community.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8C be approved and directed.

**10-77            AGENDA ITEM 8D – COMPTROLLER/FINANCE**

**Agenda Subject: “Acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the six months ended December 31, 2009 - Unaudited. (All Commission Districts)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8D be acknowledged.

**10-78            AGENDA ITEM 8E – DISTRICT ATTORNEY’S OFFICE**

**Agenda Subject: “Approve payments [\$10,248.78] to vendors for assistance of 64 victims of sexual assault; and if approved, authorize Comptroller to process same. NRS 217.310 requires payment by the County of total initial medical care of victims, regardless of cost, and of follow-up treatment costs of up to \$1,000 for victims, victim’s spouses and other eligible persons. (All Commission Districts)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8E be approved.

**10-79            AGENDA ITEM 8F – INTERNAL AUDIT**

**Agenda Subject: “Acknowledge receipt of Washoe County Procurement Card Audit Report. (All Commission Districts)”**

Commissioner Breternitz noted a correction in the first paragraph on page 2 of the staff report. He stated the decrease in the number of checks issued under the purchase card payment model, from 553 to 168, would amount to a 70 percent reduction rather than 30 percent.

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8F be acknowledged.

**10-80            AGENDA ITEM 8G – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Approve Cooperative Management Agreement between the County of Washoe and Bureau of Land Management (Sierra Front Field Office) for Spanish Springs Open Space APN 089-169-04 (portion) for joint planning and management of the site, excluding the Spanish Springs Airport Lease area, as a precursor to conducting the Recreation & Public Purpose Lease-Patent Process. (Requested by Commissioner Larkin, District 4)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8G be approved.

**10-81            AGENDA ITEM 8H – SENIOR SERVICES**

**Agenda Subject: “Accept cash donations [\$4,758.38] for the period October 1, 2009 through December 31, 2009 for the second quarter of Fiscal Year 2009/10; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8H be accepted and directed.

**10-82            AGENDA ITEM 8I – SHERIFF’S OFFICE**

**Agenda Subject: “Approve the Washoe County Sheriff’s Office and Purchasing Division developing and Purchasing Division administering a Request for Proposal to continue contracting for inmate health care services. (All Commission Districts)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8I be approved.

**10-83            AGENDA ITEM 8J – DEPARTMENT OF WATER RESOURCES**

**Agenda Subject: “Approve Agreement for Professional Consulting Services between the County of Washoe and Marcus G. Faust, P.C., for congressional and federal agency lobbying services for a 12-month period [\$51,527.40 plus related travel expenses] and if approved, authorize Chairman to execute Agreement. (All Commission Districts)”**

Katy Simon, County Manager, thanked Mr. Faust for reducing his fee to \$46,375, which was a 10 percent decrease. She thanked Mr. Faust for his consideration of the County’s fiscal situation.

Commissioner Breternitz asked how the consulting agreement would work with the operational consolidation of the Department of Water Resources and the Truckee Meadows Water Authority. Ms. Simon stated both agencies used the same lobbyist.

In response to the call for public comment, Sam Dehne said he was generally against the use of paid lobbyists.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8J be approved, authorized and executed.

**10-84            AGENDA ITEM 8K1 – TRUCKEE RIVER FLOOD  
MANAGEMENT PROJECT**

**Agenda Subject: “Acknowledge receipt of Truckee River Flood Management Project Status Report for November and December 2009--(All Commission Districts)”**

There was no public comment on this item.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8K1 be acknowledged.

**10-85            AGENDA ITEM 8K2 – TRUCKEE RIVER FLOOD  
MANAGEMENT PROJECT**

**Agenda Subject: “Approve Agreement for Professional Consulting Services between the County of Washoe and Marcus G. Faust, P.C., for Federal Lobbying Services on behalf of the Truckee River Flood Project [\$51,527.40 plus related travel expenses] for the period February 1, 2010 through January 31, 2011; and if approved, authorize expenditure from the 1/8 cent sales tax dedicated to the Truckee River Flood Management Project and authorize Chairman to execute Agreement. (All Commission Districts)”**

In response to the call for public comment, Sam Dehne said he was generally against the use of paid lobbyists.

On motion by Commissioner Breternitz, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 8K2 be approved, authorized and executed.

**DISCUSSION – BLOCK VOTE – AGENDA ITEMS 13 AND 18  
(SEE MINUTE ITEMS 10-86 THROUGH 10-87)**

The Board consolidated Agenda Items 13 and 18 into a single block vote.

**10-86            AGENDA ITEM 13 – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Recommendation to award a contract to The Sibbett Group [not to exceed \$155,810 - funded by a National Scenic Byways grant] to design, fabricate and construct interpretive media exhibits for the Galena Creek Visitor Center; and if awarded, authorize Chairman to execute Agreement for same and authorize Finance to make appropriate budget adjustments. (Commission District 1)”**

In response to the call for public comment, Richard Bowen said he lived about one mile from the Galena Creek Visitor’s Center and hiked the trails on a daily basis. He indicated he was not involved in the design industry. He wondered how many vendors bid on the project, how many were based in Nevada, and why a California company was recommended by staff. With Nevada unemployment over 13 percent, he said everything possible should be done to keep federal grant money in Nevada. Sam Dehne agreed with Mr. Bowen.

Commissioner Breternitz asked if any of the top-ranked proposers were from Nevada. Jennifer Budge, Park Planner, explained one of three short-listed firms was from Nevada. She stated the Nevada firm was ranked third during oral presentations

because they had only flat-panel design experience and had no established relationship with a fabricator. She said they were a wonderful firm that was used on other projects but were not qualified for the Galena project. She pointed out their project and administration costs were four to five times those of the recommended proposer.

Chairman Humke asked Ms. Budge to further describe the contracting process. Ms. Budge indicated there was a partnership and Memorandum of Understanding with the U.S. Forest Service for the development of the Galena Creek Recreation Area, which included the Galena Visitor's Center. She stated the Great Basin Institute would operate the facility and the Nevada Department of Transportation was the fiscal agent for the funds. Grant funds were used to advertise the Request for Qualifications (RFQ) locally and nationally, and six proposals were received. A team representing each of the partners scored the written proposals based on criteria that all of the proposers received ahead of time. The review team short-listed three proposers – one from Illinois, one from California, and one from Nevada. Ms. Budge indicated the Sibbett Group from California gave the biggest bang for the buck and would provide more exhibits than the other two combined. She noted the U.S. Forest Service had a history with them and was very pleased with their work. Their qualifications were also checked on several previous projects and everyone was pleased with them. She pointed out the Sibbett Group had a lot of local experience, had done several projects in the Lake Tahoe area, and had more knowledge of the local area than the other two proposers. She was confident they would do a good job. Chairman Humke wondered if the County was allowed to give preference for a local or in-state bidder. Ms. Budge said the funding source did not allow such a preference, although there was a contractual requirement for the contractor to try to find all fabrication materials in the United States.

Commissioner Larkin strongly encouraged the Nevada firm, Coulter and Associates, to observe the project and try to gain the necessary experience. He said the Board certainly wanted to employ local resources but had to get the job done. Ms. Budge said Coulter and Associates made contact to see how they could improve and what experience they needed to gain, and her department was working with them.

On motion by Commissioner Larkin, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 13 be awarded, authorized and executed.

**10-87            AGENDA ITEM 18 – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject: “Recommendation to approve an Agreement for Professional Consulting Services between the County of Washoe and The Carmen Group, Inc. for Federal Lobbying Services on behalf of the Truckee River Flood Project [\$180,000 plus related expenses] for the period March 8, 2010 through March 7, 2011; and if approved, authorize expenditure from the 1/8 cent sales tax dedicated to the Truckee River Flood Management Project and authorize the Chairman to execute the Agreement. (All Commission Districts)”**

Katy Simon, County Manager, noted the Carmen Group generously reduced their fee to \$153,000, which amounted to a 15 percent decrease. She pointed out the Carmen Group primarily did lobbying before the U.S. Army Corps of Engineers, which was an important emphasis for the Flood Project. She stated the role of Marcus Faust (Agenda Item 8K2) was to lobby the U.S. Congress.

In response to the call for public comment, Sam Dehne observed funds were also approved under Agenda Item 8K2 for a federal lobbyist and the wording on the agenda sounded like a duplication of services. Although it might be appropriate to have two groups lobbying different organizations, he said he had never been in favor of paid lobbyists.

On motion by Commissioner Larkin, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 18 be approved, authorized and executed. A reduction to \$153,000 in the lobbyist's fee was noted.

**11:09 a.m.** The Board convened simultaneously as the Board of County Commissioners, the Board of Fire Commissioners for the Sierra Fire Protection District, and the Board of Fire Commissioners for the Truckee Meadows Fire Protection District with all members present.

**10-88            AGENDA ITEM 9 – FIRE SERVICES COORDINATOR/  
MANAGEMENT SERVICES**

**Agenda Subject: “Review of draft Fire and Fire Based Emergency Medical Services Master Plan Executive Summary and possible direction to staff to post the draft plan at [www.washoecounty.us/mgrsoff/fireplan.html](http://www.washoecounty.us/mgrsoff/fireplan.html) on the Washoe County web site, make copies of the Plan available via CD to interested parties, receive public comment and return to the Board’s February 23, 2010 Meeting with a presentation of the plan inclusive of staff recommendations. (All Commission Districts)”**

Kurt Latipow, Fire Services Coordinator, thanked the Board for embarking on the master planning process. He indicated the intent was to post the draft Master Plan on the County website for public comment.

Mike Warren of Diamante Partners conducted a PowerPoint presentation, which was placed on file with the Clerk. Chief Warren indicated the Diamante Partners began looking at Washoe County fire services and fire based emergency medical services (EMS) in February 2009. He referenced the Executive Summary and final draft of the Master Plan, which included a series of recommendations for improving and/or enhancing current services governed by the Board. A copy of the final draft, entitled the *Fire and Fire Based Emergency Medical Services Master Plan*, was placed on file with the Clerk. Chief Warren explained the draft Master Plan and an analysis of fire station locations was included in Section I of the document. Section II contained Standards of Cover Reports for the Sierra Fire Protection District (SFPD), Truckee Meadows Fire

Protection District (TMFPD) and Washoe County Volunteer Fire Agencies (WCVFA). The financial analysis in Section III included current finances and recommendations for efficiencies.

Chief Warren outlined five themes or task areas that were addressed in the draft Master Plan: fire suppression/operations, fire prevention, fire based EMS, administration/management and governance, and financial structure and impacts. He noted extensive meetings were held to get input and participation from community stakeholders, private individuals, professional organizations, labor groups, and County staff. He acknowledged the administration of the Reno Fire Department (RFD) for their participation with respect to the TMFPD stations managed under an Interlocal Agreement. He pointed out the County fire services were challenged by a geographically large and diverse area, budget issues, and constituent demands. Chief Warren touched on some of the major issues that were identified on pages 10 and 11 of the draft Master Plan, including: governance and the ability to participate in critical actions and decisions through the Interlocal Agreement, response outside jurisdictional boundaries, concerns about volunteer firefighters, fire station sites and locations, and the inability to assess performance due to lack of dispatch information. He emphasized that averages were not an optimal way to measure performance and strongly encouraged the implementation of a system that would utilize fractile response measures to set performance standards. He reviewed the key issues and recommendations as summarized on pages 12 through 14 of the draft Master Plan. Chief Warren observed there were several strengths in the current system. He said the 800 MHz radio system was outstanding, the regional fire communication center was tops, the Interlocal Agreement provided economies of scale and a foundation for collaboration, the fire company staff met NFPA 1700 standards, and there was a high level of community satisfaction.

