

## COUNTY COMMISSIONERS

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

## COUNTY MANAGER

Katy Simon

## ASSISTANT DISTRICT ATTORNEY

Paul Lipparelli

## **REVISED AGENDA**

### **WASHOE COUNTY BOARD OF COMMISSIONERS**

**WASHOE COUNTY COMMISSION CAUCUS ROOM**  
**1001 E. 9<sup>th</sup> Street, 2<sup>nd</sup> Floor, Room A205, Reno, Nevada**  
**April 28, 2009 @ 11:30 a.m.**

### **COMMISSION CHAMBERS**

**1001 E. 9<sup>th</sup> Street, 1<sup>st</sup> Floor, Reno, Nevada**  
**April 28, 2009 @ 2:00 p.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 April 28, 2009 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. 9<sup>th</sup> 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, 2<sup>nd</sup> Floor, Reno, Nevada) and on the County's website at [www.washoecounty.us](http://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.

***The Board of County Commissioners will begin its meeting in the Caucus Room (#A205) at 11:30 a.m. located on the 2<sup>nd</sup> Floor of Building A at 1001 E. 9<sup>th</sup> St., Reno.***

**11:30 a.m.** \*1. Salute to the flag.

\*2. Roll call.

\*3. 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.

4. The Commission will hear ideas and comments as to how fire and emergency medical related service levels can be maintained and possibly enhanced in these very tight budget times. The expectations include but are not limited to open dialog and creative ideas that could result in operational and administrative efficiencies; and, update on status of Comprehensive Fire Services Master Plan; with possible direction to staff and/or the Fire Master Plan Consulting Team (requested by Commissioner Breternitz)--Fire Services Coordinator. (All Commission Districts.)

\*5. Update on the multi-agency Countywide hazardous fuels reduction program (Sierra Fire Protection District, North Lake Tahoe Fire Protection District, Truckee Meadows Fire Protection District, Reno Fire and Nevada Division of Forestry)--Fire Services Coordinator. (All Commission Districts.)

***Following Item #5 above, the Board of County Commissioners will recess and reconvene in the Washoe County Commission Chambers located at 1001 E. 9<sup>th</sup> Street, 1st Floor, Reno.,***

**2:00 p.m.** \*1. Salute to the flag.

\*2. Roll call.

3. Presentation of Excellence in Public Service Certificates honoring Washoe County employees who have completed essential employee development courses.
4. Proclamation--May 7, 2009 as National Day of Prayer (requested by Commissioner Weber). (All Commission Districts.)
5. Proclamation--May 3-9, 2009 as National Building & Safety Week--Building & Safety. (All Commission Districts.)
6. Proclamation--May 3-9, 2009 as National County Government Week, "Greening Our Future". (All Commission Districts.)
7. Resolution--May 3-9, 2009, supporting Nevada Wildfire Awareness Week. (All Commission Districts.)
8. Resolution of Recognition--Red Cross of Northern Nevada (requested by Commissioner Jung). (All Commission Districts.)
- \*9. 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.
- \*10. 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.

11. A. Approve minutes for the Board of County Commissioners' meeting of February 17, 2009.
11. B. Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2008/2009, 2007/2008, 2006/2007 secured and unsecured tax rolls as outlined; and if approved, authorize Chairman to execute Order and direct the Washoe County Treasurer to correct the errors [cumulative amount of reduction \$35,915.52]-- Assessor. (Parcels are in various Commission Districts as outlined.)
11. C. Approve appointments of Jess Traver and Steve Hamilton to the Building Enterprise Fund Oversight Committee for a four year term starting January 1, 2009--Building and Safety. (All Commission Districts.)
11. D. Authorize Chairman to execute Resolution pursuant to NRS 278.0272(7) to sponsor amendment of the Regional Utility Corridor Report, a part of the Truckee Meadows Regional Plan, for the creation of a new Utility Corridor and related utility sites from Virginia Peak in the Pah Rah Range along the eastern side of the Warm Springs Valley to the Tracy Power Plant as identified in Exhibit A--Community Development. (Commission District 4.)

