

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

10:00 A.M.

MARCH 23, 2010

PRESENT:

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

Amy Harvey, County Clerk
Katy Simon, County Manager
Melanie Foster, Legal Counsel

The Washoe County Board of Commissioners convened at 10:05 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."

10-198 AGENDA ITEM 3 – 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
Michael Bozman, Appraiser III
Barry Brode, Court Security Officer, Supervisor
Doug Dufva, Senior Department Programmer Analyst
Gail Vice, Senior Appraiser

Essentials of Personal Effectiveness

Mark Joseph, Auto Body Repairman
Jillian Martinez, Office Assistant II
Flora Castellanos, Account Clerk
Cindy Schroeder, Administrative Assistant Supervisor

Essentials of Support Staff

Danielle Carlton, Account Clerk
Susy Valdespin, Legal Secretary Supervisor
Flora Castellanos, Account Clerk
Cindy Schroeder, Administrative Assistant Supervisor

In response to the call for public comment, Sam Dehne commended the employees on their accomplishments.

10-199 AGENDA ITEM 10 – APPEARANCE

Agenda Subject: “Kristen Remington, KTVN-Channel 2 News Anchor/Vice President Truckee Meadows Law Enforcement Chaplaincy Board of Directors Reno Police Commander Jon Catalano and Senior Chaplain Rob Garlock. Presentation regarding Truckee Meadows Law Enforcement Chaplaincy. (Requested by Commissioner Weber.)”

Commissioner Weber stated she was President of the Truckee Meadows Law Enforcement Chaplaincy and introduced Kristen Remington, Truckee Meadows Law Enforcement Chaplaincy Vice President.

Ms. Remington conducted a PowerPoint presentation, which was placed on file with the Clerk, highlighting the Truckee Meadows Law Enforcement Chaplaincy, Chaplain qualifications, organizations the Chaplains work with and counseling services they provide.

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

10-200 AGENDA ITEM 4 – PROCLAMATION

Agenda Subject: “Proclamation--March 11, 2010 as World Kidney Day. (Requested by Commissioner Jung.)”

Commissioner Jung read and presented the Proclamation to Christopher Ferrari, of the Nevada Kidney Foundation. Mr. Ferrari thanked the Board for the recognition and the acknowledgement of World Kidney Day. He said the National Kidney Foundation had a 60 year history of providing life-saving and life-enhancing programs and services for patients, medical professionals and the public, focusing on kidney disease, organ donation, protection, prevention and education. He acknowledged

the organizations in the region that had joined forces allowing the Foundation to increase services in northern Nevada. Mr. Ferrari stated there were three fundraisers scheduled for northern Nevada and Washoe County and he encouraged all citizens to participate in those upcoming events.

There was no response to the call for public comment.

On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, Chairman Humke ordered that Agenda Item 4 be adopted.

10-201 AGENDA ITEM 5 – PROCLAMATION

Agenda Subject: “Proclamation--April 2010 as Child Abuse Prevention Month--District Health.”

Commissioner Weber read and presented the Proclamation to Kevin Schiller, Social Services Director and Paul Ulibarri, Statewide Child Abuse Prevention Campaign Coordinator. Mr. Ulibarri thanked the Board for their continued support. He stated April was “Child Abuse Prevention Month” and several government agencies, child welfare agencies and organizations were collaborating to host events throughout Nevada designed to bring greater attention to the plight of abused and neglected children. He said the events hoped to make community members aware of what individuals could do to help break the cycle of violence by providing safer environments for children. Mr. Ulibarri remarked a highlight of the campaign was “Pinwheels for Prevention” a national effort to increase awareness about child abuse and neglect in communities across the Country. He indicated over 20,000 pinwheels would be displayed in front of courthouses, government offices, playgrounds, libraries and parks in Cities throughout the State. He said over 7,000 cases of child abuse were reported in the County in 2009, which was tragic and unacceptable. Mr. Ulibarri called upon all Nevadans to support the children’s trust fund prevention campaign entitled “Fight Abuse” since vigilance was a factor in reducing the number of child abuse cases.

Mr. Schiller thanked the Board for their recognition and continued support. He emphasized the awareness campaign was a key to what the Social Services Department conducted. He said with the combined efforts of the Social Services Department and the District Health Department the issues surrounding awareness were critical to preventing the ultimate tragedy of a child’s death. Mr. Schiller commented because of awareness, there was an 8 percent reduction in reports of abuse and neglect in 2009.

In response to the call for public comment, Sam Dehne spoke on the Proclamation and applauded the efforts to reduce child abuse and neglect.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried, Chairman Humke ordered that Agenda Item 5 be adopted.

10-202 AGENDA ITEM 6 – RESOLUTION OF APPRECIATION

Agenda Subject: “Resolution of Appreciation--recognizing community partnership which provided 1,056 free Alzheimer’s early detection screenings for residents in Northern Nevada during National Alzheimer’s Awareness Month. (Requested by Commissioner Jung.)”

Commissioner Jung read and presented the Resolution to Dr. Ken Romeo. Dr. Romeo thanked the Board for recognizing the work being completed in the County. He remarked the 1,056 screenings would not have been possible without the support of the Raley’s Supermarket Organization. He emphasized the key to Alzheimers was early detection.

In response to the call for public comment, Sam Dehne stated he performed concerts for various senior care and memory impaired facilities.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried, Chairman Humke ordered that Agenda Item 6 be adopted. The Resolution for same was attached hereto and made a part of the minutes thereof.

10-203 AGENDA ITEM 7 – RESOLUTION

Agenda Subject: “Resolution of support for participation in Google’s *Fiber for Communities* experiment.”

Commissioner Larkin read and presented the Resolution to Cory Casazza, Chief Information Management Officer. Mr. Casazza encouraged citizens to search online for the *Google Fiber for Communities* and nominate the Truckee Meadows. He remarked the Fiber Project would provide a number of jobs for the area.

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Jung, which motion duly carried, it was ordered that Agenda Item 7 be adopted. The Resolution for same was attached hereto and made a part of the minutes thereof.

10-204 AGENDA ITEM 8 – 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 commented on the upcoming election.

Garth Elliott spoke on volunteerism and the positive effects that had on a community.

10-205 AGENDA ITEM 8 – 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, stated Agenda Items 11G, 28 and 29 would be pulled from the agenda. She noted Agenda Item 11N(5) should be listed under Commission District 5.

Commissioner Weber requested current information on the status of the Golf Fund Revenue Bonds including all payment options and possible retirement of those bonds. She requested an update on home visitations and family planning. She also requested a breakdown on the tobacco settlement money, how much money there was over the course of the last year and where those monies went. Commissioner Weber stated she would prefer a line-by-line budget from the District Health Department when they provide their budget presentation.

Chairman Humke requested an agenda item for possible action and review to consider the interlocal agreement between the Cities of Reno and Sparks and the County concerning the operation of the District Board of Health.

Commissioner Breternitz requested a copy of the overall project budget for the Flood Control Project.

DISCUSSION – CONSENT AGENDA (SEE MINUTE ITEMS 10-206 THROUGH 10-230 BELOW)

Commissioner Weber requested Agenda Item 11D be removed from the consent agenda for a separate discussion and vote.

10-206 AGENDA ITEM 11A

Agenda Subject: “Cancel April 20, 2010 Commission Meeting.”

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 11A be approved.

10-207 AGENDA ITEM 11B – PROCLAMATION

Agenda Subject: “Proclamation--March 31, 2010 as Cesar Chavez Day. (Requested by Commissioner Jung.)”

Commissioner Jung indicated she would present the Proclamation to family members of Cesar Chavez during an event scheduled for March 31, 2010.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Commissioner Weber, which motion duly carried, Chairman Humke ordered that Agenda Item 11B be adopted.

10-208 AGENDA ITEM 11C – ASSESSOR

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 \$54,789.84]. (Parcels are in various Commission Districts.)”

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 11C be approved, authorized, directed and executed.

10-209 AGENDA ITEM 11E – DISTRICT ATTORNEY

Agenda Subject: Approve payments [\$6,573] to vendors for assistance of 21 victims of sexual assault and 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 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 11E be approved and authorized.

10-210 AGENDA ITEM 11F – DISTRICT HEALTH

Agenda Subject: “Approve amendments [increase of \$14,713 in both revenue and expense] to the HIV Fiscal Agent Grant Program, IO 10187 and approve amendments [increase of \$32,590 in both revenue and expenses] to the adopted Fiscal Year 2010 HIV Prevention Grant Program, IO 10013, to bring the Fiscal Year 2010 adopted budgets into alignment with the grants; and if approved, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

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 11F be approved and directed.

10-211 AGENDA ITEM 11H – INTERNAL AUDIT

Agenda Subject: “Approve updates to Washoe County Audit Committee Charter--Internal Audit. (All Commission Districts.)”

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 11H be approved.

10-212 AGENDA ITEM 11I – JUVENILE SERVICES

Agenda Subject: “Approve establishing a Restricted Account in the Department of Juvenile Services to account for the proceeds and expenditure of reimbursements for collect calls made by Juveniles; and if approved, direct Finance to make necessary budget adjustments. (All Commission Districts.)”

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 11I be approved and directed.

10-213 AGENDA ITEM 11J – PUBLIC GUARDIAN

Agenda Subject: “Accept donation [\$5,422.58] for the Washoe County Public Guardian Office from AT&T of Reno, Nevada to be applied towards office security measures; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung thanked AT&T of Reno for their generous donation.

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 11J be accepted and directed.

10-214 AGENDA ITEM 11K – PURCHASING

Agenda Subject: “Award Invitation to Bid #2714-10 for Temporary Employment Services to the following roster of qualified firms: Adecco, Applied Staffing, AccuStaff, Career Choices, Hire Dynamics, and Manpower; and if awarded, authorize Purchasing and Contracts Manager to issue multi-year purchase orders with the specified agencies, on a requirements basis, to cover the specified services for a period of 27 months (April 1, 2010-June 30, 2012), with one, one-year renewal option at the discretion of Washoe County. (All Commission Districts.)”

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 11K be awarded and authorized.

10-215 AGENDA ITEM 11L – TRUCKEE RIVER FLOOD MANAGEMENT PROJECT

Agenda Subject: “Acknowledge receipt of Truckee River Flood Management Project Status Report for February 2010. (All Commission Districts.)”

Chairman Humke commented that the Flood TRAction Project for the Reno-Sparks Indian Colony levy flood wall was awarded the region’s highest honor, “Outstanding Achievement in Civil Engineering for the Environment”, from the local chapter of the American Society of Civil Engineers on February 2, 2010. He congratulated all partners on the project and read the names of the honorees as noted in the staff report.

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 11L be acknowledged.

10-216 AGENDA ITEM 11M(1) – MANAGEMENT SERVICES

Agenda Subject: “Accept 2010 State Emergency Response Commission Hazardous Materials Emergency Preparedness, Mid-Cycle Planning Grant [\$9,545 - no match

required]; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

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 11M(1) be accepted and directed.

