

COUNTY COMMISSIONERS

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

COUNTY MANAGER

Katy Simon

**ASSISTANT
DISTRICT ATTORNEY**

Paul Lipparelli

AGENDA

WASHOE COUNTY BOARD OF COMMISSIONERS

COMMISSION CHAMBERS - 1001 E. 9th Street, Reno, Nevada

**February 9, 2010
10:00 a.m.**

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. Items may be moved to or from the Consent Agenda at the beginning of the Board Meeting or may be voted on in a block.

The Washoe County Commission Chambers are accessible to the disabled. If you require special arrangements for the meeting, call the County Manager's Office, 328-2000, 24-hours prior to the meeting.

Public Comment during the Commission Meeting on February 9, 2010 will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

The Chairman and 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.

The County Commission can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comments by the Commission. However, responses from Commissioners to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Commission will consider, Commissioners may choose not to respond to public comments, except to correct factual inaccuracies, ask for County staff action or to ask that a matter be listed on a future agenda. The Commission may do this either during the public comment item or during the following item: **"*Commissioners'/Manager's Announcements, Requests for Information, Topics for Future Agendas and Statements Relating to Items Not on the Agenda"**.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Washoe County Administration Building (1001 E. 9th Street, Bldg. A), Washoe County Courthouse-Clerk's Office (Court and Virginia Streets), Washoe County Central Library (301 South Center Street) and Sparks Justice Court (630 Greenbrae Drive). At the meeting after salute to the flag and roll call, the Board of County Commissioners may vote on the following items as the Board and, ex-officio, as the Board of Fire Commissioners for the Truckee Meadows Fire Protection District, as the Board of Directors for the Sierra Fire Protection District, and/or the Board of Trustees of either the Lawton/Verdi or South Truckee Meadows General Improvement Districts.

Support documentation for the items on the agenda, provided to the Washoe County Board of Commissioners is available to members of the public at the County Manager's Office (1001 E. 9th Street, Bldg. A, 2nd Floor, Reno, Nevada) and on the County's website at www.washoecounty.us.

Unless otherwise indicated by asterisk (*), all items on the agenda are action items upon which the Board of County Commissioners will take action.

The Washoe County Board of Commissioners may take a short break every 1 1/2 hours.

- 10:00 a.m.**
- *1. Salute to the flag.
 - *2. Roll call.
 3. Proclamation--February 21-27, 2010 as Earthquake Awareness Week--Emergency Management. (All Commission Districts.)
 4. Resolution--recognizing the community partnership which made "Residential Dump Days" held January 1-2, 2010 successful--Community Relations. (All Commission Districts.)
 5. Accept "2009 Wendell McCurry Excellence in Water Quality Award" for the Lake Tahoe Basin Roadway Sweeping Program from the Nevada Division of Environmental Protection--Public Works. (Commission District 1.)
 - *6. 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.
 - *7. 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.)

Consent Items.

8. A. Approve roll change requests for adjustment for destruction of property, typographical and clerical errors in the 2009/10, 2008/09, 2007/08 and 2006/07 Personal Property Tax Rolls; and if approved, authorize Chairman to execute Order for same (cumulative amount of reduction in tax revenue is \$14,822.09)--Assessor. (All Commission Districts.)

Community Development.

8. B. 1. Approve a State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License for Elizabeth D. McGee, dba McGee and McGee Wine Merchants, LLC; and if approved, direct that each Commissioner sign the original copy of the State of Nevada *Application for License for Importer and Wholesale Dealer of Wine, Liquor and Beer*. (Commission District 2.)
8. B. 2. Approve City of Fernley's recommendation for appointment of Ed Meagher as the City of Fernley Ex-Officio Representative on the East Truckee Canyon Citizen Advisory Board with a term beginning February 9, 2010 and expiring when the City of Fernley recommends a different representative to the East Truckee Canyon Citizen Advisory Board. (Commission District 4.)
8. C. Acknowledge receipt of the Washoe County Grant Processes Audit Report--Internal Audit. (All Commission Districts.)
8. D. Approve releasing bid request for Registrar of Voters for moving company services for delivery and pick-up of election equipment for the 2010 Election Cycle (estimated cost - \$60,000)--Registrar of Voters. (All Commission Districts.)
8. E. Accept donation [\$540] to Washoe County Sheriff's Office Forensic Science Division from Jeff and Kathleen Heath and family of Reno, Nevada to be applied toward DNA testing of Sexual Assault Kits; and if accepted, direct Finance to make necessary budget adjustments--Sheriff. (All Commission Districts.)
8. F. Approve Water Rights Deed between Washoe County and Austin Farms, LLC conveying 46.17 acre-feet of Truckee River water rights; and if approved, authorize Chairman to execute the Water Rights Deed--Water Resources. (All Commission Districts.)
9. Acknowledge presentation of election preparations for 2010 with particular emphasis on cost saving measures, general efficiencies, enhanced security and ensuring the integrity of voting systems by pursuing continuous improvement in the administration of elections--Registrar of Voters. (All Commission Districts.)