11. E. Acknowledge receipt of the Interim Financial Report for Washoe County Governmental Funds for the nine months ended March 31, 2009 - Unaudited--Comptroller. (All Commission Districts.)
11. F. Accept cash donations [\$5,969.21] for the period January 1, 2009 through March 31, 2009 for the third quarter of Fiscal Year 2008/09; and if accepted, direct Finance to make appropriate budget adjustments--Senior Services. (All Commission Districts.)
11. G. Authorize Washoe County Department of Social Services, through the Washoe County Purchasing Department, to solicit written proposals in order to select a vendor who provides automated cost allocation plan software [not to exceed \$85,000]--Social Services. (All Commission Districts.)
11. H. Acknowledge receipt of the Report of Sale – March 25, 2009 Delinquent Special Assessment Sale--sale cancelled as all delinquencies have paid--Treasurer. (Commission Districts 2, 4 and 5.)
11. I. Approve an Addendum to assign the Agreement for a Weighted Case Load Study for Washoe and Clark Counties, Nevada, from The Spangenberg Group to George Mason University; and if approved, authorize Chairman to execute Addendum--Manager. (All Commission Districts.)
11. J. Accept the resignation of a member of the Organizational Effectiveness Committee (Pat O’Hair) and appoint Diane M. Machen, as a representative of the Washoe County Bargaining Units, to the Organizational Effectiveness Committee with a term to begin April 28, 2009--Management Services. (All Commission Districts.)
11. K. Acknowledge receipt of Truckee River Flood Management Project Status Report for March 2009--Truckee River Flood Management Project. (All Commission Districts.)
11. L. Retroactively approve an Independent Contractor Agreement between the County of Washoe and JRJ Nevada LLC to provide risk management services for the period January 1, 2009 to June 30, 2009 [total amount not to exceed \$60,000] and approve extending the Agreement for the period July 1, 2009 to June 30, 2010 (total amount not to exceed \$60,000); and if approved, authorize Chairman to execute the Agreement--Finance. (All Commission Districts.)
11. M. Authorize Amendment No. 1 to Cooperative Agreement No. PR164-08-805 between the County of Washoe and State of Nevada (Department of Transportation) extending the termination date from June 30, 2009 to December 31, 2009 for a grant in the amount of \$74,256 [20% cash/in-kind match from WC-1 Bond - \$18,673 - required] from the National Scenic Byway Program, through the Federal Highway Administration for the Mt. Rose Scenic Byway Interpretive Project at the Galena Creek Recreation Area (Day Use); and if approved, authorize Chairman to execute Amendment No. 1 to Cooperative Agreement and authorize Regional Parks and Open Space Director to sign all subsequent documents and reports associated with this grant--Regional Parks and Open Space. (Commission District 1.)

District Health.

11. N. 1. Approve and authorize Chairman to execute the Permit for Disinterment of Human Remains, as allowed under NRS 451.050, Subsection 2. (All Commission Districts.)
11. N. 2. Approve expenditures for food purchases and incentives/enablers for the Tuberculosis CDC Control and Elimination Program Grant (IN 10016) [budgeted amount is \$2,420, not including the 10% categorical funding adjustment allowed by the grantor]. (All Commission Districts.)

Sheriff.

11. O. 1. Accept Supplemental Grant Awards [\$5,740 - no County match required] for overtime for Fiscal Year 2009 Joining Forces Program from the Nevada Office of Traffic Safety; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)
11. O. 2. Approve sole source furniture purchase and installation [\$93,141.89] from Reno Business Interiors to be used in the Cyber Crimes/Cyber Attack Unit, a section of the Northern Nevada Counter Terrorism Center (purchase reimbursed by Department of Homeland Security Grant Funds awarded to Washoe County Sheriff's Office). (All Commission Districts.)

Water Resources.

11. P. 1. Approve and authorize the Chairman to execute the Water Rights Deed and associated Agreement between Wal-Mart Stores, Inc. and Washoe County, transferring 24.115 acre-feet of groundwater rights in support of future commercial development in the Lemmon Valley area; and, direct Water Rights Manager to record both documents. (Commission District 5.)
11. P. 2. Approve and authorize Chairman to execute the Water Rights Deed between Washoe County and Flying Diamond Ranch, LLC reconveying 18.18 acre-feet of groundwater rights located in the South Truckee Meadows area. (Commission District 2.)
11. P. 3. Approve and authorize the Chairman to execute the Water Rights Deed and associated Agreement between Four Seasons RV Park and Washoe County transferring 12.44 acre-feet (4.052 million gallons annually) of groundwater rights in support of future development in the South Truckee Meadows area; and, direct Water Rights Manager to record both documents. (Commission District 2.)
11. Q. Proclamation--Month of May as Cystic Fibrosis Awareness Month (requested by Commissioner Humke). (All Commission Districts.)

- 2:00 p.m. 12. Sierra Fire Protection District--See separate agenda.