10-217 AGENDA ITEM 11M(2) – MANAGEMENT SERVICES

Agenda Subject: “Accept Nevada Division of Forestry Volunteer Fire Assistance Program Grants for Red Rock Volunteer Fire Department [\$18,800 with a match of \$1,880] and Gerlach Volunteer Fire Department [\$19,997 with a match of \$1,999.70] for the purchase of firefighter protective wear, hand held radios, hard suction hose and barrel strainers; and if accepted, authorize the Chairman to sign acceptance documents and direct Finance to increase the Washoe County Fire Suppression Budget Internal Orders 10834 [\$18,800] and 10835 [\$19,997] in both revenues and expenditures. (All Commission Districts.)”

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 11M(2) be accepted, authorized, executed and directed.

10-218 AGENDA ITEM 11N(1) – PUBLIC WORKS

Agenda Subject: “Approve acceptance of equipment donations to Washoe County Public Works from Douglas County School District for energy management control system parts [estimated value \$3,587]. (All Commission Districts.)”

On behalf of the Board, Commissioner Jung thanked the Douglas County School District for their generous donation.

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 11N(1) be approved.

10-219 AGENDA ITEM 11N(2) – PUBLIC WORKS

Agenda Subject: “Approve appointment of Daniel Olsen to the Animal Control Board as the Member Representative from County Commission District 1. (Commission District 1.)”

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 Daniel Olsen be appointed to the Animal Control Board as the Member Representative from County Commission 1.

10-220 AGENDA ITEM 11N(3) – PUBLIC WORKS

Agenda Subject: “Authorize purchase of refreshments for Animal Services’ sponsored public meetings and events [not to exceed \$2,500 for Fiscal Year 2009/10]. (All Commission Districts.)”

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 11N(3) be authorized.

10-221 AGENDA ITEM 11N(4) – PUBLIC WORKS

Agenda Subject: “Authorize staff to request \$15,000 of interest funds from Washoe County’s Tahoe Regional Planning Agency Water Quality Mitigation Fund to finance a portion of the Nevada Department of Environmental Protection Crediting Program Support Services Project. (Commission District 1.)”

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 11N(4) be authorized.

10-222 AGENDA ITEM 11N(5) – PUBLIC WORKS

Agenda Subject: “Approve Resolution accepting real property [APN 085-760-35 totaling 200 square feet] for use as a public street (5th Avenue in Sun Valley at the intersection of Leon Drive); and if approved, authorize Chairman to execute Resolution and authorize the Public Works Director to record the Resolution. (Commission District 1.)”

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 11N(5) be approved, authorized and executed. The Resolution for same is attached hereto and made a part of the minutes thereof.

10-223 AGENDA ITEM 11O – PARKS

Agenda Subject: “Approve Agreement between the County of Washoe (Regional Parks and Open Space) and the Reno Tennis Club for use and maintenance of the Washoe County Tennis Courts located at 2335 Moana Lane; and if approved, authorize Chairman to execute Agreement. (Commission District 1.)”

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 11O be approved, authorized and executed.

10-224 AGENDA ITEM 11P – SENIOR SERVICES

Agenda Subject: “Accept grant award from the State of Nevada Aging and Disability Services Division for Nutrition Equipment [\$9,639 with \$1,701 County match] retroactively for the period October 1, 2009 through June 30, 2010; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

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 11P be accepted and directed.

10-225 AGENDA ITEM 11Q(1) – SHERIFF

Agenda Subject: “Approve End User Agency Agreement between the County of Washoe (Sheriff’s Office) and City of Reno (Reno Police Department) for “GANGNET” to allow the Northern Nevada Counter Terrorism Center (NNCTC) access to the Reno Police Department GANGNET database for the purposes of enhancing NNCTC’s information collection, analysis and dissemination capabilities; and if approved, authorize Sheriff Haley to sign on behalf of Washoe County (Sheriff’s Office). (All Commission Districts.)”

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 11Q(1) be approved, authorized and executed.

10-226 AGENDA ITEM 11Q(2) – SHERIFF

Agenda Subject: “Approve the Washoe County Sheriff’s Office and the Purchasing Department to develop an invitation to bid to provide and install a Blast Chiller/Shock Freezer in kitchen located in Washoe County Detention Facility. (All Commission Districts.)”

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 11Q(2) be approved.

10-227 AGENDA ITEM 11R(1) – SOCIAL SERVICES

Agenda Subject: “Authorize Director of Social Services to sponsor four adoption day celebrations per year (one per quarter) to include the purchase of food and refreshments, decorations, public awareness, awards and costs of photographs and video recording of the adoption hearings retroactively to February 2010 [annual projected costs approximately \$2,500 - currently included in the Board approved referral services budget]. (All Commission Districts.)”

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 11R(1) be authorized.

10-228 AGENDA ITEM 11R(2) – SOCIAL SERVICES

Agenda Subject: “Authorize Department of Social Services to accept grant [\$85,000 - no County match required] from the Casey Family Programs to expand the Family Solutions Team process; and if accepted, authorize the Department to expend the grant revenue and direct Finance to make appropriate budget adjustments. (All Commission Districts.)”

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 11R(2) be authorized and directed.

10-229 AGENDA ITEM 11S(1) – TREASURER

Agenda Subject: “Approve Third Addendum to Investment Services Agreement between the County of Washoe, PFM Asset Management LLC and Hobbs, Ong & Associates, Inc. to modify the performance benchmark component for the portfolio

management compensation due to the restructuring of the portfolio, which will not change the total compensation. (All Commission Districts.)”

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 11S(1) be approved.

10-230 AGENDA ITEM 11S(2) – TREASURER

Agenda Subject: “Acknowledge receipt of the Report of Sale - February 23, 2010 Delinquent Special Assessment Sale - sale cancelled as all delinquencies have paid. (Commission Districts 2, 4 and 5.)”

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 11S(2) be acknowledged.

10-231 AGENDA ITEM 11D – BUILDING AND SAFETY

Agenda Subject: “Acknowledge Washoe County Building Official’s decision to offer an amnesty program from May 1, 2010 until October 31, 2010, by reducing the investigation fee to zero, for residential construction which has taken place without the appropriate building, electrical, plumbing and/or mechanical permits. (All Commission Districts.)”

Don Jeppson, Building and Safety Director, explained May 1 through 31, 2010 was “National Building and Safety Month” and, as part of the efforts to prepare for that event, the Building and Safety Department was proposing an amnesty program relating to building permits, which would begin in May. He said recent phone calls received from banks, realtors and appraisers indicated when reviewing homes being prepared for lending it was realized that many functions discovered were not permitted. He said homeowners were also apprehensive about coming to the Department to reveal completed work that may result in penalties and doubling of fines. Mr. Jeppson said the thought was to provide the amnesty program for six months allowing homeowners to secure permits without incurring any additional penalties.

Mr. Jeppson remarked the proposed amnesty program would coincide with the Building and Safety Department’s year long campaign “Got Permits.” He explained that campaign was designed to educate the public about the importance of permits and building codes, the type of home improvements that needed permits and why those permits were required.

Commissioner Weber said many citizens were upset by this process and felt it was government intrusion. She said many citizens were not aware of why permits were needed. Commissioner Weber suggested a campaign to educate citizens on the changes and the reasoning behind permits.

Mr. Jeppson stated there were permit fees for certain common items such as light fixtures, roofs and water heaters. He said discussions were taking place with the Cities of Reno, Sparks and Carson to streamline the cost of those permits since currently those fees varied. Commissioner Weber stated she was concerned because a contractor would know the fee and would include that into their price, but a property owner might not be aware of such a fee and felt this needed to be reviewed. Mr. Jeppson explained even with a licensed contractor, just picking up a permit did not stop the process. He said inspections still needed to be completed and the final permit issued. Mr. Jeppson said most contractors were good about pulling permits, but some did not return for inspections or to finalize the permit. He said notices would be sent stating that the permit had expired; however, if no response was received it was unknown whether the project was completed.

Commissioner Breternitz clarified citizens were still required to obtain a permit; however, the investigative fees would be forgiven. He said he supported the requirement to obtain a permit in instances beyond a light fixture, but encouraged Mr. Jeppson to find the line from a safety standpoint to obtain a permit versus a nuisance. Commissioner Breternitz asked if there was a process in place to report Contractors who did not pull a permit or failed to secure inspections to the Contractor's Board. Mr. Jeppson indicated the County had zero-tolerance for contractors that worked without permits and acknowledged they would be reported to the State Contractor's Board.

Mr. Jeppson clarified the amnesty program was to waive any additional fees, but a citizen or contractor still needed to submit plans or drawings and pay the fee for a regular building permit.

In response to the call for public comment, Garth Elliott stated his concerns over the permit process.

Sam Dehne suggested a list be provided to the public concerning everything that needed a permit.

11:25 a.m. Commissioner Jung temporarily left the meeting.

Chairman Humke said the amnesty program brought attention to what was required for the purpose of achieving compliance and also an examination of the ordinance to determine reasonableness.

Mr. Jeppson stated the County had a high Insurance Services Office (ISO) rating, which had a direct effect on insurance premiums. He agreed there was over-regulation in the industry and said it needed to be a group effort among departments on

what was important and what should be focused on. He displayed a pamphlet that was available to the public indicating which permits were required.

On motion by Commissioner Weber, seconded by Commissioner Breternitz, which motion duly carried with Commissioner Jung temporarily absent, it was ordered that Agenda Item 11D be acknowledged.

11:36 a.m. The Board convened as the Board of Fire Commissioners for the Sierra Fire Protection District (SFPD). Commissioner Jung returned during the SFPD meeting.

12:13 p.m. The Board recessed as the SFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners. It was noted the SFPD Board of Fire Commissioners would reconvene later in the meeting.

10-232 AGENDA ITEM 16 – APPEARANCE

Agenda Subject: “Frank Partlow. Report on Spending and Government Efficiency (SAGE) Commission. (All Commission Districts.)”

Frank Partlow explained the Spending and Government Efficiency Commission (SAGE) was a volunteer bipartisan commission. He said the SAGE Commission arrived at 44 recommendations that would save \$2 billion over a five year period. He remarked the charter of the SAGE Commission was intended to review only the executive branch of State government.

Mr. Partlow said the SAGE Commission was privately funded through private donations and he discussed the 10 most important recommendations of the Commission. He remarked government employees within the State were not overpaid; however, the problems were in the benefits. Mr. Partlow said compared to the private sector in the State, the benefits at all levels for the public sector were “out of whack,” primarily in health care and retirement benefits. He said before deciding what would be paid as a subsidy at the State level executive branch for healthcare, a survey of the private sector needed to occur to see what those companies were paying. Mr. Partlow said the SAGE Commission recommended the elimination of the subsidy paid by the State for retired healthcare, which would save the State \$156 million over a five year period. He said the Public Employees Retirement System (PERS) was reviewed and noted the Supreme Court had opined that interfering with retirement benefits would be a taking and could not occur. He said healthcare benefits in this State were negotiated on an annual basis and could change.

Mr. Partlow stated the SAGE Commission recommended that retirement pay be based only on compensation and not on call-back or overtime pay. The Commission also recommended that the average of the last three years for computation of retirement benefits be changed to the last five years and, during those five years, salaries not be allowed in any individual year to increase more than 10 percent for any purpose.

Mr. Partlow said the PERS system was underfunded by \$6 billion and the Commission felt until that was fully funded, benefits should not be added under PERS to State employees. He said when applied to only new employees those changes would save approximately \$100 million over five years.