Commissioner Larkin asked about the next steps in the process. Chief Warren stated the contractual participation of Diamante Partners was concluded with the delivery of the draft Master Plan report. He indicated the consultants would be pleased to come back to help work through public comments at the Board's meeting on February 23, 2010. If the Board chose to look at a joint powers authority or some other form of governance in the future, he suggested a facilitator would help with the process. Chief Latipow said staff would dig into the 400-page report before making recommendations on February 23rd. He noted a formal presentation was scheduled before the Joint Fire Advisory Board (JFAB) on February 4th.

Commissioner Jung observed there were areas of concern related to size, money and constituent demands. She wondered what changes were identified in terms of what the constituents expected from the fire services. Chief Warren replied nothing had really changed but there were competing issues brought on by the loss of revenues and the economic situation that everyone was struggling with. He stated there was a constituent demand for increased services in some cases. He indicated Diamante's surveys and community discussions found there was a large interest in improving or increasing the fire based EMS portion of service delivery.

Commissioner Breternitz said it was important to be proactive and provide the draft Master Plan to the Reno City Council. He suggested a community-wide meeting in a less formal atmosphere was a better forum than the Commission meeting for discussing the complex report. Commissioner Weber agreed. County Manager Katy Simon indicated a copy of the report had been provided to all of the fire service partners as well as to the City of Reno staff. She stated a public workshop was a great idea. Chief Latipow asked that any workshop be held close to the February 23, 2010 Commission meeting in order to minimize the consultants' costs. Chairman Humke suggested February 22nd. Commissioner Breternitz asked that the draft Master Plan document also be given to the City of Sparks. Chairman Humke said he was interested in talking with citizens to find out what they had gleaned from the report before it went to the County's partners. Ms. Simon stated compact discs (CD's) containing the report would be made available for checkout from the library. Commissioner Weber requested that some paper copies also be made available through the Manager's Office.

Rick Martinez of Diamante Partners acknowledged the complexity of the project and the contributions of many people and fire service agencies. In particular, he recognized the efforts of TMFPD Interim Fire Chief Tim Alameda, SFPD Fire Chief Michael Greene, and Financial Consultant Mary Walker. He stated there was a tremendous opportunity because the public was engaged and all of the stakeholder groups were interested in moving forward and collaborating in a productive and meaningful way.

In response to the call for public comment, Jim Gubbels, Vice President of the Regional Emergency Medical Services Authority (REMSA), said his agency had some concerns about the recommendations in the Executive Summary. The agency's written comments were distributed to the Board and placed on file with the Clerk. Mr. Gubbels described REMSA's system as a nationally recognized high performance EMS model that was designed specifically for Washoe County by EMS experts. He said REMSA received no tax support and specialized in the practice of medicine with patient care as its focus. He pointed out REMSA had been doing fractile reporting for 23 years. He suggested the implementation of emergency medical dispatch at the Reno 911 Center would be an expensive redundancy to the current system. He referenced a research study (attached to REMSA's written comments) that demonstrated concerns about fire based paramedic service. He emphasized REMSA would participate in the process to suggest alternatives for reducing fire based EMS costs without compromising patient care.

Robert Ackerman read a statement, which was placed on file with the Clerk. He stated the Galena Forest residents had been anxiously awaiting the release of the Diamante report. He noted the Executive Summary failed to identify staffing for Fire Station 39 on Joy Lake Road, which was critical to response times in the area. He pointed out that the draft Master Plan recommendations could not happen under the current TMFPD/City of Reno contract. He encouraged renegotiation of the contract to allow for the creation of a new organization such as a joint powers authority.

Pete Cannizzaro, President of the Washoe County Volunteer Fireman's Association and Chief of the Galena Volunteer Fire Department, indicated the majority of

the volunteer fire departments were skeptical of the Diamante Executive Summary but were withholding comment until the draft Master Plan had been fully studied. He noted historical precedent had been set to develop and implement recommendations of the study using a committee approach with Board approval. He stated he was confident that could happen with the participation of a local facilitator and all of the factions who were involved. Mr. Cannizzaro's written comments were placed on file with the Clerk.

Donna Peterson of Saint James Village said she was encouraged by some of the findings in the Executive Summary but was concerned there was no mention of the need to staff the fire station on Joy Lake Road. Although invited to do so, she did not know if the consultants visited the Galena-Saint James Village area in order to understand the location of the fire station, the distribution of homes and population, and the projected run times. She emphasized the residents in the area were not satisfied with the status quo, and staffing of the Joy Lake and Arrowcreek fire stations was critical to providing life saving services within eight minutes. She supported review and amendment of the current contract with the City of Reno if it would provide critical response times throughout Washoe County. Ms. Peterson's written comments were placed on file with the Clerk.

Sara Thomas, a resident of the Arrowcreek community, observed many citizens had come before the Board over the past 18 months to resolve the problem of emergency response times far exceeding the recognized standard of eight minutes. She was pleased that the consultant's study addressed the need for a joint fire authority and the need for a fire station in the Arrowcreek area. She asked the Fire Commissioners to resolve the remaining issue of staffing the Arrowcreek and Joy Lake Road fire stations. She indicated the residents would support efforts to establish a joint fire authority that could use funds more efficiently for everyone in the County and definitely wanted to participate in the suggested community workshop.

Alex Kukulis, President of the Sierra Firefighters Association, acknowledged these were incredibly difficult times for local governments. He noted there were recent layoffs and potential station closures within the Reno Fire Department and in Storey County. He thanked the Board for making public safety an essential priority. He observed the community's 400 firefighters were a large group of stakeholders who recognized the importance of the Diamante study. He hoped the process would involve everyone, including the community, the volunteers and the chief officers.

Michael Greene, SFPD Fire Chief, thanked the Board. He agreed with comments made by Commissioner Larkin at a previous leadership seminar that there was a once in a decade opportunity to shape the future of public safety and fire services in Washoe County. He noted the SFPD had been designed for a completely different type of operation under the Nevada Division of Forestry before it was taken over and stabilized by Washoe County, which enabled the citizens and everyone else to be a part of its reshaping. He said he looked forward to reading all 400 pages of the draft Master Plan and becoming a subject matter expert so that he could bring forward constructive solutions. He indicated there was a large pool of expertise in the community and it was

crucial to get everyone in the boat and rowing the same way. He stated EMS was a large part of the SFPD's services and advanced life support (ALS) service in the outlying areas was critical to saving lives. He hoped all of the issues would be looked at through the lens of objectivity with a focus on community service.

Tim Alameda, Interim Fire Chief for the Reno Fire Department (RFD) and the TMFPD, said his agency wanted the opportunity to look at the entire draft Master Plan document, be part of the leadership process, and be part of the work process going forward. He observed the RFD was a big outfit, running from Washoe Valley to Cold Springs, with significant fire responses in the downtown area, the rural areas and the suburban areas.

John Howe, Board Member of the Washoe County Volunteer Firefighters Association and President of the Board of the Silver Lake Volunteer Fire Department, said he was disappointed that Chief Cannizzaro was not given five minutes to speak as the representative of a group. Although the consultants' working group met with the volunteers, he stated their input was not used as much as was expected in the Diamante report. He indicated volunteers should be utilized in the field. He related the story of a volunteer fire department being dispatched to the scene of a structure fire and canceled en route. Later, the career captain who was in command of the scene said to the volunteer fire chief: "Where were you guys? I could have used you." Mr. Howe indicated that such incidents happened a lot and illustrated the types of problems that were being overlooked.

Commissioner Weber hoped that representatives of a group would be identified in advance and allowed to speak for five minutes if a workshop was to be held. Chairman Humke pointed out the Commission was recently "burned" on the five minute rule and it would have to be looked at very carefully.

Commissioner Jung requested that a direct link to the draft Master Plan remain on the front page of the County website until after the public workshop so that people did not have to memorize the address. Chief Latipow agreed.

On motion by Commissioner Larkin, seconded by Commissioner Jung, which motion duly carried, it was ordered that the plan presented to the Board on CD, marked the *Fire and Fire Based Emergency Medical Services Master Plan, January 2010*, would hereafter be referred to as "The Draft Plan" so there would be no confusion that the Board of County Commissioners had made any final decisions related to it. Staff was directed to post The Draft Plan to the Washoe County website at [www.washoecounty.us/mgrsoff/fireplan.html](http://www.washoecounty.us/mgrsoff/fireplan.html), make copies of The Draft Plan available to interested parties by CD, receive public comment, and return on February 23, 2010 to the Board of County Commissioners, the Board of Fire Commissioners of the Sierra Fire Protection District and the Board of Fire Commissioners of the Truckee Meadows Fire Protection District. Kurt Latipow, Fire Services Coordinator, was authorized to schedule a public workshop prior to the February 23rd Board meeting.

**12:06 p.m.** Chairman Humke temporarily left the meeting and Vice Chairperson Weber assumed the gavel. The Board reconvened as the Board of Fire Commissioners for the Sierra Fire Protection District with Chairman Humke absent.

**12:26 p.m.** Commissioner Breternitz temporarily left the meeting. The Board reconvened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District with Chairman Humke and Commissioner Breternitz absent.

**12:30 p.m.** Commissioner Breternitz returned to the meeting.

**12:35 p.m.** The Board reconvened as the Board of County Commissioners with Chairman Humke absent.

**10-89            AGENDA ITEM 28 – CLOSED SESSION**

**Agenda Subject:** “Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.”

**12:35 p.m.** On motion by Commissioner Jung, seconded by Commissioner Breternitz, which motion duly carried with Chairman Humke absent, it was ordered that the Board recess and reconvene in the Caucus Room for a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

**1:52 p.m.** The Board reconvened in the Commission Chambers with all members present.

**10-90            AGENDA ITEM 20 – FINANCE**

**Agenda Subject:** “Status report and direction to staff on Fiscal Year 2010/11 Budget. (All Commission Districts)”

John Sherman, Finance Director, conducted a PowerPoint presentation, which was placed on file with the Clerk. He provided an overview of the budget and economic situation. He noted the County was stabilized financially but was looking at structural deficits over the next five to six years and a projected \$24.7 million budget deficit for fiscal year 2010-11. Forecasting over a period of five to six years, he said past economic growth trends were not likely to be repeated, revenue had rebased to lower levels, and it was necessary for the County organization to rebase its cost structure. He identified three primary goals designated by the Board: (1) maintain service levels to the community; (2) maximize the number of employees; and (3) achieve sustainable labor costs. He pointed out the County’s judicious use of reserves and fund balance to help manage the budget was not sustainable in the long term.

Mr. Sherman noted employee costs represented about 75 percent of the County’s operating costs. Based on surveys of comparable organizations, he stated average salaries for County employees were slightly less than those of the City of Reno

and Clark County. Although reductions in force (500 defunded positions) had already driven salary costs down in the short term, salary components such as merit increases, longevity pay, retirement, and health benefits were expected to push costs back up to their 2008-09 levels within five or six years. In particular, he indicated there had been double digit growth in health benefit costs and a compounding growth rate of 8 percent per year was forecast going forward. He reviewed the assumptions leading to the projection of a \$24.7 million deficit for fiscal year 2010-11, which included a 5 percent decrease in total revenues and a 2.5 percent increase in total expenditures.