- 2:00 p.m.** 13. Truckee Meadow Fire Protection District--See separate agenda.
14. Recommendation to award Washoe County Bid #2682-09 for Landscaping Maintenance and Snow Removal Services to the lowest, responsive, responsible bidder National Landscape, [estimated annual amount \$155,000] on behalf of the Washoe County Regional Parks and Open Space Department and Public Works; and if awarded, authorize Acting Purchasing and Contracts Administrator to execute an agreement with National Landscape for one year (May 1, 2009 through April 30, 2010), with an option for two additional one-year renewal periods, at the discretion of Washoe County--Purchasing. (All Commission Districts.)
15. Recommendation to award bid for the Sheriff's Office Northern Nevada Counter Terrorism Center Emergency Generator purchase and installation project to the lowest responsive and responsible bidder (staff recommends Building Solutions LLC) [\$139,375]; and if awarded, authorize Chairman to execute the contract documents--Public Works. (All Commission Districts.)
16. Recommendation to approve Amendment #1 to Contract between the County of Washoe (Sheriff's Office, Forensic Science Division) and State of Nevada (Department of Public Safety), concerning provision of laboratory and field services by Sheriff's Office to Department of Public Safety for the term July 1, 2009 through June 30, 2011 [estimated income \$222,813 for Fiscal Year 2009/10 and \$233,954 for Fiscal Year 2010/11]; and if approved, authorize Chairman to execute Amendment #1--Sheriff. (All Commission Districts.)
17. Recommendation to approve Amendment #1 to Contract between the County of Washoe (Sheriff's Office, Toxicology Services Division) and State of Nevada (Department of Public Safety), concerning provision of toxicology services by Sheriff's Office to Department of Public Safety for the term July 1, 2009 through June 30, 2011 [estimated income \$120,000 for Fiscal Year 2009/10 and \$120,000 for Fiscal Year 2010/11]; and if approved, authorize Chairman to execute Amendment #1--Sheriff. (All Commission Districts.)
18. Recommendation to approve an Interlocal Cooperative Agreement for Reimbursement between the County of Washoe (Department of Water Resources) and the Regional Transportation Commission of Washoe County for the replacement of a 14-inch water line and appurtenant facilities along Pembroke Avenue [not to exceed \$1,304,700]; and if approved, authorize Chairman to execute Agreement--Water Resources. (Commission District 2.)
19. Review Water Rights Application 76054 proposing to change the point of diversion of 14.156 acre-feet of water from Glenbrook Creek located in Douglas County to Lake Tahoe in Washoe County; and, authorize Chairman to recommend approval of the subject application to the Nevada State Engineer--Water Recourses. (Commission District 1.)

20. Recommendation to acknowledge the recognition from The Trust for Public Land and the National Association of Counties for the County Leadership in Conservation Award given to Washoe County for their Open Space and Natural Resource Management Plan and acknowledge the efforts of Lynda Nelson, Washoe County Regional Parks and Open Space Planning Manager, and Bill Whitney, Washoe County Community Development Senior Planner, for their outstanding contributions and leadership in the development of the Regional Open Space and Natural Resource Management Plan--Regional Parks and Open Space. (All Commission Districts.)
21. Recommendation to approve Modification No. 2 to Challenge Cost Share Agreement #06-CS-11041701-053 between the County of Washoe and United States Department of Agriculture (USDA) Forest Service (Humboldt-Toiyabe National Forest) retroactive to January 1, 2009, finalizing the joint development of the Galena Creek Recreation Area facilities [estimated total development cost \$3,901,608--WC-1 bond and grant contributions \$1,525,906]; approve USDA Forest Service Special Use Permit for management of the Galena Creek Recreation Area; and if all approved, authorize Chairman to execute Modification No. 2--Regional Parks and Open Space. (Commission District 1.)
22. Recommendation to accept grant [\$129,428, cash match of \$32,357 from WC-1 Bond required] from the National Scenic Byway Program, through the Federal Highway Administration and Nevada Department of Transportation, for the Mt. Rose Scenic Byway Interpretive Project at the Galena Creek Recreation Area; and if accepted, authorize Chairman to execute the Cooperative (Local Public Agency) Agreement between the County of Washoe and State of Nevada (Department of Transportation), authorize the Regional Parks and Open Space Director to sign all subsequent documents and reports associated with this grant, authorize Finance to make appropriate budget adjustments, and further authorize the Regional Parks and Open Space Department to request proposals for selection of a qualified consultant to design, fabricate and install interpretive exhibits at the Galena Creek Visitor Center--Regional Parks and Open Space. (Commission District 1.)
23. Possible status report and direction to staff of Fiscal Year 2009/10 budget--Finance. (All Commission Districts.)
24. Discussion and direction to staff regarding legislation or legislative issues proposed by legislators, by Washoe County or by other entities permitted by the Nevada State Legislature to submit bill draft requests, or such legislative issues 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.** 25. Discussion and possible direction to staff on implementing one or more methods to make Citizen Advisory Boards more efficient and less costly; methods selected may include, but are not limited to: combining and/or eliminating one or more Boards, reduction of Board meeting frequency, creating joint meetings with other Boards and possibly other citizen engagement groups, mandated maximum meeting duration lengths, dissemination of reports and updates by electronic media, modification to recording secretarial services, reduced staff involvement with Boards, and/or creation of other types of citizen engagement forums--Community Development/Community Relations. (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.*)