10. Recommendation to approve releasing a bid request for Registrar of Voters for Sample Ballot Printing for the 2010 Election Cycle (estimated cost \$452,000)--Registrar of Voters. (All Commission Districts.)
11. Introduction and first reading of an Ordinance amending Washoe County Code Chapter 110, Development Code, Article 302, Article 304 and Article 410: Table 302.05.1 by allowing attached accessory dwellings in the General Rural regulatory zone; Table 302.05.3 to require special use permits instead of administrative permits to approve commercial stables in the Low, Medium and High Density Rural, Low Density Suburban, Parks and Recreation, and General Rural regulatory zones; Table 302.05.3 and Section 304.25 to create a new use for senior continuum of care facilities; Table 302.05.5 to allow Agricultural Sales subject to a special use permit in the Medium and High Density Rural and the Low Density Suburban regulatory zones; Section 304.35(c) to add "aquaculture" to the definition of "Animal Production"; Section 304.25(d)(5) and 304.30(d)(3) and 304.30(f) to add storage of manufactured homes to the typical uses of "Equipment Repair and Sales," "General Industrial - Heavy" and "Inoperable Vehicle Storage"; Section 304.20(k) to add "private not for profit" ownership to the definition of "Parks and Recreation" use type; Section 304.05(c) to include a reference to the North American Industry Classification System when a use type is not clearly identified in Code; Section 304.25(d)(7) to remove "car and truck rental lots" from the typical uses specified for Automotive and Equipment, Storage of Operable Vehicles" use type; Section 304.25 to require all permanent commercial uses to construct a commercial structure; Section 304.25 to include convention facilities and wedding chapels as typical uses under the Convention and Meeting Facilities use type; Table 302.05.5 and Section 304.35 to create a new use type Commercial Animal Slaughtering, Mobile; and Section 304.35 to allow small scale Produce Sales, for a maximum duration of 30 days in any one calendar year in all regulatory zones; Table 302.05.2 to change Public Service Yards from a special use permit reviewed by the Planning Commission to one reviewed by the Board of Adjustment; Table 302.05.5 to change Commercial Animal Slaughtering from a special use permit reviewed by the Planning Commission to one reviewed by the Board of Adjustment; Table 410.10.3 to add parking standards for senior continuum of care facilities; Table 410.10.5 to add parking standards for Commercial Animal Slaughtering, Mobile; and providing for other matters properly relating thereto; and, scheduling of a public hearing and second reading of the Ordinance on February 23, 2010 at 6:00PM--Community Development. (All Commission Districts.)
12. Recommendation to approve Addendum for two one-year extensions of current Service Agreement between the County of Washoe and Cannon Cochran Management Services, Inc Third Party Claims Administration Services for Washoe County's Self- Insured Workers' Compensation Program [estimated two year base cost \$153,516]; and if approved, authorize Chairman to execute Addendum--Risk Management/Finance. (All Commission Districts.)

13. Recommendation to appoint two Washoe County Commissioners to the Recovery Zone Facility Bond Intergovernmental Subcommittee to accept, evaluate and potentially recommend private activity applications for allocation of the Recovery Zone Facility Bond Capacity authorized for the City of Reno and Washoe County--Finance/Manager. (All Commission Districts.)
14. Acknowledge receipt of the Water Rate Review Study Report from Public Financial Management, Inc. (PFM); and presentation by PFM regarding the Five-Year Requirements and Schedule of Rates and Charges for water service within certain areas of Washoe County, which Schedule of Rates and Charges was previously adopted and implemented under Washoe County Ordinance No. 1411; and, discussion and possible authorization to continue implementation of said Schedule of Rates and Charges under Washoe County Ordinance No. 1411--Water Resources. (All Commission Districts.)
15. Recommendation that the Board of County Commissioners approve a Resolution authorizing the County Finance Director to arrange for the sale of the Washoe County, Nevada, Highway Revenue (Motor Vehicle Fuel Tax) Bonds, Series 2010A (tax-exempt), Highway Revenue (Motor Vehicle Fuel Tax) Bonds, Series 2010B (taxable direct pay Build America Bonds) and Highway Revenue (Motor Vehicle Fuel Tax) Bonds, Series 2010C (taxable Recovery Zone Economic Development Bonds) for the purpose of financing street and highway construction within the County; and providing other details in connection therewith; and if approved, authorize Chairman to execute Resolution--Regional Transportation Commission. (All Commission Districts.)
16. Recommendation that the Board of County Commissioners approve and execute an Ordinance authorizing the issuance by Washoe County of its fully registered Washoe County, Nevada, Highway Revenue (Motor Vehicle Fuel Tax) Bonds, Series 2010A (tax-exempt), Highway Revenue (Motor Vehicle Fuel Tax) Bonds, Series 2010B (taxable direct pay Build America Bonds) and Highway Revenue (Motor Vehicle Fuel Tax) Bonds, Series 2010C (taxable Recovery Zone Economic Development Bonds) in the combined maximum aggregate principal amount of \$90,000,000 for the purpose of financing street and highway construction within the County and improvements incidental thereto; providing the form, terms and conditions of the bonds and the security therefor, and other details in connection therewith; providing for its adoption as if an emergency exists; and providing the effective date hereof--Regional Transportation Commission. (All Commission Districts.)