Mr. Sherman presented the proposed 2010-11 budget strategy to achieve stability and sustainability, which included a reduction of \$11.4 million in labor costs, the use of \$5.75 million in redirected revenues and reserves, and \$7.8 million in prioritized departmental program reductions. He stated wage reductions were recommended across the board for all of the labor associations, as well as for all represented and non-represented employees. Redirected revenues and reserves could include \$1.55 million in telecommunication franchise fees, \$700,000 from vector control funds, \$1.0 million from the fuel tax index, and \$2.5 million in equipment service reserves. Tiered departmental reductions were recommended at 2 percent for public safety, 3 percent for judicial/health/social services, 4 percent for general government, and 5 percent for culture and recreation. He noted the tiered departmental reductions could translate to about 70 employee positions. Based on a five-year forecast, he said the strategy was projected to close the structural gap and allow current revenues to pay for current expenses.

Mr. Sherman reviewed the meeting schedule and timeline for the budget approval process. He pointed out the labor negotiations might not be concluded before budget adoption, so the final budget would be adopted based on anticipated wage concessions.

In response to the call for public comment, former Library Director Martha Gould commended John Sherman and his staff. She said it was necessary to think about how services would be restored down the road. She pointed out the library system had already suffered reductions of about 40 percent and asked that further negative impacts be mitigated as much as possible. She hoped the public would realize there was a cost for having an economically viable community.

Garth Elliott related a recent incident when six Sheriff's deputies responded to a situation involving his 12-ounce dog. He was later told it was part of a training exercise. He suggested such training was unnecessary given the budget situation. He characterized some provisions in the Fire Department's labor contract as "scams" to siphon off taxpayer money.

Bill Ames, Washoe County Sheriff's Supervisor and member of the Deputies Association, said the Sheriff's Office had been making due with less for many years. He pointed out that personnel could not be sent out on the street without training. He invited each of the Commissioners to tour the jail or take a look at what the patrol

division was doing. He asked the Board to keep in mind that surveys throughout the years had identified public safety as the number one priority among Washoe County citizens.

Pam Keller, Vice President of the Supervisory Deputies Association, indicated the Association's members were looking at all options but were under significantly more pressure and stress. She stated the Sheriff's Office worked around the clock 365 days per year, and worked with other agencies on high risk calls and in very dangerous situations. She noted all of the groups in the Sheriff's Office supported other agencies, including the Forensic Science Division and the Detention Center, and wage obligations were not being met with some members of those groups. She indicated the Sheriff's Office personnel needed the Board's support to continue holding down the lines and providing services.

District Attorney Dick Gammick commended Mr. Sherman and the Finance staff for their new and different proposal. He asked for flexibility in the process and hoped the departments would be given time to plan and implement such sweeping changes. He indicated some departments might be able to come in with grants or other single source funding that would allow them to keep people at their jobs while the organization moved toward sustainability. He said he believed in long-term planning but the trigger should not be pulled too fast.

Sheriff Michael Haley indicated his organization would meet the challenge. He reminded the Commission that the Sheriff's Office had exceeded the Board's reduction targets for the last three years. He said he would look for strategies to do the same going forward using a sustainable approach to balancing the budget.

Josh Wilson, County Assessor, commented everyone was in a difficult position, especially the departments in the third and fourth priority tiers. He applauded his staff for meeting past challenges. He pointed out 95 percent of his budget was in salaries and wages, and there was no way to achieve the recommended reduction target without impacting his current staffing levels. He referred to a chart previously presented to the Board that showed ten years of General Fund growth by department and clearly illustrated some departments that had grown and others that were receiving a smaller share of the pie. He noted those who had maintained prudent budgetary practices and utilized technology to get things done were getting close to capacity. He indicated he would do his best to bring a plan but was very concerned about the long-term sustainability of his valuable human resources.

Amy Harvey, County Clerk, agreed with the remarks made by the Assessor, District Attorney and Sheriff. She said it was very difficult to sustain the reductions already made, let alone make more reductions while being asked to do more meetings of the Board, more retreats, and more Board of Equalization hearings. She stated she would bring a plan and do her best to use forward thinking to make reductions. She pointed out she did not know how to work around her statutory mandates.

Doug Doolittle, Director of Regional Parks and Open Space, thanked Mr. Sherman and his staff for working with his department. He thanked his staff who felt the burden of the reductions. He noted they would not be able to deliver to the community as they had in the past. He pointed out the budget had been streamlined and reduced without a whole lot of complaining, and the department had still been able to keep the parks open, safe and clean. He said he needed the Board's continued support and understanding in view of the service level cuts already made and those that would continue to be made.

Katy Simon, County Manager, thanked the Finance team, department heads, elected and appointed officials, and the staff of Washoe County. She noted the Board had made courageous decisions in order to avoid even worse actions for the next fiscal year. She said she was grateful for the organization's teamwork and partnership with a community that had been very supportive of what the County was trying to do.

Commissioner Larkin referenced slide 14 of the PowerPoint presentation, which graphed the impact of the budget proposal on the structural deficit. He said the short-term recommendation for the fiscal year 2010-11 budget was very modest, but he hoped something could be done to alleviate the burden on the Library system. He indicated he was deeply concerned about the long-term impact of revenue projections in terms of upward pressure on future wages, benefits and programs. He asked Mr. Sherman to elaborate on the assumption of positive revenue growth after fiscal year 2011-12. Mr. Sherman walked through the future revenue assumptions for consolidated/sales taxes and property taxes. Total revenues were projected to go down by about 5 percent during fiscal year 2010-11. A modest turnaround or flattening was predicted in 2011-12 with a little more than 1 percent growth. Slightly more robust growth of 3 percent was projected through 2012-13 and 2013-14. A slight uptick of about 4.5 percent was assumed in fiscal year 2014-15. Mr. Sherman remarked that future assumptions were a challenge for anyone's imagination but the staff knew they had to manage based on what was in the bank. He observed it might take a lot longer for the northern Nevada economy to recover, and modest growth rates could be pushed further out into the future with aggregate increases of 1 to 3 percent. He noted such increases were far lower than inflationary expectations so the growth numbers were negative in terms of real purchasing power. He said he appreciated Commissioner Larkin's cautionary approach and the staff was also trying to be conservative and cautionary within a dynamic economic system. He acknowledged he could not predict what would happen with any degree of precision, but stated he did see some hard evidence that the economy was getting close to a bottom. He indicated he could look at pushing revenue forecasts down in the last few years of the graph and it might be possible to flatten the expenditure curve a little bit more with some additional adjustment in ongoing labor cost increases. He said he believed the assumptions were pretty well lined up for at least the next three years.

Commissioner Jung requested more information about the redirected vector control revenues shown on Slide 11. Mr. Sherman explained the Board imposed a one-half cent increase in the property tax in 2003 to address the emerging issue of West Nile Virus and other vector-borne diseases. A nonbinding advisory question was put on the ballot in 2004 to find out if the voters wanted to continue funding the program. He

noted the narrative of the ballot question clearly stated it was advisory and nonbinding. He said the fund was primarily used for mosquito abatement and the full amount of revenue generated by the tax had never been used. He indicated the Board had the ability to redirect the resources to a higher critical need if it wished to do so.

Commissioner Jung wondered if the \$1 million identified from the Fuel Tax Index was required to go for street repairs. Mr. Sherman indicated it was. He said the current street maintenance program was funded about 50 percent from fuel taxes and 50 percent from the General Fund. He stated the \$1 million could go toward restoring cuts, not requiring as many cuts in the roads budget, or could free up General Fund dollars to be used for something else.

Commissioner Jung referred to Slide 13, which showed the history of budget reductions taken by each tiered priority group. She said she would like commissioners to see a side by side comparison of what the County was proposing, what Reno was proposing, what Sparks was proposing, and how the overall service level to the citizens was affected. Ms. Simon indicated such information had been requested before and staff provided whatever information it was able to get to the Board. She stated there would be a Joint Meeting on February 1, 2010 that would include discussion from each of the finance directors about the economic climate and the specific strategies being implemented.

Commissioner Jung asked if 70 layoffs were anticipated with the proposed 2010-11 budget cuts. Mr. Sherman said he did not mean there would be 70 layoffs. He explained staff analyzed how \$7.8 million in departmental program reductions would translate in terms of full-time equivalents because the nature of the various departments meant some of the cuts would come from personnel costs. He stated there could be some retirements, some vacant positions held open, and some layoffs included in the number. Commissioner Jung pointed out one of the Board's strategies was to maximize employment. Mr. Sherman indicated there would be fewer departmental program reductions if the \$11 million reduction target in ongoing labor costs could be achieved.

Commissioner Jung wondered if the sustainability plan goals shown on Slide 4 were in the same priority order that was presented when the Board discussed them. Ms. Simon indicated the goals were in priority order. She agreed there were goals to maintain service levels and maximize employment, but said the reality was that \$24.7 million had to be cut out of the 2010-11 budget. She emphasized no specific number of layoffs was proposed and the recommendation was to allocate the burden between labor costs and operating reductions. She said reductions could be in the form of efficiencies or holding some positions vacant longer than departments might otherwise have planned. Commissioner Jung asked if the department heads would make those determinations and if they would also be informed by the three priorities when making proposals to the Board. Ms. Simon agreed that they would.

Commissioner Jung observed that layoffs generally worsened the economic impact of a recession on a community and she hoped that would inform

negotiations with the County's collective bargaining units. She said she agreed to the sustainability goals and priorities because she thought the second largest employer in Washoe County could not lose any more people. She understood the need to emphasize sustainable jobs, but also wanted to ensure that public service work was something the best and brightest could aspire to. Ms. Simon reiterated there was no specific number of positions to be laid off. She stated the departments were being asked to share in a redesign of core government functions because that is what the public was asking and that was all that revenues would support.

Commissioner Jung recalled District Attorney Gammick's comment that department heads needed time to design and implement as well as to consider grants. She asked how grants had been managed in the past. Ms. Simon noted there were some departments that had the talent and resources to aggressively pursue grants. She indicated there was only one centralized grants administrator position for the County and that was clearly not enough. Although grant funds were not sustainable, they were recognized and budgets were augmented when grants were approved. She said credit was given for new departmental revenues that could be counted on but it was a very dangerous practice to give credit when revenue could not be counted on. She stated the staff would continue to aggressively pursue grants. During budget presentations, Commissioner Jung wondered if department heads could have an area set aside for anticipated revenues that they could not yet count on, along with an explanation of where things stood in the process.

Commissioner Breternitz said he would continue to push for sustainability. He observed the County was spending some of its savings to last through the fiscal year and that was not sustainable. He stated it was logical to assume no growth in revenues for five years and he thought that was closer to what the reality would be. The County would be better off to add any future revenue increases rather than to be in the position of having to cut back. He noted he recently heard the term "new normal" and thought it was necessary to establish a new baseline.