Mr. Partlow concluded the status quo for all government levels was not sustainable and was unaffordable. He added the main problem was entitlements.

Commissioner Larkin commented the SAGE Commission had been met with deafening silence. He asked how many Legislative commissions or Legislator requests were received for this presentation. Mr. Partlow replied there had been no requests for this presentation. Commissioner Larkin remarked that was a disgrace to the State. He thanked Mr. Partlow for his service and for presenting to the Board.

Commissioner Jung commented the Board had experienced the pinch that was discussed and had attempted to do cost-cutting measures. She said the Shared Services Committee had worked diligently to find ways to cut costs in order to preserve or enhance services to citizens.

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

10-233 AGENDA ITEM 14 – APPEARANCE

Agenda Subject: “Kathy Carter, Community Relations Director. Presentation of plans for Residential Dump Days and Lockwood Free Dump Event to be held April 2010. (All Commission Districts.)”

Kathy Carter, Community Relations Director, said the County had partnered with Waste Management, the Washoe County Sheriff’s Office and Keep Truckee Meadows Beautiful to provide an update on the recent efforts in preventing illegal dumping and provide incentives for citizens to participate in community dump events. She said Waste Management did provide quarterly free dump events; however, due to some issues in the past, staff had worked with Waste Management to rebrand the event. Ms. Carter announced the next residential dump days were scheduled for the first weekend in April and indicated that information was on the County website and pamphlets were also available.

Ms. Carter explained traditionally the voucher program was provided in April, but that proved to be costly and resource intensive. She said actions were taken to streamline the process giving more flexibility to residents.

Greg Martinelli, Waste Management General Manager, said it was recognized there could be some confusion associated with the free dump week and the three weekends associated with the traditional bulky items dump day, but felt those issues would be worked through, and flyers were available that explained the days to the public.

Justin Caparuso, Waste Management, thanked the Board and staff for working together to establish a good partnership.

Commissioner Weber thanked Waste Management for their time and effort. She inquired on the locations that would be available for the dump days. Mr. Caparuso replied the Thursday, Friday and Saturday events, which would take place throughout the month of April, would be available at the Lockwood Landfill. He said the bulky items event would be located at the two transfer stations in the City of Reno.

In response to the call for public comment, Garth Elliott stated he supported the free dump days and applauded Waste Management for providing the service. Gary Schmidt said he was a long-time proponent in assisting with cleaning up the neighborhoods and was supportive of the efforts of Waste Management. He read the items that would be accepted and the items identified as bulky items.

There was no action taken on this item.

12:54 p.m. The Board convened as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District (TMFPD).

1:32 p.m. The Board adjourned as the TMFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners.

BLOCK VOTE

The following agenda items were consolidated and voted on in a block vote: Agenda Items 17, 18, 20, 21, 22, 23, and 24.

In response to the call for public comment, Gary Schmidt indicated that the *Reno Gazette Journal* had stated the incorrect date for today's County Commission meeting.

10-234 AGENDA ITEM 17 – PARKS

Agenda Subject: “Recommendation to approve Intergovernmental Agreement between Washoe County and Sun Valley General Improvement District regarding transfer of ownership of certain County Parks (Sun Valley Community Park - within 60 days of approval of the Intergovernmental Agreement; Gepford Park, Highland Ranch Park and Sun Mesa Park - no later than April 1, 2011); and if approved, authorize Chairman to sign the Agreement and all paperwork associated with the transfer of the parks. (Commission Districts 3 and 5.)”

Commissioner Breternitz asked what would happen to the property if the Sun Valley General Improvement District (SVGID) did not want to continue to operate the parks. Al Rogers, Regional Parks and Open Space Assistant Director, replied each of the parks would be deeded over individually to SVGID and, through that deed those

parks would revert back to Washoe County if SVGID did not exist. He stated they would only be used in perpetuity as a park for park purposes.

Commissioner Jung said during the Sun Valley Citizen Advisory Board (CAB) meeting it was questioned whether SVGID would receive the parks and equipment in the best possible condition. Mr. Rogers stated all of the parks would be turned over to SVGID “as-is, where-is,” but he noted they were at the same level as other County parks.

Darrin Price, SVGID General Manager, commented the intent was to keep the parks open to the public and maintained. He acknowledged the agreement stated the parks would revert back to the County if SVGID no longer existed.

Commissioner Weber asked about exemptions concerning the fees. Mr. Price said the SVGID Board of Trustees wished to allow senior citizens to receive a discount and a 100 percent reduction granted to the disabled and low-income residents. He remarked if Sun Valley residents had questions or concerns they could contact the SVGID Office. Commissioner Weber felt this was a positive approach for the Sun Valley community.

In response to the call for public comment, Garth Elliott and Gary Schmidt addressed the Board concerning this item.

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

10-235 AGENDA ITEM 18 – PUBLIC WORKS

Agenda Subject: “Recommendation to award Bid for 350 Center Street Tenant Improvement Project for the Public Defenders Office to the lowest responsive and responsible bidder (staff recommends Farr Construction Corp.) [\$348,259 - funding source--General Fund]; and if awarded, authorize Chairman to execute contract documents. (Commission District 3.)”

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 18 be awarded, authorized and executed.

10-236 AGENDA ITEM 20 – PURCHASING

Agenda Subject: “Recommendation to award Invitation to Bid #2718-10 for Water Testing, Review and Reporting to the lowest, responsive and responsible bidder, Western Environmental Testing Laboratory [estimated annual amount \$100,000];

and if awarded, authorize Purchasing and Contracts Manager to issue a multi-year purchase order to cover the specified services for a one-year period, with two, one-year renewal options, at the discretion of Washoe County. (All Commission Districts.).”

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 20 be awarded and authorized.

10-237 AGENDA ITEM 21 – PURCHASING

Agenda Subject: “Recommendation to award Bid No. 2722-10 for Gasoline and Diesel (Bulk) Fuels for Washoe County and participating joinder agencies for the period March 1, 2010 – February 29, 2012 to the responding bidders who shall be polled on a weekly basis for price quotes on gasoline and diesel fuels (prices quoted shall be firm for a seven day period) [estimated annual expenditures may exceed \$100,000]; and it is further recommended that the Board accept the freight tariffs as stated and submitted by the qualified suppliers in their bid response. Freight tariffs shall be added to the base fuel cost to arrive at a delivered cost throughout the Northern Nevada and Northern California areas. Tariffs may be revised every 26 weeks on mutual agreement of Washoe County and the qualified suppliers. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 21 be awarded and accepted.

10-238 AGENDA ITEM 22 – PURCHASING

Agenda Subject: “Request for authorization to join on the State of Nevada Bid No. 7691 for Plantmix/Coldmix with Atlas Contractors Inc. and A & K Earth Movers Inc. for the duration of the contract period through November 30, 2010 on behalf of the Roads Division of the Washoe County Public Works Department; and if authorized, direct Purchasing and Contracts Manager to make such purchases as may be required in annual amounts that may exceed \$100,000 but will not exceed approved Fiscal Year budget authority. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 22 be authorized and directed.

10-239 AGENDA ITEM 23 – PURCHASING

Agenda Subject: “Recommendation to authorize the Purchasing Office to release an Invitation to Bid for Security Guard Services on behalf of the Washoe County Public Works Department, for a term of two years commencing June 1, 2010 with the County retaining the option for one additional single year renewal option [estimated annual budget \$170,000]. (All Commission Districts.)”

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 23 be authorized.

10-240 AGENDA ITEM 24 – TRUCKEE RIVER FLOOD PROJECT

Agenda Subject: “Recommendation to approve a tenant relocation claim for Claimant #012-272-05-T-3 [not-to-exceed \$250,000]; and if approved, authorize Truckee River Flood Management Project Director to disburse tenant relocation claim payments as she determines to be actual, reasonable and necessary, and in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). (Commission District 4.)”

There was no response to the call for public comment.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that Agenda Item 24 be approved and authorized.

10-241 AGENDA ITEM 15 – APPEARANCE

Agenda Subject: “Washoe County Green Team. Presentation regarding current Green Team activities. (All Commission Districts.)”

Andrew Goodrich, Green Team Leader, updated the Board on the current Green Team activities. He said the Green Team had been meeting monthly on the following projects: Change the World, Start with ENERGY STAR Campaign; Solar Photovoltaic Power; Greenhouse Gas Emission Inventory; Employee Bicycle Commuter Program; Bicycle Safety Committee Grant; Recycling Programs; Energy Conservation; County Regulations Guiding the Development of Renewable Energy; and, Cooperation with Local Agencies and Partners.

Mr. Goodrich announced the County had won the “Change the World, Start with ENERGY STAR Campaign,” sponsored by the National Association of Counties (NACo) and Wal-Mart. He said the County took first place in the large county

category and added representatives from NACo and Wal-Mart would attend a future meeting to present a \$5,000 check.

Dave Solaro, Public Works Assistant Director and Green Team member, discussed the energy savings and recycling program within County facilities and how those savings had increased over the past three years.

Bob Webb, Planning Manager, spoke on the Employee Bicycling Program and the strides being taken to encourage County employees to use alternative transportation methods.

Commissioner Jung asked where the bicycle racks were located around the County Complex. Mr. Webb explained where those racks were located. Commissioner Jung suggested a rack be placed for citizens in front of the Complex on 9th Street since many citizens would not venture into the courtyard of the Complex.

Commissioner Jung asked for a calculation of the carbon footprint as a County, if there was a place on the County website where citizens could calculate their carbon footprint and, to appease the collective guilt for not being “green,” an area to pay to reduce that carbon footprint. Mr. Goodrich stated the Greenhouse Gas Emission Inventory explained the carbon footprint and indicated that would be brought to the Board for final adoption. Commissioner Jung requested the calculation of the carbon footprint as a County be placed on a future agenda for discussion.

Commissioner Jung asked if there was a County code about “straw-bale construction” and, if not, when that could be expected. Mr. Goodrich stated he did not have the expertise to answer that question. Commissioner Jung requested that also be placed on a future agenda.

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

10-242 AGENDA ITEM 34 – CLOSED SESSION

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

2:11 p.m. On motion by Commissioner Weber, seconded by Commissioner Jung, which motion duly carried, it was ordered that the meeting recess to a closed session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.

3:21 p.m. The Board reconvened with all members present.

Agenda Subject: “Recommendation to approve request to obtain bid proposals on behalf of the Roads Division of the Public Works Department for the purchase of a new asphalt grinder and a new skid steer loader with an asphalt planer attachment to be used by the Roads Division to replace two existing grinders that have been fully depreciated with 100% of the replacement funds collected; and if approved, direct Purchasing Department to begin procurement process [purchase of this essential equipment will not directly impact the County’s General Fund]. (All Commission Districts.)”

Commissioner Larkin asked if this request went before the Shared Services Subcommittee. Kimble Corbridge, Public Works Assistant Director, replied the Cities of Reno and Sparks and the Nevada Department of Transportation (NDOT) were contacted to see if those entities had this equipment. He said the City of Reno had one piece of the equipment; however, it was in poor condition and would be needed the same time the County would need the equipment.

Katy Simon, County Manager, stated there was an agreement in place between the Public Works Department and the other partners to discuss the exchange of equipment. She said this had not gone through the Shared Services Subcommittee because the agreement predated some of the recent work of the Subcommittee.