26. Second reading and adoption of an Ordinance, pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Development Agreement Case No. DA09-002, for Tentative Subdivision Map Case No. TM04-001 for Sun Mesa Subdivision as previously approved by the Washoe County Planning Commission. (Bill No. 1580) **AND** authorize Chairman to execute Agreement between the County of Washoe and Nevada State Bank to extend the expiration date of the subdivision map until May 11, 2010 with a possible extension until May 11, 2011--Community Development. (Commission District 5.)
27. Approve a Business Impact Statement related to an Ordinance amending the Washoe County Code at Chapter 25 by adding requirements for record keeping by junk dealers; adding restrictions on the purchase of junk from certain persons; modifying the description of items in a junk shop or store; referencing state law for junk dealers and secondhand stores; and, modifying the keeping of records by secondhand stores and pawnbrokers; and further, determine that the Ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.

**AND**

Second reading and adoption an Ordinance amending the Washoe County Code at Chapter 25 by adding requirements for record keeping by Junk Dealers, adding restrictions on the purchase of junk from certain persons, modifying the description of items in a junk shop or store, referencing State Law for Junk Dealers and secondhand stores, modifying the keeping of records by secondhand stores and pawnbrokers, and, providing other matters properly relating thereto (Bill No. 1578)--Community Development. (All Commission Districts.)

28. Approve a Business Impact Statement related to an Ordinance amending the Washoe County Code at Chapter 25 by expanding the requirement for a work permit to employees of licensed peddlers, solicitors or traveling merchants; and, by modifying the disqualifying criteria for work permits for licensed peddlers, solicitors or traveling merchants and their employees; and further, determine that the Ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.

**AND**

Second reading and adoption of an Ordinance amending the Washoe County Code at Chapter 25 by expanding the requirement for a Work Permit to employees of licensed peddlers, solicitors or traveling merchants, modifying the disqualifying criteria for Work Permits, and, providing other matters properly relating thereto (Bill No. 1579)--Community Development. (All Commission Districts.)

**6:00 p.m.** 29. Comprehensive Plan Amendment Case No. CP05-005 (Forest Area Plan)--Community Development.

To refer the Forest Area Plan to the Planning Commission, or adopt an amendment to the Forest Area Plan, a part of the Washoe County Comprehensive Plan, by replacing the existing Forest Area Plan with a revision of the Forest Area Plan, establishing updated goals and policies relating to Land Use, Transportation, Scenic, Recreational and Cultural Resources, Natural Resources (Air, Land and Water), establishing minimum architectural and site design standards, amending the Land Use Plan map to reflect certain land use changes within proposed character management areas; and establishing an updated map series to include a Land Use Plan map, Character Management Plan map, Recreational Opportunities Plan map, Public Services and Facilities Plan map, Streets and Highways System Plan map, and Development Suitability map. (Changes to the Land Use Map include: APN: 045-252-11 from General Rural, Open Space, High Density Rural, and Parks & Recreation to Medium Density Suburban, Open Space and Low Density Suburban; APN: 148-070-20 from Medium Density Rural to High Density Rural; APN: 148-070-10 from General Rural to High Density Rural; APN's: 148-070-17 & 18 from General Rural and Medium Density Rural to High Density Rural; APN's: 150-080-01 and 150-090-02 from Open Space to General Rural; APN: 049-402-07 from General Commercial to Neighborhood Commercial; APN: 49-402-02 from Medium Density Suburban to Neighborhood Commercial; APN: 49-402-01 from Medium Density Suburban to General Rural and Neighborhood Commercial; APN's: 150-013-02 & 03 from General Rural to Neighborhood Commercial and Open Space; APN's: 046-190-06, 07, 10, 11, 12, 13, 14, 16 & 17 from General Rural to Medium Density Rural, General Rural and Low Density Suburban; APN: 047-130-33 from General Rural to High Density Rural; APN: 047-161-08, 09, 11, 12 and 13 from Medium Density Suburban to Neighborhood Commercial; APN: 047-161-06 & 07 from Medium Density Suburban and General Rural to Neighborhood Commercial; 047-162-25 from Low Density Suburban to Medium Density Suburban and APN: 048-112-09 from Parks and Recreation to Parks and Recreation and Tourist Commercial) and, authorize the Chairman to sign the Resolution upon a finding of conformance with the Truckee Meadows Regional Plan by the Regional Planning Commission. (Commission District 2).

### End Of Scheduled Public Hearings

- \*30. 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).
- 31. Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.
- 32. Emergency Items.
- 33. Adjournment.