Commissioner Breternitz asked what the effect of across the board cuts would be in each of the four priority tiers. He said he was not necessarily supporting such action but needed to have the numbers in front of him before he could make a decision. He acknowledged that culture and recreation had taken big hits over the last three years. Commissioner Weber remarked that no one on the Board had seen the current economic situation before. She stated it would be interesting to see an across the board comparison but hoped the Board was open to other concepts. She said the Commission needed to be more open to what the department heads had to say. She suggested more one-on-one dialogue was appropriate. Ms. Simon observed there was a tension between welcoming input from everyone and giving departments time to do their planning. She pointed out staff and the department heads were seeking the Board's direction about what to plan around. She indicated across the board cuts would require a larger reduction from the Sheriff's Office because it was the largest department. For example, she stated the Sheriff's Office would have to reduce approximately \$2.7 million instead of \$1.8 million to achieve a 3 percent across the board reduction.

Chairman Humke requested more explanation of the telecommunications franchise fee referenced on Slide 11. Mr. Sherman indicated the Board increased the telecommunications franchise fee (on telephone lines) about four or five years ago and 40 percent of the proceeds were directed to be used for undergrounding utilities. He noted there had so far been only one project in Crystal Bay that used the funds and the rest of the proceeds were accumulating in an account pending further direction from the Board. He stated the Board would have to change an ordinance to redirect the funds for other uses. Chairman Humke questioned where the other 60 percent of the fee was directed. Mr. Sherman said it went into the General Fund. He observed the cost of undergrounding utilities was fairly high and there were no proposals to use the funding for any specific capital improvement projects.

Chairman Humke remarked that the fiscal and management staff had opened the County's books to experts hired by some of the employee associations and he had basically heard some of the employee groups say: "looks like you are doing what you say you are doing." He noted the State of Nevada transferred some funds from the State's two biggest counties. He asked if there were other examples of protected funds that the County could forego in addition to those shown on Slide 11. Mr. Sherman replied there were other revenue streams dedicated for specific purposes but all of them had been established either by State law or voter approval, so the Board could not redirect their use. He indicated some of them would require a change in State law and others would take some sort of voter initiative to redirect the resources. Chairman Humke observed it was difficult to set aside a protected fund on a discretionary basis when the County was having difficulty with its revenues. Mr. Sherman said the County had gone a long way toward rebasing services and additional reductions were coming in the form of increased costs. He noted there was a policy choice about the best use of scarce resources toward higher level priority programs that guided the thought process behind the proposals.

Commissioner Larkin referenced Commissioner Jung's inquiry into the Fuel Tax Index on Slide 11. He recalled the County previously entered into a voluntary agreement with the Regional Transportation Commission (RTC) because of decreasing levels in the Pavement Condition Index (PCI). He explained the PCI was an indicator of road quality and when it fell below a certain level it was better to carve the road up and repave it rather than to do routine maintenance. He stated funds were allocated to the RTC for road maintenance in order to equalize the PCI between the incorporated and unincorporated areas. He said he was not in favor of defunding if it resulted in deceleration of the PCI within the incorporated areas. He observed there was no guarantee the money would ever flow back to the areas administered by the RTC. Dan St. John, Public Works Director, indicated it had been a good idea at the time but conditions had changed significantly since the funds were allocated to the RTC. He applauded Commissioner Larkin and the Board for taking a regional view of the roads. He stated all of the local government entities were receiving more complaints about potholes and snow plowing, and he had received more calls from the Sheriff's Office about things such as slippery intersections in areas that were not plowed right away. He pointed out Public Works recently started spending money on pothole repair for the first time in anyone's memory. He noted repairing potholes was something that was done until money was

available to do the work that was really needed. Based on his conversations with their engineering director, Mr. St. John said the RTC had sufficient funding to complete its mission because of the Fuel Tax Index initiative. Additionally, he stated the City of Reno had obligated a fairly sizeable amount of money to catch up on repair of their roads.

Commissioner Larkin asked about the County's average PCI. Mr. St. John said it had dropped to about 72, which was in the good range. He noted the PCI had dropped 2 to 3 points per year over the last couple of years and was likely to be in the fair range at about 69 within the next year. He compared it to any fixed asset with a value that would decrease faster than the amount of maintenance that would otherwise go into it if it was not properly maintained. He said a leaky roof was one good example and a second example was a road with potholes in it because it was not crack sealed or overlaid. Commissioner Larkin wondered if any of the money was used for snow removal. Mr. St. John stated that snow removal was included in services and supplies for the roads and was a competing interest for maintenance of the PCI. He agreed with Mr. Sherman that Public Works could take less of a General Fund subsidy to do the road maintenance if revenue from the Fuel Tax Index was allowed to come back in.

Commissioner Larkin agreed there were changed conditions with the passage of RTC-5 by the voters. He requested that the Director of the RTC be engaged in the conversation before the Board redirected any funds. Mr. St. John agreed. Commissioner Larkin remarked that everyone was talking about the same roads and it was just a matter of timing and who administered them.

Mr. Sherman said he heard the Board's feedback to incorporate a proposal that might take uniform percentage cuts in programs. He asked for positive guidance from the Board to move forward and allow the departments to start the budget planning process around the Board's three goals. He noted the details could be fleshed out during the budget hearings over the next several months.

Commissioner Larkin stated the department heads needed specific numbers to start the planning process and those could be found on Attachment A to the staff report, which showed departmental reductions ranging from 2 to 5 percent. He commended staff for bringing the information forward.

A discussion ensued to clarify a motion made by Commissioner Larkin. Commissioner Breternitz asked if the motion included the assumption of flat revenue over the long term for planning purposes. Commissioner Larkin said staff would bring more options back to the Board and it was his intention to assume no increase in revenues. Commissioner Breternitz seconded the motion based on that. Commissioner Humke clarified that staff would bring back projections assuming flat revenues over a five-year period for the 70 percent of General Fund revenue sources that included sales and property taxes. Ms. Simon clarified that staff was to go with the proposal to reduce approximately \$7.8 million from departmental operating budgets for the 2010-11 fiscal year. Commissioner Larkin agreed, as outlined in Attachment A.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, staff was directed to:

- Proceed with plans to balance the fiscal year 2010-11 budget and close the structural deficit as shown in Attachment A of the staff report and Slide 16 of the PowerPoint presentation.
- Bring back additional recommendations about across the board departmental reductions.
- Utilize the following sustainable planning goals, in priority order, for department heads to look at in terms of how they move toward balancing the budget: (1) Maintain Service Levels; (2) Maximize Employment; and (3) Achieve Sustainable Labor Costs. The goals were not mutually exclusive but were provided to optimize the process.
- Assume flat revenue over the long term for planning purposes.

**10-91            AGENDA ITEM 12 – COMMUNITY DEVELOPMENT**

**Agenda Subject: “Introduction and first reading of an Ordinance amending the Washoe County Code at Chapter 110, Article 324, by eliminating the requirement for retaining a technical expert to perform a technical review on requests for building permits for facilities under Section 110.324.45, 110.324.50, 110.324.55 or other technical review requirements; and removing the public noticing requirement for building permits for wireless communication facilities in 110.324.60(C) and providing other matters properly relating thereto. Set public hearing and second reading of the Ordinance for February 9, 2010 at 6:00 p.m. (All Commission Districts)”**

Amy Harvey, County Clerk, read the title for Bill No. 1611.

Commissioner Breternitz requested clarification of the language in Section 324.60(B) where the word “application” was to be deleted. He said it appeared from the language that the application document was considered a permit as soon as it was submitted. He wondered if Community Development would still have the ability to review applications for full compliance with standards. Trevor Lloyd, Planner, said the intent of the amendment was to clarify that someone submitting an application was submitting for a building permit and not for a discretionary special use permit. Commissioner Breternitz observed a building permit was the ultimate document that allowed a builder to go to work once it was received, but the language sounded like the builder was giving Community Development a permit instead of the other way around. Mr. Lloyd stated the code as currently written included different types of wireless facility uses that required only a building permit or a building permit and special use permit. He indicated the amendment would take away the confusion of an application process for all types of wireless facilities. Commissioner Breternitz asked if the ordinance had been presented to the local building community so that they understood it and knew what the County was doing. Mr. Lloyd said it had been and there was no negative response.

In response to the call for public comment, Garth Elliott observed the community of Sun Valley was having tremendous problems with its clock tower/communications device. He discouraged any actions that limited public oversight.

Bill No. 1611, entitled, “**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 110, ARTICLE 324, BY ELIMINATING THE REQUIREMENT FOR RETAINING A TECHNICAL EXPERT TO PERFORM A TECHNICAL REVIEW ON REQUESTS FOR BUILDING PERMITS FOR FACILITIES UNDER SECTION 110.324.45, 110.324.50, 110.324.55 OR OTHER TECHNICAL REVIEW REQUIREMENTS; AND REMOVING THE PUBLIC NOTICING REQUIREMENT FOR BUILDING PERMITS FOR WIRELESS COMMUNICATION FACILITIES IN 110.324.60(C) AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.**” was introduced by Commissioner Breternitz and legal notice for final action of adoption on February 9, 2010 was directed.

**10-92            AGENDA ITEM 14 – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Recommendation to approve a State Question 1 Truckee River Funding Agreement between the County of Washoe and Great Basin Institute to be used for the UNR Farms Restoration Project (APN: 021-020-02 & 021-030-06) on a section of the Truckee River and the Steamboat Creek on property owned by the University of Nevada Reno [\$574,997.36 funded through the 2002 State Question 1 Bond - required match \$574,997.36 from Great Basin Institute]; and if approved, authorize Chairman to sign Agreement and authorize Finance to make all appropriate financial adjustments. (Commission District 2)”**

Lynda Nelson, Planning Manager, described the University of Nevada (UNR) Farms Restoration Project. She noted the 2002 State Question 1 bonds allocated \$10 million to Regional Parks and Open Space for work in the categories of restoration, acquisition and recreation along the Truckee River. She stated staff previously brought project rankings before the Board and the UNR Farms Project was ranked number one in the restoration category. She indicated there had been coordination with the Truckee River Flood Project and Danielle Henderson, Natural Resources Manager for the Flood Project, sat on the ranking committee. She said the Great Basin Institute also coordinated with the Flood Project, had a Memorandum of Understanding, and was working with UNR to do the work on their property. Ms. Nelson pointed out the work would serve as a pilot project for eradicating noxious species and restoration of native species, as well as for some of the levee work that would be occurring along the Truckee River. She observed local people would be employed through the Great Basin Institute and coordination would continue with UNR and the Flood Project.

Commissioner Larkin asked if there had been any coordination with the Regional Transportation Commission (RTC) with respect to impacts from infrastructure put in place by the Southeast Connector plan. Ms. Nelson said she did not foresee any

problems at the current time. She noted design review was required at 30, 70 and 90 percent through the project, and those designs could be brought to the RTC. Commissioner Larkin stated that was perfect.

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Chairman Humke, which motion duly carried, it was ordered that Agenda Item 14 be approved, authorized and executed.