17. Discussion and possible approval of a stipulation and/or authorization to the District Attorney's Office to enter into a stipulation to stay and possibly settle case number CV08-03523, Sally S. Weston et. al. vs. Washoe County et. al. The case concerns the county's approval of the South Valleys Area Plan Update---Washoe Valley Portion (Washoe County planning case number CP08-005), on December 8, 2008, for property located within the territory of the South Valleys Area Plan outside the boundaries of the Truckee Meadows Service Area (TMSA). The stipulation was approved by the Regional Planning Governing Board at its meeting on January 14, 2010, and it has been signed by that board's counsel, Norm Azevedo, and by Steve Mollath, counsel for the plaintiffs/petitioners in the case. Among other things, the stipulation would stay the proceedings to allow the location of the Washoe Valley/Pleasant Valley hydrographic basin boundary to be determined and to allow the plaintiffs'/petitioners' existing TMSA boundary amendment application to be processed by the regional planning authorities and, if that application were granted, would result in a settlement and dismissal of the case among the Regional Planning Governing Board, Washoe County, and the plaintiffs/petitioners. The settlement would, among other things, result in changes to the county's comprehensive plan that would leave the current MDR land use designation as to the entirety of the plaintiffs'/petitioners' property, limit development north of the hydrographic basin line to 112 units, clarify that Rural Development Area restrictions would not apply north of the hydrographic basin line, and allow clustering of units north of the hydrographic basin line, which units would be serviced by municipal water and sewer services--District Attorney. (Commission District 2.)
18. Possible status report and direction to staff on Fiscal Year 2010/11 Budget Development--Finance.
19. 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--Government Affairs. (All Commission Districts.)

6:00 p.m.

Public Hearings. (*Note: Items listed under this heading only will be heard at or after the noted time. In no case will they be heard before the stated time. Due to public testimony and discussion, time expended on the items in this category can vary.*)

20. Second reading and adoption of Ordinance amending the Washoe County Code at Chapter 110, Article 324, by eliminating the requirement for retaining a technical expert to perform a technical review on requests for building permits for facilities under section 110.324.45, 110.324.50, 110.324.55 or other technical review requirements; and removing the public noticing requirement for building permits for wireless communication facilities in 110.324.60(c) and providing other matters properly relating thereto (Bill No. 1611)--Community Development. (All Commission Districts.)

6:00 p.m. 21. Comprehensive Plan Amendment Case No. CP09-007--Community Development.
(Commission District 1.)

A request to amend the Southwest Truckee Meadows Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would re-designate a portion of Assessor's Parcel Number 041-051-31 (± 8.40 -acres) from the land use category of General Rural (GR) to High Density Rural (HDR), approximately ± 6.31 acres. The subject property is located at 4900 Neeser Lane, just south of Plateau and northwest of Caughlin Pkwy. The subject parcel is within the unincorporated portion of the Washoe County Truckee Meadows Services Area (TMSA) and within the City of Reno's Area of Interest, as identified on Map 7 of the 2007 Truckee Meadows Regional Plan. The subject parcel is located within Section 20, T19N, R19E, MDM, Washoe County, Nevada. The property is within Washoe County Commission District 1 and within the Verdi Township/West Truckee Meadows Citizen Advisory Board boundary. To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes include: a revised map series with updated parcel base; and if approved, authorize the Chair to sign the Resolution of the updated area plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency.

End Of Scheduled Public Hearings

- *22. 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).
- 23. Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.
- 24. Emergency Items.
- 25. Adjournment.