Commissioner Larkin inquired about contracting to private entities. Mr. Corbridge stated staff had reviewed the cost over two years. He said the Regional Transportation Commission (RTC) had put out a bid to do some of this work. He said staff took the lowest cost of those bids and services, and compared to the County, equated to a 50 percent increase. Commissioner Larkin stated those contracts were bundled with other services. He said his question was if private contractors that had this equipment were contacted directly. Mr. Corbridge replied bids were not requested from individual contractors. He said there was a contract with the street-cut permits, but internally the job could still be completed at a lower cost. Commissioner Larkin restated his question and asked besides another government agency who had this equipment. Mr. Corbridge said he did not know who would have the equipment. Commissioner Larkin felt private enterprise needed to be contacted to see if this equipment was available.

Commissioner Larkin suggested the way business was completed needed to be changed in an effort to locate companies that had this equipment in place, not existing contracts, or bidding combination bundled jobs. He felt it would be cost-efficient to locate a company with the equipment to utilize in the peak months. Mr. Corbridge commented if the operation was out-sourced that could result in a reduction of staff in the Roads Division, which were the employees that provided snow and ice removal. Commissioner Larkin said he was not suggesting contracting out the work just leasing the equipment. Mr. Corbridge explained that had been reviewed and, if the equipment would be rented, the cost would be \$10,000 a month.

Commissioner Larkin stated the staff report did not cover that analysis in-depth. Mr. Corbridge said the staff report stated the estimated lease rate would be about \$125 an hour compared to the \$70 if the equipment were purchased. Commissioner Larkin believed staff needed to return with due diligence and work through the issues with the philosophy to see if a specialized piece of equipment needed to be purchased, which was the underlying premise.

Ms. Simon indicated clear direction was given. She clarified the Board wanted the staff report to be re-written to include what shared service opportunities had been explored and the outcome; who else had this type of equipment, both private and public; the cost of contracting out and the cost of a possible lease. Commissioner Larkin said that covered the specifics; however, it should be a mind-set for all departments that staff needed to reach beyond the traditional venues relied on in the past since the County was in a new era.

Commissioner Breternitz said he was supportive of the request because it was important to have justification for these types of expenditures and supported Commissioner Larkin's perspective.

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

10-244 AGENDA ITEM 25 – WATER RESOURCES

Agenda Subject "Introduction and first reading of an Ordinance amending Chapter 40 of the Washoe County Code (water and sewage) to ensure consistency with Truckee Meadows Water Authority rules and provide for a change from twice-per-week watering to three-times-per-week watering; and providing other matters properly relating thereto. (All Commission Districts.)"

Rosemary Menard, Water Resources Director, said the Truckee Meadows Water Authority (TMWA) was changing their watering day schedules. She said this action was being conducted to bring the County's ordinances into alignment consistent with the other jurisdictions.

Commissioner Breternitz said this was anticipated to decrease the amount of water used to irrigate, which would be in the best interest of the region.

There was no response to the call for public comment.

Bill No. 1614, entitled, "**AN ORDINANCE AMENDING CHAPTER 40 OF THE WASHOE COUNTY CODE (WATER AND SEWAGE) TO ENSURE CONSISTENCY WITH TRUCKEE MEADOWS WATER AUTHORITY RULES AND PROVIDE FOR A CHANGE FROM TWICE-PER-WEEK WATERING TO THREE-TIMES-PER-WEEK WATERING; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO,**" was introduced by Commissioner Larkin, the title read to the Board and legal notice for final action of adoption directed.

10-245 AGENDA ITEM 26 – COMMUNITY DEVELOPMENT

Agenda Subject: “Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC10-002 to amend Development Agreement Case No. DA08-005 for Tentative Subdivision Map Case Number TM06-004, as previously approved by the Washoe County Planning Commission on June 6, 2006--Gateway Company, L.C. and QS, LLC (set public hearing and second reading of the Ordinance for April 13, 2010 at 6 p.m.). (Commission District 2.)”

Grace Sannazzaro, Planner, explained the Development Agreement was entered into by the previous landowner; however, a new landowner had since purchased the property. Based on circumstances of the market, the new owner was requesting an Amendment of Conditions to the Development Agreement for an extension of time for the approved tentative subdivision map.

There was no response to the call for public comment.

Bill No. 1615, entitled, "AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING AMENDMENT OF CONDITIONS CASE NUMBER AC10-002 TO AMEND DEVELOPMENT AGREEMENT CASE NO. DA08-005 FOR TENTATIVE SUBDIVISION MAP CASE NUMBER TM06-004, AS PREVIOUSLY APPROVED BY THE WASHOE COUNTY PLANNING COMMISSION ON JUNE 6, 2006," was introduced by Chairman Humke, the title read to the Board and legal notice for final action of adoption directed and the second reading of the Ordinance be set for April 13, 2010 at 6 p.m.

10-246 AGENDA ITEM 27 – MANAGER

Agenda Subject: “Recommendation to approve Washoe County’s contribution [\$10,000] to Western Nevada Development District in support of Lake Tahoe Basin Prosperity Plan (U.S. Department of Commerce Economic Development Administration Project 07-06-06399) to be funded from General Fund Contingency; and if approved, direct Finance to make appropriate adjustments (requested by Commissioner Breternitz). (All Commission Districts.)”

Commissioner Breternitz said the ultimate goal was to locate business categories to promote and contribute in overseeing the economic environment of Lake Tahoe. He said the intent was for local governments to generate a larger business base in the Tahoe Basin.

There was no response to the call for public comment.

On motion by Commissioner Breternitz, seconded by Chairman Humke, which motion duly carried, it was ordered that Agenda Item 27 be approved and directed.

10-247 AGENDA ITEM 30 – FINANCE

Agenda Subject: “Status report and recommendation that the Board direct staff to develop the required Ordinance, Contract and Resolution in order to redirect the following revenues to the General Fund beginning Fiscal Year 2010/11: Telecommunication Franchise Fees (\$1.8 million) currently directed for undergrounding utilities; One-half Cent Property Tax (\$350,000) currently directed to enhancing the Vector Control Program, and the indexed portion of Motor Vehicle Fuel Tax (\$1.1 million) currently directed to the Regional Transportation Commission. (All Commission Districts.)”

John Sherman, Finance Director, explained there would be some additional processes completed before the beginning of the fiscal year, such as underground utility would need an ordinance change. He said if the Board chose not to redirect one or more of these funds, staff would need to recalibrate the other two pieces or place additional concessions for labor costs.

Commissioner Larkin asked if Dan St. John, Public Works Director, had a conversation with the Regional Transportation Commission (RTC) as previously requested. Katy Simon, County Manager, replied that discussion occurred and RTC stated there was funding available, but this was a decision among the entities and noted the RTC did not express an opinion. Commissioner Larkin indicated he was supportive of the telecommunications and vector control, but would vote “no” on the indexed portion of Motor Vehicle Fuel Tax since that was a commitment made by the Board for specified road enhancements to the two Cities.

In relation to the indexed portion of Motor Vehicle Fuel Tax, Commissioner Breternitz asked if there had been some commitment by the Board to RTC for that money to be diverted to RTC for any length of time. Mr. Sherman stated there were no time-limits in the agreement with RTC. Commissioner Breternitz said the rationale was that the County needed the funds more now than the RTC. Mr. Sherman replied in essence that was correct. However, times were different now than two years ago and there may be a better use for these proceeds. He said pursuant to a vote of the people, passed legislation and a new ordinance, the Indexed Fuel Tax was now more robust.

On motion by Commissioner Larkin, seconded by Commissioner Breternitz, which motion duly carried, it was ordered that the following revenues be redirected to the General Fund beginning Fiscal Year 2010/11: Telecommunication Franchise Fees in the amount of \$1.8 million currently directed for undergrounding utilities and One-half Cent Property Tax in the amount of \$350,000 currently directed to enhancing the Vector Control Program. It was further ordered that the Finance Director

be directed to develop the required Ordinance, Contract and Resolution beginning fiscal year 2010/11.

Chairman Humke asked if the reason to forgo the Vector Control was because the funds were currently available to make those expenditures. Mr. Sherman said the Vector Control Program was run by the District Health Department and the redirecting would not impact that Program. Commissioner Weber suggested this be reconsidered when the economy rebounded.

On motion by Commissioner Breternitz, seconded by Chairman Humke, which motion duly carried with Commissioner Larkin voting “no,” it was ordered that the indexed portion of Motor Vehicle Fuel Tax be redirected to the General Fund in the amount of \$1.1 million currently directed to the Regional Transportation Commission. It was further ordered that the Finance Director be directed to develop the required Ordinance, Contract and Resolution beginning fiscal year 2010/11.

10-248 AGENDA ITEM 31 – 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, stated staff was attending an interim committee for Group Homes. He said the County Manager continued to participate in the Nevada Visions Stakeholder Group. Mr. Slaughter said the County also continued to participate with the Powers Delegated to Local Government Committee to work with the Chair of that Committee concerning Home Rule.

Chairman Humke asked if there would be follow-up to the special session of the Legislature. Mr. Slaughter stated he did not have an answer for that, but there was discussion about water rights and a Court case that was remanded back to District Court.

Commissioner Breternitz said an analysis was being completed on the impacts to the County when the population reached 400,000. He asked when that information would be related to the Board. Mr. Slaughter said a group was being put together to review that issue since there were statutes tied to the population count.

Kevin Schiller, Social Services Director, conducted a PowerPoint presentation and provided a Social Services Legislative update, which was placed on file with the Clerk. The presentation highlighted the 2009 Legislative session, 2009

Legislative session impacts, preparing for the 2011 session reductions, Legislative Committee on Child Welfare/Juvenile Justice (SB3), Disproportionate Share Hospital Payment Program and the Interim Study of Adult Group Homes.

Katy Simon, County Manager, commented the Nevada Visions Stakeholder Group was continuing to meet and she would keep the Board apprised of any information.

4:32 p.m. The Board reconvened as the Sierra Fire Protection District (SFPD) Board of Fire Commissioners.

4:51 p.m. The Board adjourned as the SFPD Board of Fire Commissioners and reconvened as the Board of County Commissioners.

10-249 AGENDA ITEM 33 – 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 Weber said she attended the National Association of Counties (NACo) Legislative Conference and noted the NACo Conference would be held in Washoe County this July. She said this Conference would be a large stimulus for the Region and added many volunteers would be needed. She requested monthly updates so all Commissioners could be kept apprised of the event.

Commissioner Weber stated she continued to meet with department heads regarding their budgets and appreciated that time to hear concerns and issues in a different manner. She remarked the Nevadaworks Board voted on monies placed through The Children’s Cabinet for a grant funding to help displaced workers obtain employment for approximately nine months through the stimulus monies. She explained the process and said it would be good opportunity for the community and helped families through the Children’s Cabinet.

Commissioner Breternitz requested information if there was any forum to discuss freely and openly what an ideal benefit package could be and what that package would offer.

10-250 AGENDA ITEM 32 – WORK CARD APPEAL – TAMMY LYNN KELLEY

Agenda Subject: “The Washoe County Commission will adjourn from the Commission Chambers and reconvene in the County Commission Caucus Room

(1001 E. 9th Street, Building A, 2nd Floor, Reno) to consider the work card permit appeal for Tammy Lynn Kelley. The HEARING will be a CLOSED SESSION to discuss the applicant's character or other matters under NRS 241.030(1). Following the Closed Session, the Commission will return to open session in the Caucus Room to take action on the appeal and finish the remainder of the March 23, 2010 Board Agenda."