**10-93            AGENDA ITEM 15 – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Recommendation to approve a State Question 1 Truckee River Funding Agreement between the County of Washoe and The Nature Conservancy to be used for the McCarran Ranch Public Access Project (Waltham-McCarran Bridge, APN’s: 004-161-014, 049 and 068) on a section of the Truckee River between McCarran Ranch and Waltham Way on property owned by Reno Tahoe Industrial Center [\$229,000 funded through the 2002 State Question 1 Bond - required match \$229,000 from The Nature Conservancy]; and if approved, authorize Chairman to sign Agreement and authorize Finance to make all appropriate financial adjustments. (Commission District 2)”**

Lynda Nelson, Planning Manager, explained the McCarran Ranch Public Access Project was ranked second in the recreation category for 2002 State Question 1 bond funds. She indicated the McCarran Ranch had worked with the Union Pacific Railroad for years to acquire public access but there was no easement where the Patrick exit from Interstate 80 came down to a private railroad crossing. After years of attempted negotiation, the McCarran Ranch proposed to come in from Waltham Way and build a trailhead. She stated the Nature Conservancy had an existing easement with the Reno Tahoe Industrial Center for construction of a one-half mile trail. She pointed out the proposed location of the Waltham Way Bridge on the map shown as Exhibit A to the Funding Agreement. She noted the trail and bridge were proposed on Reno Tahoe Industrial Center property, and the trail would then cross over to Nature Conservancy property to provide public access for the McCarran Ranch. Ms. Nelson said the work would be conducted by the Reno Tahoe Industrial Center as part of the match for the grant. The bridge was being designed locally by EcoLogic and would more than likely be a prefabricated bridge. It was to be located outside the 100-year flood plain, with project review and approval by the Truckee River Flood Control Project and the U.S. Army Corps of Engineers.

Commissioner Larkin asked if the bridge was situated in Storey County and, if so, what the approval process would be. Ms. Nelson said she was not yet sure but suspected the bridge would require a special use permit from Storey County. She indicated Storey County was supportive of the project and looking forward to having additional access provided from the south side of the Truckee River. She remarked that State Question 1 was a statewide bond so there was no exclusion for expending the funds

in a particular county. Commissioner Larkin observed it was a win-win situation. Ms. Nelson pointed out the \$229,000 match would be met through the shade structure and trail work done by the Nature Conservancy as well as work that would be done by the Reno Tahoe Industrial Center.

Commissioner Breternitz wondered if a permit from the Army Corps of Engineers was required to span the Truckee River. Ms. Nelson said she believed so and negotiations had already begun. She indicated the County hoped to get recreation flood credit for the project. Naomi Duerr, Director of the Truckee River Flood Management Project, indicated the regulatory branch of the Army Corps of Engineers would require a permit for dredging and filling that was found primarily under Section 404.

There was no response to the call for public comment.

Commissioner Larkin asked how many people would be employed by the project. Ms. Nelson said she did not have the exact count but would report back.

On motion by Chairman Humke, seconded by Commissioner Larkin, which motion duly carried, it was ordered that Agenda Item 15 be approved, authorized and executed. It was requested that credit be obtained from the Tahoe-Pyramid Trails Janet Phillips organization.

#### **10-94            AGENDA ITEM 16 – REGIONAL PARKS AND OPEN SPACE**

**Agenda Subject: “Consideration and possible approval of an amendment to the Option Agreement between RJB Development, Inc. and Washoe County for potential acquisition of approximately 228 acres of property commonly known as Northgate Golf Course for a period of three additional months ending April 30, 2010 at no cost to the County; and if approved, authorize Chairman to execute the addendum to the Option Agreement (continued from January 12, 2010 Commission Meeting-Agenda Item No. 12). (Commission Districts 1 and 5)”**

Commissioner Larkin asked for more information about a previously raised question concerning funds for a Peavine project. Doug Doolittle, Director of Regional Parks and Open Space, stated there was a non-funded project for Peavine access under Washoe County Question 1 (WC-1) funds. He explained the intent was to find any potential privately held properties that could be acquired to provide access to the Peavine open space areas, mainly U.S. Forest Service lands. He indicated Northgate was a closed property that had no real access leading into Peavine open space, although there were some trails at the entrance to Northgate that connected to City of Reno owned open space. He said a lot of easements would be required, if they were even available. Commissioner Larkin observed it would require private owners on adjoining areas to step forward and offer easements through their properties. Commissioner Breternitz pointed out the Peavine access project had not been funded, so there were no WC-1 funds.

Commissioner Breternitz read from the third paragraph on page 2 of the staff report: “The County would continue to hold title to the property and retain responsibility for maintenance and liability of the 228 acres during the existence of the option agreement.” He said it was his understanding the City of Reno was helping with those costs. Mr. Doolittle indicated the maintenance costs were about \$1,300 per month for electricity, water, and an alarm system in the building. He stated the City had come forward with some funding but it did not cover the full extent of the maintenance.

Commissioner Breternitz voiced his support for the three-month extension that would allow more time for the citizens who were working on a Special Assessment District (SAD) at no cost to the County. He observed RJB Development had made a huge concession and the citizens were a very energetic group. He requested monthly email updates about the status of the SAD. Mr. Doolittle pointed out there were currently 115 signatures and 71 more were needed. He agreed to provide email updates.

Commissioner Weber hoped the Board would support the process. She observed Jeff McCutcheon and the citizens’ committee were doing a great job.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, it was ordered that Agenda Item 16 be approved, authorized and executed.

**10-95            AGENDA ITEM 19 – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT**

**Agenda Subject: “Discussion and possible direction on a proposed Summary of Key Provisions for a new Interlocal Cooperative Agreement between the cities of Reno and Sparks, and Washoe County to implement a new Flood Management Authority, including the financing, construction, ownership, operation and maintenance of the Truckee River Flood Management Project. (All Commission Districts)”**

Naomi Duerr, Director of the Truckee River Flood Management Project, conducted a PowerPoint presentation that was placed on file with the Clerk. She said information concerning a Joint Powers Authority (JPA) for a flood agency was being presented to all of the potential parties in advance of the Joint Meeting scheduled for February 1, 2010. She noted the parties unanimously approved the concept of a JPA at their February 9, 2009 Joint Meeting. She stated the passage of SB 175 achieved the legislative changes that were necessary to enact the JPA, authorize the agency to charge fees, and access lower cost bonding through the County. Ms. Duerr indicated staff oversight and managers’ JPA teams began working in the fall of 2009 to vet the concepts, policies, provisions, and text of the Interlocal Cooperative Agreement that would establish the flood management authority. She reviewed the timeline associated with the process up to this point and looking into the future.

Ms. Duerr talked about various options for determining the composition of a JPA board. She stated there was to be a Memorandum of Understanding between the University of Nevada Reno (UNR) and the Flood Project to resolve land-related issues, so UNR representation on the new board was not recommended. Storey County did not require board representation because there were no specific features in the Flood Project that benefited them. She noted there were project elements to protect Storey County from changes in Washoe County and there were restoration projects that spanned both counties. She discussed alternatives for equal versus disproportionate representation on the board for Reno, Sparks and Washoe County. She recommended defaulting to the current division of equal representation rather than engaging in a community debate about who would get more members on the new board. Ms. Duerr reviewed voting requirements and what constituted a quorum for the current Flood Project Coordinating Committee (FPCC) as well as for a new board. She said staff proposed that the new board be required to have a simple majority for routine decisions and a super majority for certain types of decisions related to the Living River Plan, budget approvals, capital improvement plans, fees, borrowing/bonding, and policies. She provided an overview of the U.S. Army Corps of Engineers requirements that drove Flood Project decisions. She pointed out the FPCC had adopted the key provisions for the Interlocal Cooperative Agreement as summarized in the staff report. The FPCC suggested a six-member board with two representatives from each entity, and bifurcated voting between simple and super majorities based on the type of decision being made.

Commissioner Weber asked if alternates would be allowed on the new board. Ms. Duerr indicated there would be alternates because it was critical to have full representation at each meeting.

Commissioner Larkin said the formation of a JPA would be a historic event. He encouraged the Commission's endorsement.

There was no response to the call for public comment.

Chairman Humke observed that the agenda item requested staff guidance but the real decisions about a JPA would take place at a Joint Meeting between all of the entities. Ms. Duerr agreed. She related that one member of the Sparks City Council felt strongly about uniform board representation and unanimous voting, but Mayor Martini supported the FPCC recommendations. She noted there had been quite a bit of discussion about liability. She indicated the Flood Project would seek to indemnify the parties to the JPA and stand on its own funding to solve any legal issues that might arise.

Commissioner Jung asked if the Commission's FPCC representatives agreed with the recommendations. Commissioner Larkin and Chairman Humke both expressed agreement. Commissioner Jung offered her full support.

On motion by Commissioner Larkin, seconded by Commissioner Jung, which motion duly carried, the summary of key provisions for the new Interlocal Cooperative Agreement between Washoe County and the Cities of Reno and Sparks to

implement a new flood management authority, including financing, construction, ownership, operation and maintenance of the Truckee River Flood Project, were accepted as outlined in the staff report.

**10-96                    AGENDA ITEM 21 – GOVERNMENT AFFAIRS**

**Agenda Subject: “Discussion and possible direction to staff regarding legislative interim committees, studies and reports of the Nevada Legislature, including but not limited to the Legislative Review of Nevada's Revenue Structure, the Legislative Interim Study on Powers Delegated to Local Governments, the Legislative requirement that certain local governmental entities submit a report to the Legislature concerning the consolidation or reorganization of certain functions, and such other legislative committees, studies, reports and possible bill draft requests as may be deemed by the Chair or the Board to be of critical significance to Washoe County. (All Commission Districts)”**

John Slaughter, Management Services Director, distributed a 2010 Interim Legislative Calendar, which was placed on file with the Clerk. He indicated Nevada's population was expected to decline by nearly 100,000 people in the last five years and the State stood to lose nearly half of the 400,000 jobs that had been created over the last decade. He stated fiscal projects showed Nevada to be approaching an overall shortfall of nearly \$1 billion. The Governor was expected to announce the date and topics for a special legislative session during a special State of the State address on February 8, 2010.

Mr. Slaughter pointed out the legislative calendar showed County Commission meetings as well as interim legislative meetings and events. Per Commissioner Breternitz's request, he said staff would highlight any legislative issues that might lead to Bill Draft Requests (BDR's) from Washoe County or those that Washoe County might ask legislators to sponsor. He planned to bring monthly updates to the Board on specific legislative issues, meetings that had occurred, and the special legislative session as it unfolded. He noted the last opportunity for Board approval of the County's four BDR's was August 24, 2010 and the next regular legislative session would begin February 7, 2011.

Commissioner Larkin requested a report about the Committee on Employment Misclassification. Mr. Slaughter explained there had been a lot of discussion about state and local employees who worked as independent contractors but should actually be employees based on the type of work they did or vice versa. Commissioner Larkin said he was interested in knowing if there might be impacts to small businesses that had a high percentage of contract employees. He observed the small business sector usually recovered first during an economic recovery and he would hate to see anything that might hamper small businesses.

Chairman Humke complimented Mr. Slaughter for incorporating County Commission meetings into the calendar. He wondered if there had been any BDR requests from departments or staff members. Mr. Slaughter indicated he had a very short

preliminary list. He stated topics that had come up included home rule types of issues and mandated hours of operation.

Katy Simon, County Manager, indicated she would attend a meeting of the Nevada Vision Stakeholders Group on January 29, 2010, where she would represent the public safety sector. She said she would be meeting with public safety stakeholder representatives from the northern and southern areas to get their input.