4:56 p.m. Pursuant to NRS 241.030(0), the Board adjourned from the Commission Chambers and reconvened in the Caucus Room to consider the work card permit appeal for Tammy Lynn Kelley.

5:15 p.m. Commissioner Weber left the meeting during the closed session.

5:36 p.m. The Board returned to open session in the Caucus Room to take action on the appeal and finish the remainder of the March 23, 2010 Board Agenda.

Chairman Humke said this case was difficult because it was unclear whether the appellant had other living arrangements. He said the Social Services Department regulated the operation of home daycare providers and the Board had an obligation to abide by that public policy. Chairman Humke stated the appellant's past, which was public record, was the reason she was disqualified from being in the home when the children were present. He commented there were not enough day care operations available and noted this particular childcare facility provided for infants and toddlers, which was the most difficult to locate. He commended Ms. Colder for providing for her sister and wanted her to continue to operate the daycare, but that presented a conflict.

Commissioner Larkin suggested upholding the appeal with the condition there be repeated reviews. Commissioner Jung commended the sisters for looking after each other.

Chairman Humke commended the appellant for stepping forward and claiming that some information was misrepresented; however, he was concerned because she should have been forthright in the initial application. He said Ms. Colder also needed to be truthful with Social Services since she also misrepresented information to them.

On motion by Commissioner Larkin, seconded by Commissioner Jung, with Commissioner Breternitz and Chairman Humke voting "no," and Commissioner Weber absent, the motion failed and the work card appeal was denied.

There was no further action taken on this item.

COMMUNICATIONS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

- 10-251** Paiute Pipeline Company 2010 Expansion Project FERC Docket No. CP10-41-000, Letter dated January 26, 2010 and Landowner Notification Packet.
- 10-252** Letter dated January 29, 2010 from David Creekman, Chief Deputy District Attorney, Re: Summary of all claims made against the South Truckee Meadows General Improvement District for tortuous conduct for the calendar year 2009.
- 10-253** Letter dated February 1, 2010 from David Creekman, Chief Deputy District Attorney, Re: Summary of all claims made against Washoe County for tortuous conduct for the calendar year 2009.
- 10-254** Letter dated January 22, 2010 from David Creekman, Chief Deputy District Attorney, Re: Summary of all claims made against the Truckee Meadows Fire Protection District for tortuous conduct for the calendar year 2009.
- 10-255** Nevada Department of Transportation (NDOT) Letter of Completion dated February 16, 2010 for Contract No. 3401, Project No. DE-580-1(028) and SPI-580-1(018), on I-580 from Moana Lane to I-80, Washoe County, Granite Construction Company, Contractor. Maps forwarded to Engineering on February 22, 2010.
- 10-256** Letter dated February 1, 2010 from AT&T - Re: AT&T Nevada Declaration of Availability of IP Video Service.
- 10-257** Agreement of Lease dated March 1, 1964 between City of Reno and Washoe County and The Board of Library Trustees of Washoe County for the library premises located at the intersection of Ryland Street and South Center Street.
- 10-258** Truckee Meadows Water Reclamation Facility June 30, 2009 audit report.

REPORTS – MONTHLY

- 10-259** Clerk of the Court, Monthly report of fee collections for January 2010.

REPORTS – QUARTERLY

10-260 Washoe County School District’s Quarterly Report for the Second Quarter of FY 2009-10 ending December 31, 2009.

REPORTS – FINANCIAL STATEMENTS COMPILATION REPORT

10-261 Grand View Terrace General Improvement Financial Statements Compilation Report, December 31, 2009.

* * * * *

5:45 p.m. There being no further business to discuss the meeting was adjourned.

DAVID E. HUMKE, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Stacy Gonzales, Deputy County Clerk*

PROCLAMATION World Kidney Day

WHEREAS, Thirteen percent of all Nevadans have some form of kidney disease; and

WHEREAS, Every year thousands of Nevadans die prematurely from cardiovascular diseases linked to Chronic Kidney Disease (CKD); and

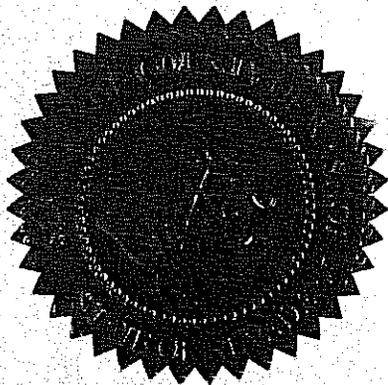
WHEREAS, The risk of dying from an associated cardiovascular diseases increases tenfold for individuals with chronic kidney disease, regardless of whether they develop kidney failure; and

WHEREAS, World Kidney Day calls attention to the crucial role of kidneys and the pressing need for early detection and prevention of kidney disease; and

WHEREAS, World Kidney Day increases public awareness of the health crisis linked to Chronic Kidney Disease; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that March 11, 2010 is recognized as "World Kidney Day."

ADOPTED this 23rd day of March, 2010.



David E. Humke, Chairman

10-201

Clerk

PROCLAMATION

WHEREAS, Preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

WHEREAS, Child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, The majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, Child abuse and neglect can be reduced by making sure each family has the support they need to raise their children in a healthy environment; and

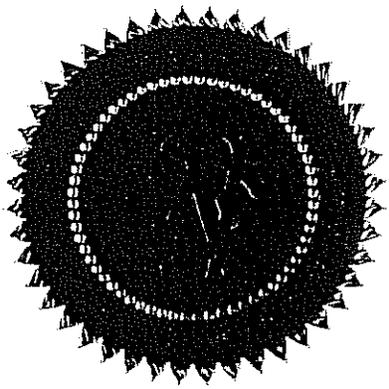
WHEREAS, Child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems such as heart disease and obesity, and risky behavior such as smoking; and

WHEREAS, All citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and therefore let it be

PROCLAIMED, By the WASHOE BOARD OF COUNTY COMMISSIONERS that April 2010 be recognized as Child Abuse Prevention Month in Washoe County; and call upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase in their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

ADOPTED this 23rd day of March, 2010



David Humke

David Humke, Chairman

10-201

Resolution of Appreciation

WHEREAS, Alzheimer's is a fatal disease that attacks the brain and is the most common form of dementia; and

WHEREAS, Over 5.3 million American's are currently diagnosed with Alzheimer's disease; and

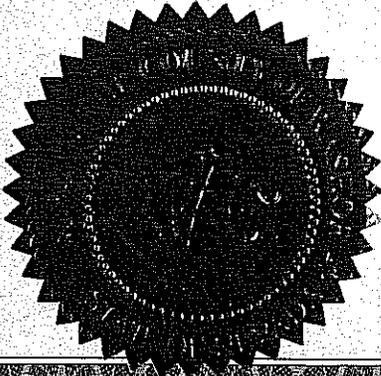
WHEREAS, There is no cure for Alzheimer's — early detection and treatment is key to success with current medications; and

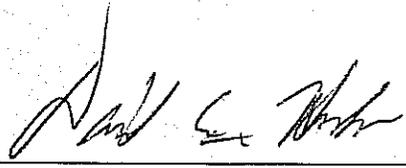
WHEREAS, During National Alzheimer's Awareness month, Dr. Romeo's In-Home Health Care, with the support of the Raley's Supermarket chain, provided 1,056 free memory screenings for citizens throughout Northern Nevada; and

WHEREAS, 34% of the individuals being tested were referred to a health care provider for further testing; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners appreciates the generosity and contribution of local partners to provide this free service to provide the best treatment and early detection to our community.

ADOPTED this 23rd day of March, 2010.





David E. Humke, Chairman

10.202

RESOLUTION

WHEREAS, Google aims to take things that work well and improve upon them in unexpected ways; and

WHEREAS, Google will be undertaking the Google *Fiber for Communities* experiment; and

WHEREAS, Google is planning to build and test a universal ultra-high speed broadband network infrastructure, delivering internet speeds of over 1 gigabit per second via fiber-to-the-home connections, which is more than 100 times faster than what most Americans have access to today; and

WHEREAS, Google's experiment will be offered to at least 50,000 and potentially up to 500,000 people at a competitive price; and

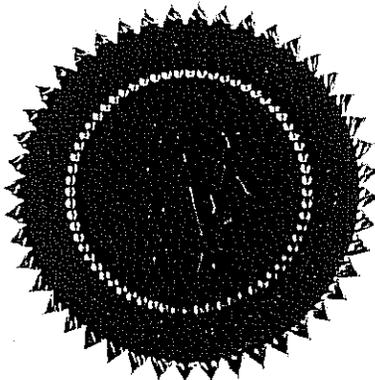
WHEREAS, Ultra-high speed broadband will make internet access better and faster for everyone and allow for the next generation apps, new deployment techniques, openness and choice; and

WHEREAS, Google is asking local governments and residents to express their interest in Google's fiber optic trial and to provide community information; and

WHEREAS, Businesses, community groups, government and residents of Washoe County have a tremendous amount to gain if selected as a target community; now, therefore be it

RESOLVED, That the Washoe County Commission supports the participation in Google's *Fiber for Communities* experiment and will continue to collaborate in the regional efforts of developing and submitting the Request for Information.

ADOPTED this 23rd day of March 2010.



David E. Humke, Chairman
Washoe County Commission

10-203

PROCLAMATION

WHEREAS, Cesar Estrada Chavez was born March 31, 1927, on a small farm near Yuma, Arizona that his grandfather homesteaded in the 1880's; and

WHEREAS, In 1962, Cesar moved his wife and eight children to Delano, California where he founded the National Farm Workers Association (NFWA) later to become the United Farm Workers; and

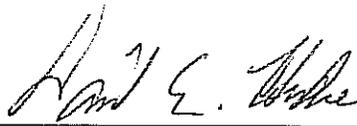
WHEREAS, From the beginning, Cesar Chavez adhered to the principles of non-violence practiced by M.K. Gandhi and Dr. Martin Luther King, Jr. to support the end of suffering for farm workers and their families; and

WHEREAS, Cesar conducted multiple 25 to 36 day fasts to reaffirm the United Farm Workers' commitment to non-violence as a necessary and effective practice to maintain self-respect while supporting their cause; and

WHEREAS, On August 8, 1994, Cesar E. Chavez became the second Mexican American to receive the Presidential Medal of Freedom, the highest civilian honor in the United States. The award was presented posthumously by President Bill Clinton; now, therefore, be it

PROCLAIMED, By the Washoe County Board of Commissioners that March 31, 2010 is recognized as "Cesar Chavez Day".

ADOPTED this 23rd day of March, 2010.



David E. Humke, Chairman

ATTEST:



Amy Harvey, Washoe County Clerk

10-207

APN: 085-760-35

*When recorded return to:
Washoe County Engineering Division
PO Box 11130
Reno, NV 89520*

RESOLUTION ACCEPTING REAL PROPERTY
FOR USE AS A PUBLIC STREET
(5th AVENUE IN SUN VALLEY AT THE INTERSECTION OF LEON DRIVE)

Irrevocable Offer of Dedication, 5th Avenue, Northwest quarter (NW ¼) of the Northeast quarter (NE ¼) of Section 19, Township 20 North, Range 20 East as described and shown in Exhibit "A" (a copy is attached and is incorporated by reference), DOCUMENT #3847213 RECORDED February 9, 2010.

WHEREAS, it is a function of the County of Washoe to operate and maintain public streets; and

WHEREAS, certain real property as described in Exhibit "A" (a copy is attached and is incorporated by reference) to be used as a public street was offered for dedication by Irrevocable Offer of Dedication, Document No. 3847213 recorded on February 9, 2010; and

WHEREAS, said offer of dedication was rejected by the Director of Community Development; and

WHEREAS, NRS 278.390 specifically provides that if the real property as described in Irrevocable Offer of Dedication Document No. 3847213 is rejected, the offer of dedication shall be deemed to remain open and the governing body may by resolution

10-222

11/11/07

at any later date, and without further action by the property owner, rescind its action and accept the real property for public use; and

WHEREAS, said real property being used as a public street is necessary for the construction of curb, gutter, and sidewalk for the new Leon Drive Pedestrian Path Project; and

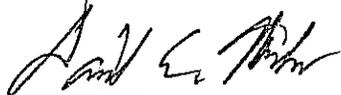
WHEREAS, said real property is necessary for public access; and

WHEREAS, the Washoe County Board of Commissioners finds that it is in the best interest of the public to accept said real property.

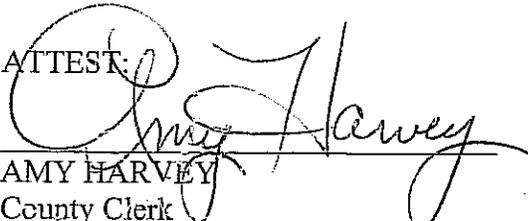
NOW, THEREFORE, BE IT RESOLVED, by the Washoe County Board of Commissioners, pursuant to NRS 244.270, that the real property offered by Irrevocable Offer of Dedication Document No. 3847213 Recorded February 9, 2010, is hereby accepted.

10-222

WASHOE COUNTY BOARD OF COMMISSIONERS



DAVID E. HUMKE, CHAIRMAN
March 23, 2010

ATTEST:


AMY HARVEY
County Clerk

EXHIBIT A

All that certain real property situate within the Northeast One Quarter of Section Nineteen, Township Twenty North, Range Twenty East, M.D.M., County of Washoe, State of Nevada, being more particularly described as follows:

COMMENCING at the Northeast corner of said section Nineteen a found centerline street monument at the intersection of East Fifth Avenue and Lupin Drive;

Thence westerly leaving said Northeast corner of said section Nineteen South 89° 45' 21" West 1337.40 feet to a found centerline street monument at the intersection of East Fifth Avenue and Leon Drive;

Thence South 44° 28' 18" East 44.22 feet to the Northwest corner of that parcel described in Document number 3680968 recorded on August 21, 2008 also being further described as the intersection of the southerly right-of-way of E. Fifth Avenue and the easterly right-of-way of Leon Drive, and the POINT OF BEGINNING;

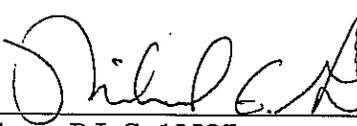
Thence southerly along said easterly right-of-way South 00° 48' 50" West 20.00 feet;

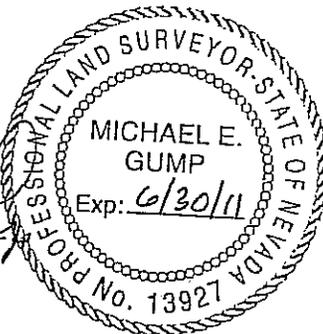
Thence northeasterly leaving said easterly right-of-way North 45° 31' 42" East 28.42 feet to a point on said southerly right-of-way;

Thence westerly along said southerly right-of-way North 89° 45' 21" West 20.00 feet to the POINT OF BEGINNING.

Said parcel contains 200 square feet, more or less

The basis of bearings for this legal description is Nevada State Plane Coordinate System, West Zone NAD 83/94.


Michael E. Gump P.L.S. 13927
Washoe County Surveyor



2/05/10

Washoe County, Public Works Dept.
1001 East Ninth Street
Reno, Nevada 89520

10-222

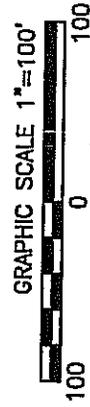
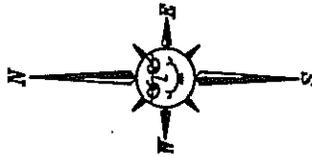
EXHIBIT A

E 5th Avenue

S88°55'48"W 1308.04' (tie)

POB

LEON DR



OFFER OF DEDICATION
NW¼ OF THE NE¼ SECTION 19,
TOWNSHIP 20 NORTH, RANGE 20 EAST

WABICO COUNTY
WABICO COUNTY DEPARTMENT OF PUBLIC WORKS
1001 2nd Street, SW
Wabico, MO 64689
(573) 685-3447

WABICO
SHEET 1
OF 1

10-222

INTERGOVERNMENTAL AGREEMENT
BETWEEN WASHOE COUNTY AND SUN VALLEY
GENERAL IMPROVEMENT DISTRICT REGARDING
TRANSFER OF OWNERSHIP OF CERTAIN COUNTY PARKS

THIS AGREEMENT, is made and entered into the day and year below written, by and between Washoe County, a political subdivision chartered under the laws of the State of Nevada, and Sun Valley General Improvement District, a political subdivision of the State of Nevada, organized pursuant to the provisions of Chapter 318 of Nevada Revised Statutes.

W I T N E S S E T H:

WHEREAS, Washoe County ("County") and Sun Valley General Improvement District ("Sun Valley"), as political subdivisions of the State of Nevada (collectively "Parties"), are authorized pursuant to NRS 277.045 and 277.053 to enter into contracts between themselves upon the terms and for the purposes hereinafter stated, and the respective Parties hereby acknowledge that by this agreement the public interest, economy and general welfare will be better served thereby; and

WHEREAS, due to recent unhealthy economic times, County has been constrained in its budget requirements to continue the same high service levels in the management and maintenance of certain County public parks and improvements thereon within the County, including certain County public parks and improvements located within the boundaries of Sun Valley, Washoe County, Nevada; and

WHEREAS, Sun Valley and its citizens have expressed a desire to obtain ownership of said County parks within Sun Valley, and is willing to assess its customers directly for all or a portion of the budget amounts necessary for the maintenance and upkeep of the said parks, and

10-25-17

has for that purpose recently acquired the recreational power as a general improvement district from the County, to own and operate such parks on behalf of its customers and citizens of Washoe County;

NOW, THEREFORE, in consideration of the premises, the mutual promises, agreements and covenants of the Parties contained herein, it is agreed by and between the County and Sun Valley as follows:

ARTICLE I
THE PARKS

1. The County parks the subject of this agreement (hereafter “the parks”) as shown in “Exhibit A” attached hereto and incorporated by reference are located and described as follows:

a. the Sun Valley Community Park (APN 085-211-03) consisting of 26.09 acres at 115 W. 6th Avenue, including but not limited to all improvements thereon such as the Neighborhood Center building, outdoor swimming pool and adjacent building (containing dressing rooms, office, first aid, and lobby space), skateboard park, in-line hockey rink, outdoor basketball courts, playground, outdoor volleyball court, Mary E. Hansen Center building, BMX track, baseball field, soccer field, walking/jogging track, two group picnic pavilions, and parking areas as shown in “Exhibit I-A” attached hereto and incorporated within;

b. Gepford Park (APN 085-153-02) consisting of 8.35 acres, at 5350 Leon Drive, and all improvements thereon as shown in “Exhibit I-B” attached hereto and incorporated within;

c. Highland Ranch Park (APNs 083-730-11 and 083-011-16) totaling 29.21 acres, at 1200 Highland Ranch Parkway, and all improvements thereon as shown in “Exhibit I-C” attached hereto and incorporated within;

10-25-01

d. Sun Mesa Park on Sun Mesa Dr. (APN 504-471-15) consisting of 2.89 acres) at 570 Sun Mesa Drive and all improvements thereon as shown in "Exhibit I-D" attached hereto and incorporated within.

2. This Agreement excludes the Sun Valley Regional Park (APN 508-020-55) located at 5905 Sidehill Drive, and all other County owned open space properties located within Park District 2D, Sun Valley Nevada, which shall remain under the County's ownership and control.

ARTICLE II TRANSFER OF THE PARKS

1. The County shall, at such time as valid legal descriptions of the lands encompassing the parks are available, and in no event later than 60 days from the date of full approval hereof, transfer ownership of the Sun Valley Community Park from the County to Sun Valley. In light of the timing of the approval of this Agreement, Sun Valley will have collected sufficient funds from its customers only to fund the operation and maintenance of the Sun Valley Community Park and its amenities commencing with the spring/summer season in 2010 and thereafter. The transfer of the balance of the parks listed herein to Sun Valley shall not occur before December 1, 2010, but shall be accomplished no later than April 1, 2011.

2. There shall be no monetary consideration charged to Sun Valley for such transfers, other than the covenants and agreements herein to be performed by Sun Valley as to such parks.

3. A Deed restriction will be inserted in the said Deeds to ensure that the use of said property transferred shall continue in its current use as public parks, in perpetuity, unless the consent of the County to any other such use or transfer is first had and obtained. In addition, should Sun Valley cease to exist, the parks shall revert back to County ownership.

10501

4. Such transfers shall be accomplished by use of a Deed prepared by counsel for Sun Valley and approved by counsel for the County, the Grantor being such entity as a title search through First American Title Company (or other title company approved by the Parties) shows as the current holder of valid legal title to the lands encompassing each park, to the Grantee as "Sun Valley General Improvement District, a political subdivision of the State of Nevada." The parties shall divide equally any title fees charged in pursuit of the appropriate descriptions for said deeds, except that the initial preliminary title report for the Sun Valley Community Park has been earlier paid for by Sun Valley.

5. A separate Deed shall be utilized for each park.

6. An appropriate Bill of Sale, if deemed necessary by Sun Valley, shall be utilized to transfer any personal property conveyed with the said parks.

ARTICLE III
TRANSFER OF EXISTING PARK OBLIGATIONS

1. Sun Valley shall take ownership of such parks subject to any and all legal agreements that the County now has with other entities for the use of such parks, except as noted below. The obligations and agreements now existing between the County and other entities are as follows:

a. a Lease Agreement dated August 26, 2008 with the Community Services Agency, a Nevada non-profit corporation, covering premises at the Sun Valley Neighborhood Center.

b. a Lease Agreement dated June 10, 2008 with the Boys and Girls Club of the Truckee Meadows, a Nevada non-profit corporation, covering premises at the Mary E. Hansen Center.

c. an Interlocal Agreement dated on or about June 10, 2008 with the Washoe County

10-15-11

School District, acting for the Sun Valley Family Resource Center, a Nevada Local Education Agency, covering premises at the Sun Valley Neighborhood Center.

d. a Memorandum of Understanding (“MOU”) between Washoe County Senior Services and Washoe County Regional Parks and Open Spaces dated August 4, 2009, currently is in effect. This MOU covers management of the Sun Valley Neighborhood Center and describes activities in such Center including the Washoe County Sheriff’s substation. Since Sun Valley desires to undertake full management of the Sun Valley Neighborhood Center, this MOU will terminate upon the effective date of this Agreement. Sun Valley does not intend to change the current arrangements as to the Sheriff’s substation, and will cooperate fully with the Washoe County Senior Services in continuation of its services to the senior citizens wherever possible and consistent with Sun Valley’s management goals for the Neighborhood Center.

e. a Lease Agreement dated April 13, 2009 between Washoe County and Bighorn BMX Incorporated for operation of the BMX track located in the Sun Valley Community Park.