No action was taken on this item.

**10-97            AGENDA ITEM 27 – REPORTS AND UPDATES**

**Agenda Subject: “Reports/updates from County Commission members concerning various boards/commissions they may be a member of or liaison to (these may include, but not be limited to, Regional Transportation Commission, Reno-Sparks Convention & Visitors Authority, Debt Management Commission, District Board of Health, Truckee Meadows Water Authority, Organizational Effectiveness Committee, Investment Management Committee, Citizen Advisory Boards).”**

Commissioner Jung announced an upcoming event to raise funds for the Truckee Meadows Historical Trust and Northern Nevada Children’s Cancer Foundation.

Commissioner Weber indicated she would be unable to attend the February 1, 2010 Joint Meeting. She stated Commissioner Larkin would fill in as an alternate at the next meeting of the Joint Fire Advisory Board.

Commissioner Larkin said he participated in a recent retreat with the Regional Transportation Commission (RTC), which had been a good opportunity to encourage transparency and allow public comment. He indicated the high priority Southeast Connector project was very much alive. Based on Chairman Humke’s comments, he noted the RTC staff was to bring the project back in segments. He stated he would not be present at the February 1, 2010 Joint Meeting but could call in for voting.

Commissioner Breternitz announced upcoming meetings of the Tahoe Regional Planning Agency, where an affordable housing project and commercial core revitalization plan in Kings Beach would be discussed.

Chairman Humke indicated he would attend a meeting of the Reno-Sparks Convention and Visitors Authority.

**4:53 p.m.**            Chairman Humke declared a brief recess.

**6:03 p.m.**            The Board reconvened with all members present.

10-98

**AGENDA ITEM 22 – COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC09-003 to extend Development Agreement Case Number DA08-004 for Tentative Subdivision Map Case Number TM03-006 for the Eagle Canyon IV as previously approved by the Washoe County Planning Commission, the purpose of the Agreement being to extend map approval until May 20, 2012 with a possible second extension until May 20, 2014 (Bill No. 1607); and if adopted, authorize Chairman to execute Amended and Restated Agreement between the County of Washoe, Ms Rialto Eagle Canyon North NV, LLC and Spanish Springs Associates Limited Partnership. (Commission District 4)”

**6:04 p.m.** Chairman Humke opened the public hearing.

Amy Harvey, County Clerk, read the title for Ordinance No. 1427, Bill No. 1607.

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Ordinance No. 1427, Bill No. 1607 entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING AMENDMENT OF CONDITIONS CASE NUMBER AC09-003 TO EXTEND DEVELOPMENT AGREEMENT CASE NUMBER DA08-004 FOR TENTATIVE SUBDIVISION MAP CASE NUMBER TM03-006 FOR THE EAGLE CANYON IV AS PREVIOUSLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION, THE PURPOSE OF THE AGREEMENT BEING TO EXTEND MAP APPROVAL UNTIL MAY 20, 2012 WITH A POSSIBLE SECOND EXTENSION UNTIL MAY 20, 2014 (BILL NO. 1607)" be approved, adopted and published in accordance with NRS 244.100.

10-99

**AGENDA ITEM 23 – COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC09-004 to extend Development Agreement Case Number DA07-004 for Tentative Subdivision Map Case Number TM0009-004 for Pebble Creek Subdivision as previously approved by the Washoe County Planning Commission, the purpose of the Agreement being to extend map approval until July 26, 2012 with a possible second extension until July 26, 2014 (Bill No. 1608); and if adopted, authorize Chairman to execute Amended and Restated Agreement between the County of Washoe and Pebble Creek, LLC. (Commission District 4)”

**6:06 p.m.** Chairman Humke opened the public hearing.

Amy Harvey, County Clerk, read the title for Ordinance No. 1428, Bill No. 1608.

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Ordinance No. 1428, Bill No. 1608 entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING AMENDMENT OF CONDITIONS CASE NUMBER AC09-004 TO EXTEND DEVELOPMENT AGREEMENT CASE NUMBER DA07-004 FOR TENTATIVE SUBDIVISION MAP CASE NUMBER TM0009-004 FOR PEBBLE CREEK SUBDIVISION AS PREVIOUSLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION, THE PURPOSE OF THE AGREEMENT BEING TO EXTEND MAP APPROVAL UNTIL JULY 26, 2012 WITH A POSSIBLE SECOND EXTENSION UNTIL JULY 26, 2014 (BILL NO. 1608)**" be approved, adopted and published in accordance with NRS 244.100.

**10-100      AGENDA ITEM 24 – COMMUNITY DEVELOPMENT**

**Agenda Subject: "Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC09-005 to extend Development Agreement Case Number DA08-007 for Tentative Subdivision Map Case Number TM06-008 for Eagle Canyon VI as previously approved by the Board of County Commissioners, the purpose of the Agreement being to extend map approval until February 24, 2012, with a possible second extension until February 24, 2014 (Bill No. 1609); and if adopted, authorize Chairman to execute Amended and Restated Agreement between the County of Washoe and Spanish Springs Associates Limited Partnership. (Commission District 4)"**

**6:08 p.m.**      Chairman Humke opened the public hearing

Amy Harvey, County Clerk, read the title for Ordinance No. 1429, Bill No. 1609.

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Ordinance No. 1429, Bill No. 1609 entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING AMENDMENT OF CONDITIONS CASE NUMBER AC09-005 TO EXTEND DEVELOPMENT AGREEMENT CASE NUMBER DA08-007 FOR TENTATIVE SUBDIVISION MAP CASE NUMBER TM06-008 FOR EAGLE CANYON VI AS PREVIOUSLY**

**APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, THE PURPOSE OF THE AGREEMENT BEING TO EXTEND MAP APPROVAL UNTIL FEBRUARY 24, 2012, WITH A POSSIBLE SECOND EXTENSION UNTIL FEBRUARY 24, 2014 (BILL NO. 1609)"** be approved, adopted and published in accordance with NRS 244.100.

**10-101            AGENDA ITEM 25 – COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC09-006 to extend Development Agreement Case Number DA07-001 for Tentative Subdivision Map Case Number TM05-017 for Eagle Canyon V as previously approved by the Washoe County Planning Commission, the purpose of the Agreement being to extend map approval until February 24, 2012 with a possible second extension until February 24, 2014 (Bill No. 1610); and if adopted, authorize Chairman to execute Amended and Restated Agreement between the County of Washoe and Spanish Springs Associates Limited Partnership. (Commission District 4)”

**6:10 p.m.**            Chairman Humke opened the public hearing.

Amy Harvey, County Clerk, read the title for Ordinance No. 1430, Bill No. 1610.

There was no public comment on this item.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Ordinance No. 1430, Bill No. 1610 entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING AMENDMENT OF CONDITIONS CASE NUMBER AC09-006 TO EXTEND DEVELOPMENT AGREEMENT CASE NUMBER DA07-001 FOR TENTATIVE SUBDIVISION MAP CASE NUMBER TM05-017 FOR EAGLE CANYON V AS PREVIOUSLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION, THE PURPOSE OF THE AGREEMENT BEING TO EXTEND MAP APPROVAL UNTIL FEBRUARY 24, 2012 WITH A POSSIBLE SECOND EXTENSION UNTIL FEBRUARY 24, 2014 (BILL NO. 1610)**" be approved, adopted and published in accordance with NRS 244.100.

**10-102            AGENDA ITEM 26 – COMMUNITY DEVELOPMENT**

**Agenda Subject:** “Appeal Case Number AX09-008 for Burke and Associates, Vya Temporary Construction Camp. (Commission District 5)

To appeal the denial by the Board of Adjustment of Special Use Permit Case Number SB09-014 (Vya Temporary Employee Housing Camp) to develop a

**temporary employee housing camp (110.206.10(a)(5)(iii)) for approximately 600 employees, helistop (110.302.05.3) and operable vehicle storage area (110.206.10(b)(2)(v)) to be utilized for a period of approximately eight months as authorized in the Washoe County Development Code and the Washoe County Comprehensive Plan, including but not limited to Articles 206, 302, and 310 of the Washoe County Development Code and High Desert Area Plan Policy HD.1.7 of the High Desert Area Plan and to appeal the denial by the Board of Adjustment of Variance Case Number VA09-007 (Vya Temporary Employee Housing Camp) to waive the standards as would be applied to a permanent development (such as, but not limited to, pavement, landscaping, lighting and etc. Articles 410, 412 and 414 of the Development Code) for a temporary employee housing camp for approximately 600 employees, helistop and operable vehicle storage area to be utilized for a period of approximately eight months, as required by Section 110.310.15, of the Washoe County Development Code. The project is located approximately one mile south of the historic Vya town-site on the west side of Nevada State Route 8a. The ±160-acre parcel is designated General Rural (GR) in the High Desert Area Plan, and is situated in a portion of Section 10, T42N , R19E, MDM, Washoe County, Nevada. The property is located in the Gerlach/Empire Citizen Advisory Board boundary (APN: 061-010-08).”**

**6:12 p.m.** Chairman Humke opened the public hearing.

Roger Pelham, Planner, conducted a PowerPoint presentation, which was placed on file with the Clerk. He displayed a map showing the location of the proposed Vya Temporary Employee Housing Camp and noted the areas surrounding the camp were primarily undeveloped. Commissioner Larkin asked if the subject property immediately abutted Route 8A. Mr. Pelham replied that it did. He explained Special Use Permit (SUP) Case Number SB09-014 and Variance Case Number VA09-007 were denied by the Board of Adjustment (BOA) on a four to one vote because it was unable to make the required findings of “Consistency” and “No Detriment.”

Mr. Pelham provided an overview of the temporary camp project, which was proposed to facilitate the construction of approximately 100 miles of natural gas pipeline. He stated discussion during the BOA hearing centered on dust control, lighting, mitigation of visual impacts, water usage, provision of emergency services, maintenance and repair of County roadways, traffic impacts, impacts on historic resources, and concerns expressed in a 17-page document submitted by the White Pine Ranch. He pointed out the current hearing was for consideration of the temporary camp and a separate SUP would be required for construction of the Ruby Pipeline. He reviewed several conditions of approval submitted by County and State agencies and shown in Exhibit A to the staff report. He noted the staff report contained a response to each of the objections in the White Pine Ranch document. Mr. Pelham detailed each of the findings the Board was required to make to either uphold or overturn the BOA’s denial of the variance and the SUP.

Loren Locher of the El Paso Corporation, and John Frankovich, an attorney representing Burke and Associates, spoke on behalf of the applicant/appellant. They conducted a PowerPoint presentation, which was placed on file with the Clerk.

Mr. Locher provided an overview of the 675-mile Ruby Pipeline project that was proposed to run through ten counties in four states. He stated 54 percent of the land being used for easements was public land. It was anticipated that 1.25 to 2 billion cubic feet of natural gas would move through the pipeline daily. He noted there had been extensive stakeholder outreach. He indicated the project was regulated under the Federal Energy Regulatory Commission (FERC) and other entities. He said the final Environmental Impact Statement (EIS) was issued by FERC on January 8, 2010. He displayed maps of the project's proposed route. He outlined several ways in which the project would benefit the community.

Mr. Frankovich emphasized the project under discussion was not the pipeline; it was a temporary facility to house up to 600 employees that was needed to support the pipeline. He noted the project was expected to be completed by the end of 2010, including construction, operation and dismantling of the camp, followed by revegetation of the surrounding area. He described the camp facilities that would be located in a remote area. He indicated the employees would be bused from the camp to the pipeline for work, which would further minimize traffic impacts. He indicated the FERC completed a two-year EIS and determined the project impacts were appropriately mitigated. He observed the SUP was specifically allowed in the High Desert Area Plan and the project was consistent with the Plan. He stated the variance was requested to eliminate requirements for permanent improvements such as pavement and landscaping.

Mr. Frankovich listed several conditions of approval that had been further refined from those recommended by staff at the BOA hearing. He placed a six-page memorandum from CardnoWRG on file with the Clerk that detailed amendments and clarifications to the conditions of approval. He said the reasons for the BOA's denial of the SUP and the variance were unclear and there had been little discussion of findings in the BOA's discussion and motions. He suggested the basis for denial was confusion about the conditions. He explained the applicant wanted the conditions amended to be consistent with the FERC but the BOA did not feel they had the ability to amend them. He also believed the BOA wanted certain conditions satisfied before they felt comfortable voting for the project. He stated all of the conditions had now been clarified and resolved to reach agreement between staff, other agencies, and the applicant. He pointed out the staff report responded to each of the objections filed by the White Pine Ranch. He provided a handout detailing minor modifications to four conditions that had been worked out since the BOA hearing to address the concerns of the White Pine Ranch. A copy of the handout, submitted jointly by Mr. Frankovich and Arlo Stockham of the White Pine Ranch, was placed on file with the Clerk.

Mr. Frankovich referenced pages 11 and 12 of the staff report that had been provided to the BOA (see Exhibit 3), which contained staff recommendations and analysis as to why each of the findings could be made to support approval of the SUP and

the variance. He concluded the pipeline was an important project for the entire western region of the U.S. that would create over 600 jobs in the community and provide substantial long-term tax revenues to the County and to the State.

In response to the call for public comment, the following people spoke in favor of granting the appeal and allowing the project to move forward: Paul McKenzie representing the building and construction trades, Richard Daly representing Laborers Union Local 169, Melinda Elizondo representing the Nevada Chapter of Associated General Contractors, John David Newman, Gene Tiemen, Greg Ruzicka, John Russell, Eloy Jara, Seth Henderson, Mike Kinney, Greg Smith, and Ross Aguiar. It was noted that the project would create sorely needed jobs, bring in tax revenue, act as a catalyst for economic growth, and provide clean energy to the west coast. Several speakers commented that the Commission had enough information to make the necessary findings and the land would be restored back to its original state.

Michon Eben of the Reno-Sparks Indian Colony, Ron Eagleye Johnny of the Summit Lake Paiute Indian Tribe, and Buck Sampson of the Reno-Sparks Indian Colony pointed out that, although the EIS had been released, there would be no Record of Decision (ROD) until public comments were accepted and additional studies completed. Concerns were expressed about the protection of Native American Lifeways and cultural resources, as well as impacts to water, native plants, and spiritual areas. Ms. Eben said she was not opposed to the project but did not want the decision to be rushed while the federal process was still being completed. Mr. Johnny placed several documents on file with the Clerk, including resolutions from four tribes and letters from individuals who could not attend the hearing. He noted the Bureau of Land Management (BLM) and Nevada Department of Wildlife (NDOW) had both recommended Highway 140 as the most appropriate route for the pipeline.

Wendi Lutz said she was a resident of Long Valley, which was about 2.5 miles from the proposed camp location. She alleged the correspondence and comments she presented to the BOA were not included in the record. She placed several documents on file with the Clerk. She urged the Commissioners to uphold the BOA decision and deny the SUP application. She stated all of the Ruby Pipeline applications needed full review, including those submitted to the BOA and the Planning Commission. She suggested a more thorough evaluation of camp-related activities was needed and there were some incorrect items in the staff report that should be clarified. She expressed concern that a portion of the Applegate-Lassen Trail was located on the property, the Section 106 federal determination for cultural resources was incomplete, the conditions of approval would not restore the land's original contour and native revegetation, and communication from the Air Quality Division needed further clarification.

Ed Lutz observed that employment of the workers was not dependent on using the proposed location for a construction camp. He stated approval of the SUP would create an unnecessary burden and hardship for the residents of Long Valley, and would set a precedent for allowable uses in the Long Valley community. He said the project could degrade the historic and scenic resources of the valley, which was contrary

to the High Desert Area Plan and to Land Use and Transportation Policy 50.3 of the Washoe County Comprehensive Plan.

Artie Valentine, a property owner in the immediate vicinity of the project, noted the grouse in the Modoc-Roop area were almost on the verge of being extinguished. He said water for the camp was likely to deprive livestock and wildlife in the area. He suggested water be hauled in from outside of the Modoc-Roop area.

Arlo Stockham indicated he represented White Pine Ranch, a 22,000-acre property that adjoined the proposed housing camp. He stated the Ranch had been in support of the pipeline project but expressed some concerns about the housing camp at the BOA hearing. He said the concerns would be alleviated with the imposition of four additional conditions agreed to by the applicant and the White Pine Ranch. He placed a copy of the conditions on file with the Clerk.

Commissioner Breternitz asked what hiring program was in place to ensure that Washoe County residents would be called first to work on the project. Mr. Locher indicated there was a 50/50 agreement that allowed contractors to bring in 50 percent of their employees as boomers (workers from outside the local union halls), and the remaining 50 percent from the local union halls. If the contractor was unable to find enough workers from the local halls, they went to the next set of halls within the vicinity. He emphasized there would be local employment as much as was feasible based on the 50/50 arrangement.

Commissioner Breternitz wondered if there would be bonds or other guarantees in place to ensure the land was brought back to its original state. Mr. Frankovich observed there was a specific condition requiring a bond for revegetation and reclamation to the satisfaction of Community Development.

Commissioner Breternitz questioned the location of the Applegate-Lassen Emigrant Trail relative to the project site, what project activities might affect a property listed on the National Register of Historic Places, and whether it was the property itself or the Emigrant Trail that was on the National Register. Daniel Gredrig of Ruby Pipeline LLC stated he was not an archaeologist. He said it was his understanding the Applegate-Lassen Trail ran through the southern half of the 160-acre parcel and would not be directly affected by the camp on the northern half of the parcel. He pointed out the entire historic impact of any eligible site was determined by the Section 106 process, which was reviewed by the FERC and the BLM through a Memorandum of Agreement (MOA). He stated there were BLM staff archeologists who did field work to contribute to the FERC report and the State Historic Preservation office. Commissioner Breternitz commented that the final determination had not yet been made.

Commissioner Breternitz asked how Washoe County approval would fit into context as one element of a very complex approval matrix. Adrian Freund, Director of Community Development, acknowledged there was a set of discrete approvals at the local, federal and state levels. He explained the County had longstanding agreements with

the BLM and it was typically required that all necessary local approvals be obtained before the BLM would issue approvals to anyone operating on its land. He noted County staff had already commented on the EIS for the Ruby Pipeline project, and had done everything possible to ensure the work camp project provided extensive detail and the site would be properly restored when the project was complete. He emphasized all necessary local, federal and state approvals would have to be granted before the pipeline project could proceed, and the federal approvals would probably be the last in line. He said the County had received an SUP application for the pipeline project but that was to be dealt with in the future.

Commissioner Breternitz questioned whether there was information to be made a part of the public record that was omitted from the information provided to the Board. Mr. Pelham said the information was not omitted and he believed the documents referred to by Ms. Lutz were included in the appendices to the BOA's staff report.

Commissioner Breternitz wondered if the Board was precluded from considering or approving the project if other agency approvals had not yet been issued. Mr. Freund stated they were not. He indicated the Board's approval and requirements from the County Development Code were separate and discrete from other agencies. He reiterated the project would have to have all necessary approvals from all levels before it could proceed. He noted it was the normal course for the BLM to seek County input and approvals before issuing their own approvals.

Commissioner Jung asked if changes or further mitigation based on the EIS or the ROD would be separate from County approvals. Mr. Freund stated the applicant would have to comply with any such conditions before the project could proceed, but they were under the jurisdiction of the EIS, the FERC and the BLM. He noted the BLM record already reflected the County's comments to the EIS, which were primarily related to the pipeline. He indicated the Commission's approval was separate from the federal processes. Commissioner Jung observed it was confusing to have so many separate applications and wondered if it was necessary to keep them separate. Mr. Freund said it might have been possible to wrap the two SUP's for the work camp and the pipeline into one, but their processes were disjointed in time. He stated the work camp required fewer approvals from fewer levels of government. He explained there was always a phasing to large-scale utility projects and mobilization of the construction workers would typically precede the pipeline. Mr. Frankovich clarified that the camp needed to be ready to go when pipeline approval was obtained so there would not be another 60-day lag resulting in a loss of the better part of the 2010 construction season.

Commissioner Jung referred to statements during public comment about 200 off-highway vehicles. Mr. Rocher agreed they were not off-road vehicles to be taken out to the desert but were intended as spaces for workers to live on site in recreational vehicles. Commissioner Jung questioned whether off-roading would be allowed outside of the camp. Mr. Rocher stated the applicant was mandated to stay on specified routes once a Certificate of Public Convenience and Necessity was obtained from the BLM.

Commissioner Jung asked if the traffic survey required to restore the roads after project completion used the same PSI rating as the County. Mr. Frankovich noted the condition was to bring the roads up to the satisfaction of the County Engineer. Commissioner Jung said she would ask for a specific PSI level when it came time for the Board to make its determination.

Commissioner Jung questioned how the applicant would do carbon neutral offsets. Mr. Rocher said there were a number of ways, such as green electricity to run the first compressor station. He indicated the applicant would purchase carbon offsets on the market to mitigate construction activity. Commissioner Jung wondered how private vehicles would be restricted with so many construction workers on site. Mr. Frankovich stated the workers would be transported by bus and would not be allowed to drive private vehicles to and from the work site. Additionally, he indicated they would be working 10 to 12 hours per day, six days per week, and would not have much time to drive their cars.

Commissioner Weber asked what was meant by down-shielded lighting and how light determinations would be made behind an eight-foot fence. Mr. Pelham replied it was a specific condition of approval that no light would be emitted higher than the horizontal plane level with the luminary element in exterior fixtures. He explained the light could only point toward the earth. He stated a study was required showing zero lumens or no light spillover at the property line.

Commissioner Weber requested clarification of dust control and emissions standards. Mr. Pelham indicated the applicant had to obtain permits and comply with uniform dust control and emissions standards from the County's Air Quality Management Division.

Commissioner Weber wondered about the proposed hall that would house 600 workers for eating and recreation activities. Mr. Pelham said it was a pre-manufactured structure that would be located in the middle of the sleeping units to house the kitchen and dining facilities. Commissioner Weber asked what the standard work day would be like and why the workers would need a recreation hall. Mr. Rocher explained the pipeline involved really hard work, with men and women on 10 to 12 hour shifts, six to seven days per week. In most cases, he indicated workers would leave for the work site before light and return in the evening. He noted there would be 200 recreational vehicle sites where many of the workers would live, so some workers would eat on their own rather than in the mess hall. Mr. Rocher stated the building would have television, game-playing and other recreational features to keep the workers entertained, although he suspected they would be very tired at the end of the day.