2. Copies of such Agreements have been supplied by the County to Sun Valley. Such Agreements are incorporated herein by reference.

3. County shall execute appropriate assignments of such Agreements to Sun Valley, and Sun Valley shall thereby agree to take up and comply with all obligations of the County therein, and hold the County harmless therefrom.

ARTICLE IV OTHER PROVISIONS

1. Current and Future Grant Funding: The County and Sun Valley were co-sponsors of a successful Community Development Block Grant for monies to be used for rehabilitation to the swimming pool located at Sun Valley Community Park described above. Some of such grant

10-15-1

funds have been expended in pursuit of such improvements to date, and yet additional expenditures of such grant monies are still forthcoming. See "Exhibit IV-A" attached hereto and incorporated within. The parties agree that they shall continue to use such grant funds, on the existing schedule of improvement, exclusively for the purposes intended in improving the pool and its related facilities until all such monies have been expended. Further, in the event grants are available in the future for improvements of any of the parks herein or the improvements thereon, and the assistance of the County would improve the ability to obtain such grants, the County agrees to continue such cooperation in obtaining such grants.

2. Future County Funding: The Parties hereto recognize that some of the parks and their amenities here transferred are County-wide resources, often used by a variety of Washoe County residents, and not solely by residents of Sun Valley. Sun Valley does not intend to restrict use of such facilities only to Sun Valley GID ratepayers. At such time as County becomes more financially stable, Sun Valley may consider requesting funds from the County to assist with management and improvements of the parks as appropriate, through a separate agreement, with final approval required by the Board of County Commissioners.

3. Residential Construction Tax Funds: The Residential Construction Tax (RCT) is a fee collected by County to be utilized for neighborhood parks in the area from which the tax is collected. The tax is only collected for new construction, at the rate of 1% of the valuation of each building permit issued by County, or \$1,000 per residential dwelling unit, whichever amount is less. Existing law restricts the use of the proceeds of the tax to the acquisition, improvement and expansion of neighborhood parks, or the installation of facilities in existing neighborhood parks as required to serve the residents residing in the new construction. Under

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existing law, the proceeds of the tax cannot be used for maintenance or reconstruction of existing facilities.

Subject to the above restrictions, Sun Valley reserves the right to apply for access to these tax funds collected for new construction in Sun Valley, to use for specific projects for the parks in Sun Valley, Park District 2D, consistent with the criteria established in NRS 278.4983. If use for specific Sun Valley projects consistent with approved Park Master Plans (as described in Article IV, Subsection 4 below) is approved by County, County will manage the distribution and use of such funds, through a separate design and construction agreement, and will maintain approval and oversight of any such project utilizing these funds.

4. PARK IMPROVEMENTS & PARK MASTER PLANS: Park improvements shall comply with approved Park Master Plans, attached hereto and incorporated within as "Exhibits IV-B, IV-C, IV-D, and IV-E." Proposed revisions to any Park Master Plans shall involve a public review process with input and recommendations from Sun Valley residents, Sun Valley Citizen Advisory Board, Washoe County Regional Open Space and Park Commission, with final approval by the Board of County Commissioners. Park Improvements shall conform to the latest "Standard specifications for public works construction, Washoe County, Nevada" (Orange Book) and Washoe County "Standard specifications for parks and open space construction" (Green Book). Park equipment should be placed based upon standards set by the U.S. Consumer Product Safety Commission. A Certified Playground Safety Specialist shall supervise installation of all playground equipment included in the Park Improvements.

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ARTICLE V
MISCELLANEOUS PROVISIONS

1. Notices: All notices or other communications required or permitted hereunder shall be

in writing, and shall be personally delivered or sent by registered or certified mail, postage prepaid, return receipt requested, or sent by electronic facsimile and shall be deemed received upon the earlier of: (i) if personally delivered, the date of delivery to the address of the person to receive such notice; (ii) if mailed, on the date of posting by the United States Post Office; or (iii) if given by electronic facsimile, when received by the other party.

2. Entire Agreement: This Agreement contains the entire agreement between the parties hereto and supercedes any and all prior agreements, arrangements or understandings regarding the same subject matter as this Agreement, which are null and void.

3. Choice of Law: This Agreement shall be construed and enforced in accordance with the laws of the State of Nevada and venue for any such action shall be in Washoe County, Nevada.

4. Written Amendments: This Agreement may not be modified, amended, altered or changed in any respect whatsoever except by further agreement in writing. No oral statements or representations subsequent to the execution hereof by either party are binding on the other party, and neither party shall have the right to rely on such oral statements or representations.

5. Future Cooperation: Each party shall, at the request of another, at any time execute and deliver to the requesting party all such further instruments as may be reasonably necessary or appropriate in order to effectuate the purpose and intent of this Agreement.

6. Headings: Headings used in this Agreement are used for reference purposes only and do not constitute substantive matter to be considered in construing the terms of this agreement.

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WASHOE COUNTY

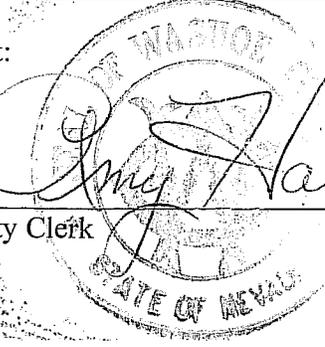
Scott Ash

Chairperson, Board of
County Commissioners

Dated: 3.23.10

Attest:

Amy Farvey
County Clerk



SUN VALLEY GENERAL
IMPROVEMENT DISTRICT

Patricia R. Lauzon

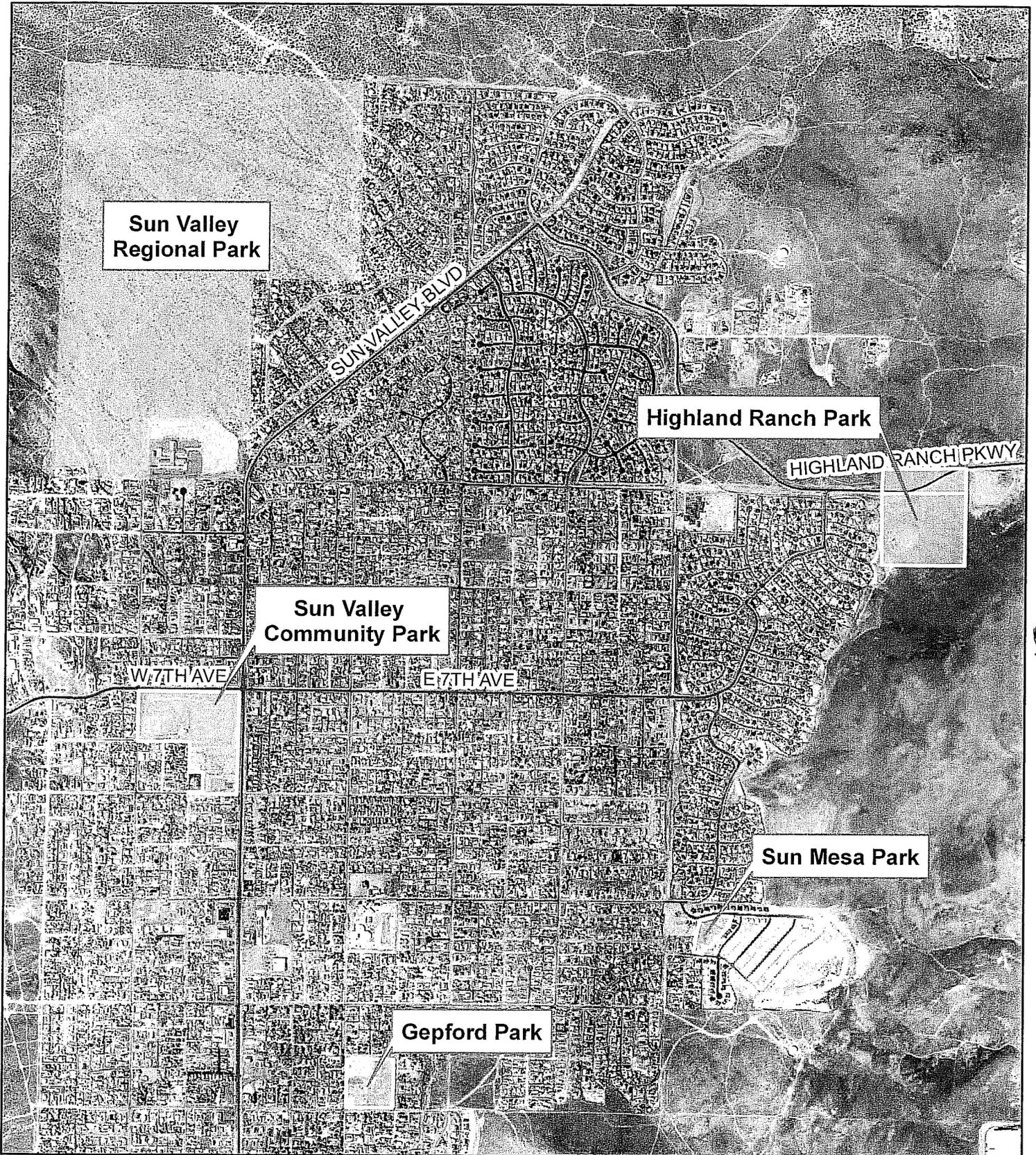
Chairperson, Board of Trustees

Dated: 3/10/2010

Attest:

Margan Benhardt
Secretary, Board of Trustees

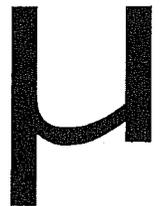
10-234



**Washoe County Parks - Sun Valley
Park District 2D**

SVGID proposed ownership

EXHIBIT A





APN 085-211-03
26.086 acres

WITH AVE

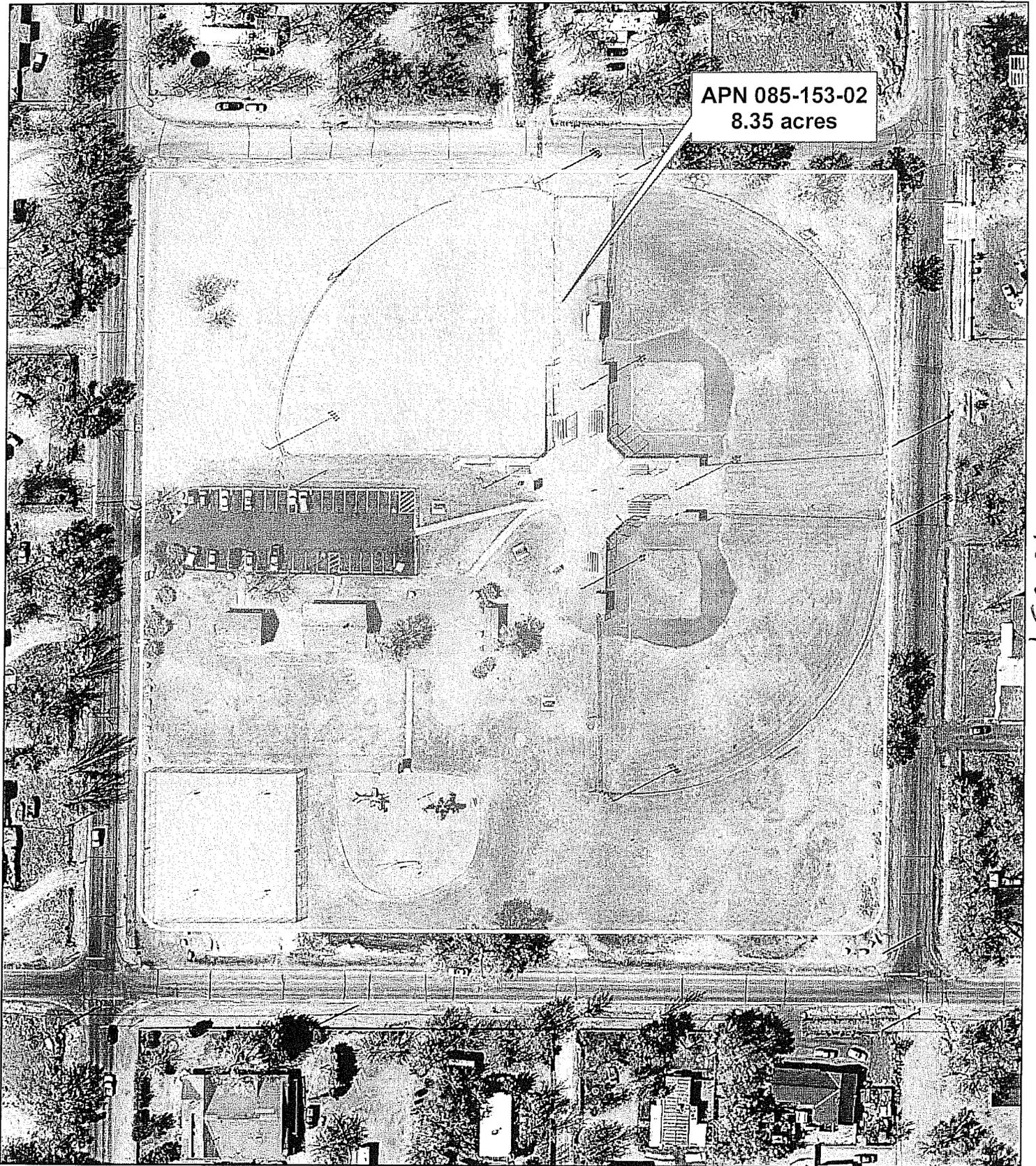
SUN VALLEY BLVD

SUN VALLEY COMMUNITY PARK

SVGID proposed ownership

EXHIBIT I-A





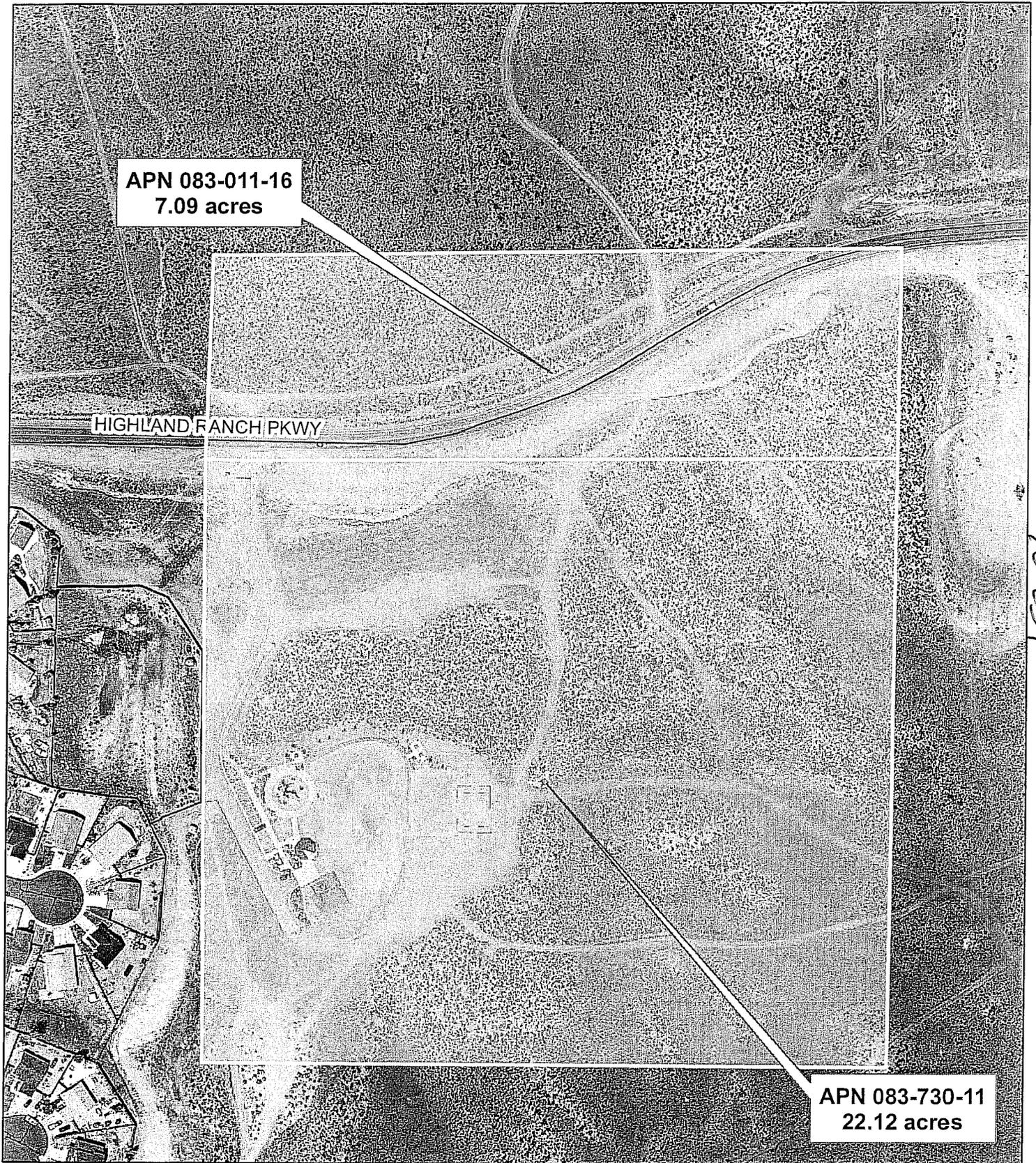
APN 085-153-02
8.35 acres

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SVGID proposed ownership

**GEPFORD PARK
EXHIBIT I-B**





APN 083-011-16
7.09 acres

HIGHLAND RANCH PKWY

APN 083-730-11
22.12 acres

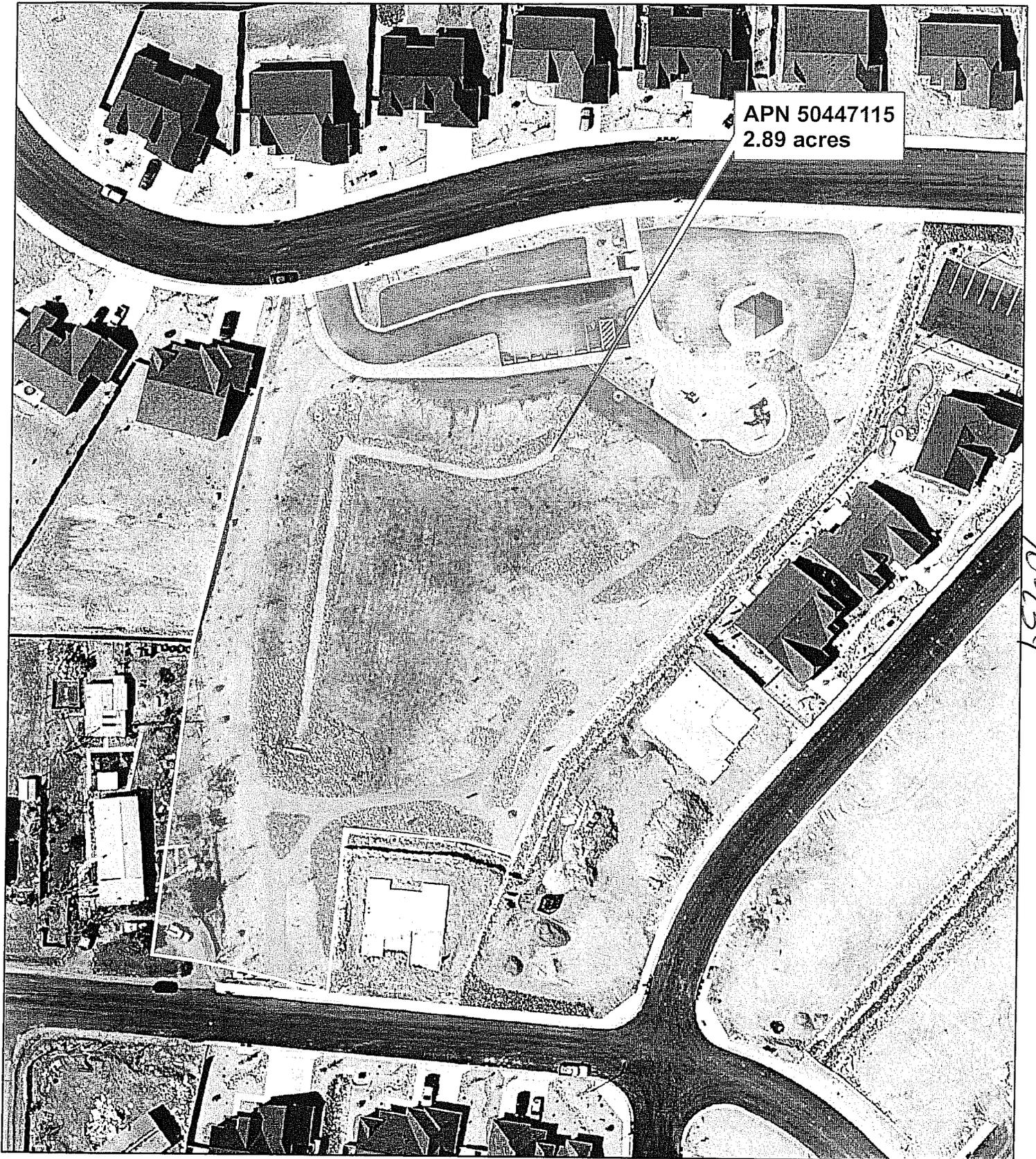
10-234

HIGHLAND RANCH PARK

SVGID proposed ownership

EXHIBIT I-C





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SUN MESA PARK

SVGID proposed ownership

EXHIBIT I-D