Commissioner Weber questioned what benefits Washoe County would get from the project. Mr. Rocher replied that \$2.5 million annually was estimated based on projected tax data. He noted the estimate was based on the value of the infrastructure once it was in place and was not based on a true property tax. He observed the additional benefits included job creation and short-term financial benefits for ancillary services. He explained there was a commitment from the camp operators to draw from local suppliers

as much as possible. He agreed with Commissioner Weber that it was important to be good neighbors.

Commissioner Weber asked Ms. Eben to clarify the location of the Applegate-Lassen Trail. Ms. Eben agreed with the applicant that the Trail was located in the southern portion of the camp. She emphasized she was not against the project but was in favor of protecting the cultural, historic, and prehistoric Native American resources.

Commissioner Larkin questioned where the camp's water would come from and what would be done with its waste. Mr. Frankovich indicated there was an existing well on the site and a second well was to be developed subject to water rights and approvals. He pointed out the reference made during public comment was related to a water source for testing the pipeline, which really did not have much to do with the camp. He noted the water for the pipeline was not coming from the camp. He stated there would be two 13,000 gallon storage tanks on the site in addition to the two wells. He said there would be a septic system on site and solid waste would be picked up twice a week. Commissioner Larkin wondered if there were any plans to recharge the aquifer. Mr. Frankovich indicated there were no plans to mine the aquifer since the camp would only be in operation for six months.

Based on all the complexity of the National Environmental Policy Act and the various federal agencies, Commissioner Larkin asked if there were other steps to be complied with before the Commission could move forward. Mr. Freund indicated the sequence of approvals was appropriate and the Commission could take action. Commissioner Larkin asked Mr. Freund whether inclusion of the Vya camp within the final EIS was a separate action that had been fully analyzed and whether Community Development staff concurred that all of the appropriate environmental analysis was completed prior to release of the EIS. Mr. Freund agreed and said his staff commented fairly extensively on the draft EIS. He indicated his staff paid a great deal of attention to the project in terms of conditions that might be unique to Washoe County's local approval along the pipeline. Commissioner Larkin wondered if the County had been a cooperating agency or a commenting agency. Mr. Freund stated the County was a cooperating agency in the southern interface plan area but was probably a commenting agency for the project in question.

Chairman Humke asked Mr. Frankovich if he had received a copy and examined the four conditions of the White Pine Ranch. Mr. Frankovich agreed the documented provided by Mr. Stockham reflected the conditions the applicant agreed to and could live with. He noted multiple copies were provided to the Commission.

Chairman Humke referenced page 5 in the applicant's presentation booklet, where it was stated there would be a combination of open shop and union contractors. He asked what the split would be. Mr. Rocher said it was his understanding the vast majority would be union jobs. Chairman Humke questioned whether the open shop workers would be found locally or elsewhere. Mr. Rocher stated the goal was to

draw from the local workforce first if the required job skills are available. He agreed with Chairman Humke that a variety of job skills were required for the project.

Chairman Humke wondered if there were any commitments or agreements to hire Native Americans. Mr. Rocher said there were ongoing workshops in many Native American areas to help them understand what jobs would be available, how to get the jobs, and how to be qualified for the jobs. He noted one of the workshops was held in Reno within the last few months.

Chairman Humke requested clarification of the tax that was cited as having a \$2.5 million value to Washoe County. Mr. Rocher said he understood it to be a centrally assessed tax on the pipeline that was collected by the State of Nevada and then distributed to the County according to statutory requirements.

Commissioner Weber indicated there had been earlier conversations about the importance of a cell tower to the work camp and the entire valley. She said she understood a cell tower was to remain in the area for three years but she wondered if there was any way for the Commission to require it be left behind permanently. Mr. Rocher replied it was a decision for the cell service provider, Verizon Wireless. He stated the Ruby project would support such a decision but it was not part of their financial commitment and Verizon would have to decide if it was worthwhile to permanently maintain the tower. Commissioner Weber observed the White Pine Ranch offered to allow placement of a tower on their property. Mr. Frankovich agreed there had been discussion with White Pine Ranch representatives, who also wanted a permanent tower. He pointed out the project's leased property would not be under the applicant's control after the camp was dismantled, so there had been discussion of relocating the relay station to the White Pine Ranch. He emphasized it was ultimately not within the applicant's control. Mr. Pelham stated the County would have a difficult time placing a condition of approval on the SUP to require a cell tower because it was an off-site improvement that was not typically within the County's purview. He said he believed the cell tower was determined to be a temporary use that could be done with a building permit and no additional discretionary approvals. He did not believe the County had the ability to require that a permanent facility be constructed. He noted Verizon Wireless was not the applicant so the County really could not put such a condition on them. If Verizon were to make the business case to keep service there permanently, he indicated they would go through the SUP process at that point. He stated there was no condition of approval suggested by staff that required the installation of a cell tower; it was primarily for the convenience of the applicant who entered into discussions with a third party to set up temporary service. Commissioner Weber hoped the applicant would at least look into the possibility of permanent service.

Each of the commissioners disclosed meetings, emails, written communications, and phone conversations with various stakeholders regarding the project.

Commissioner Weber moved approval of the appeal based on conditions listed in the BOA staff report. Following the discussion below, Chairman Humke ruled the motion dead for lack of a second.

Mr. Frankovich pointed out that revised and modified conditions had been submitted to staff and to each commissioner the previous week. He noted the revisions resolved all of the differences between the parties. Chairman Humke recalled the changed conditions were previously referenced by Mr. Pelham. Melanie Foster, Legal Counsel, advised that a clean written copy of the changed conditions be made a part of the record and that Mr. Pelham read them into the record as well. Mr. Pelham agreed the applicant had submitted a list of changed conditions based on those that were in the BOA staff report. He said he preferred not to read the numerous changes on all six pages into the record but did have a clean copy available. He noted the changed conditions were in the form of a memorandum addressed to him from CardnoWRG based on discussions of January 19, 2010. Mr. Frankovich distributed copies of the memorandum, which was also placed on file with the Clerk. Chairman Humke clarified with Ms. Foster that there were no changes to the Board's required findings, as identified on pages 6 and 7 of the staff report.

Commissioner Breternitz agreed he had received the changed conditions via email. He stated the question that was not answered to his satisfaction was whether or not County staff was in agreement with the amended conditions. Mr. Pelham said Community Development staff very carefully reviewed the changed set of conditions with the applicant and was in agreement. He observed he could not speak on behalf of the staff present on behalf of other departments. Chairman Humke questioned whether there were any fire conditions. Mr. Pelham indicated he had spoken with Kurt Latipow, Fire Services Coordinator, whose conditions remained unchanged. Commissioner Breternitz said he wanted to hear from any staff who disagreed with the changed conditions. Chairman Humke invited anyone from the several agencies not represented by Mr. Pelham to come forward and assert full approval or voice any dispute on the changed conditions. No staff came forward to comment.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried, it was ordered, after consideration of the information contained within the documents transmitted with the staff report and the information received during the public hearing, that Appeal Case Number AX09-008 and Special Use Permit Case Number SB09-014 for Burke and Associates be approved with the Conditions of Approval listed in the six-page Memorandum of Changed Conditions submitted to Roger Pelham of Community Development from CardnoWRG, referencing discussion of January 19, 2010, and the four conditions submitted by Arlo Stockham on behalf of White Pine Ranch. Approval was granted with the Board having made Findings 1 through 5 as shown on pages 6 and 7 of the staff report and in accordance with Washoe County Development Code Section 110.810.30, as well as Findings 6 and 7 with regard to the High Desert Area Plan and shown on page 7 of the staff report.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried, it was ordered, after consideration of the information contained within the documents transmitted with the staff report and the information received during the public hearing, that Appeal Case Number AX09-008 and Variance Case Number VA09-007 for Burke and Associates be approved with the Conditions of Approval listed in the six-page Memorandum of Changed Conditions submitted to Roger Pelham of Community Development from CardnoWRG, referencing discussion of January 19, 2010, and the four conditions submitted by Arlo Stockham on behalf of White Pine Ranch. Approval was granted with the Board having made Findings 1 through 5 as shown on page 7 of the staff report and in accordance with Washoe County Development Code Section 110.810.30.

\* \* \* \* \*

**8:12 p.m.** There being no further business to discuss, on motion by Commissioner Jung, seconded by Chairman Humke, the meeting was adjourned.

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**DAVID E. HUMKE**, Chairman  
Washoe County Commission

**ATTEST:**

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**AMY HARVEY**, County Clerk and  
Clerk of the Board of County Commissioners

*Minutes Prepared by  
Lisa McNeill, Deputy County Clerk*

Clerk

## RESOLUTION

**WHEREAS**, Since 1986, The Reno Rodeo Foundation has been making a difference in the lives of children and families in northern Nevada; and

**WHEREAS**, In 2006, the Reno Rodeo Foundation launched the Reno Rodeo Denim Drive with the goal of collecting enough clothing to provide at least one pair of jeans, one package of socks and underwear to every infant, child and teen in protective custody and foster care; and

**WHEREAS**, Since 2006, through collection barrels hosted by local businesses, the Reno Rodeo Foundation has gathered over 5,500 pairs of jeans, 16,038 pairs of socks and 11,808 pairs of underwear; and

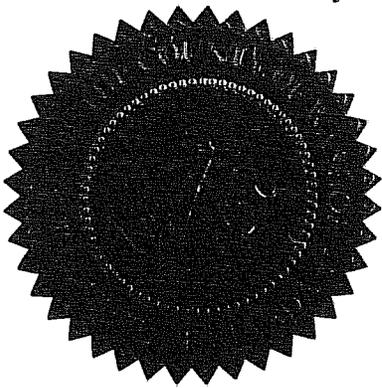
**WHEREAS**, The Reno Rodeo Foundation has also raised \$51,950 in cash donations which they used to purchase additional jeans, socks and underwear from Kohl's at a deep discount. The clothing is given out at the annual Foster Family Distribution Day, which is always the third Saturday in January, and is used maintain a full closet at the Kid's Kottage so that every child transitioning into and out of the Kottage has new clothes; and

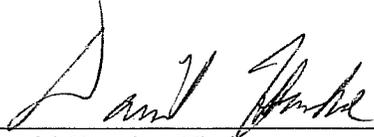
**WHEREAS**, This year, even in these tough economic times, the generosity of the citizens and businesses of Washoe County helped the Reno Rodeo Foundation realize a 40% increase in cash donations and an increase in collection locations from 68 to 134; and

**WHEREAS**, Without the support of the Washoe County Sheriff's Office, Synergy Communications, K-Bull 98.1, KOH News Talk 780, KOLO News Now, Charter Communications, the Reno Gazette Journal and all the partner businesses, donors and dedicated volunteers, none of this would have been possible; now, therefore, be it

**RESOLVED**, That the Washoe County Commission commends the Reno Rodeo Foundation and applauds the commitment the Foundation has made to enriching the lives of infants, children and teens in protective custody and foster care.

**ADOPTED** this 26<sup>th</sup> day of January, 2010.



  
David Humke, Chairman  
Washoe County Commission

10-69