

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

**May 26, 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 May 26, 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. 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.

2:00 p.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. 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.)

2:00 p.m.

Public Hearings. (Note: The 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.)

Tentative Budgets, as well as possible changes to adoption of the Final Budgets, for Fiscal Year 2009/10.

CANCELLED

5. A. Sierra Fire Protection District -- Hearing on Tentative Budget, as well as possible changes to adoption of Final Budget, for Fiscal Year 2009/10 (possibly continued from May 18 and 19, 2009 meetings). **NOTE:** The Board will convene as the Board of Directors of the Sierra Fire Protection District for this item only.

CANCELLED

5. B. South Truckee Meadows General Improvement District -- Hearing on Tentative Budget, as well as possible changes to adoption of Final Budget, for Fiscal Year 2009/10 (possibly continued from May 18 and 19, 2009 meetings). **NOTE:** The Board will convene as the Board of Trustees of the South Truckee Meadows General Improvement District for this item only.

- 2:00 p.m.**
- CANCELLED**
5. C. Truckee Meadows Fire Protection District -- Hearing on Tentative Budget, as well as possible changes to adoption of Final Budget, for Fiscal Year 2009/10 (possibly continued from May 18 and 19, 2009 meetings). **NOTE:** The Board will convene as the Board of Fire Commissioners of the Truckee Meadows Fire Protection District for this item only.
- CANCELLED**
5. D. Washoe County -- Hearing on Tentative Budget, as well as possible changes to adoption of Final Budget, for Fiscal Year 2009/10 (possibly continued from May 18 and 19, 2009 meetings). **NOTE:** The Board will convene as the Washoe County Board of Commissioners for this item.

END OF SCHEDULED PUBLIC HEARINGS

Consent Items.

6. A. Approve minutes for the Board of County Commissioners' regular meeting of January 27, 2009 and joint meetings of February 9 and May 11, 2009.

Public Works.

6. B. 1. Approve Interlocal Agreement between the County of Washoe and the Washoe County School District for the Joint Use of Professional Services in Conjunction with Building Construction, to provide certain construction management services for the School District [\$50,000 projected increase in revenues]; and if approved, authorize Chairman to execute the Interlocal Agreement. (All Commission Districts.)
6. B. 2. Authorize Public Works Department to bid Longley Lane Public Works Administration Building Tenant Improvement Project. (Commission District 2.)
6. B. 3. Authorize Public Works Department to bid Sparks Library and McGee Center/Kids Kottage Parking Lot Repairs and Maintenance Project. (Commission Districts 2 and 4.)
6. B. 4. Authorize request to bid for janitorial services for the Washoe County Library Group Buildings under one contract. (All Commission Districts.)
6. B. 5. Authorize request to bid for janitorial services for the Washoe County Small Business Groups, each group under one contract. (All Commission Districts.)
6. B. 6. Approve request for Road Division to procure road and drainage maintenance materials for Fiscal Year 2009/10 [based on past purchasing activities, materials will exceed \$50,000 annually]; and if approved, direct Purchasing Department to begin procurement process. (All Commission Districts.)

Truckee River Flood Management Project.

6. C. 1. Acknowledge receipt of Truckee River Flood Management Project Status Report for April 2009. (All Commission Districts.)
6. C. 2. Approve extension and Amendment No. 1 to the Interlocal Agreement (Government Temporary Facility Use Agreement) retroactive October 1, 2008 and ending April 30, 2010, with an automatic one-year renewal to April 30, 2011, between the County of Washoe (Owner) and the City of Reno (User) for the use of 85 N. Edison Way, Units #7, #8 and #9 as a temporary overflow homeless shelter [all utility costs, estimated at \$12,000, associated with the use of 85 Edison Way during the term of this Amendment No. 1 shall be charged to Cost Center 185050 - Washoe County Community Support Fund]. (All Commission Districts.)

Sheriff.

6. D. 1. Authorize Chairman to execute Amendment #1 to the Interlocal Contract between Public Agencies: the County of Washoe, Washoe County Sheriff's Office (Forensic Science Division) and the State of Nevada (Department of Public Safety, Division of Parole and Probation) for DNA testing of Compact Parole and Probation cases (July 1, 2009 through June 30, 2011) [estimated income \$150 per client]. (All Commission Districts.)
6. D. 2. Accept direct grant award [\$200,000 - no County match] from State of Nevada, Office of Criminal Justice Assistance, Community Orientated Policing Grant, Project No. 08-METH-10, supporting "Fight Crime/Invest in Kids" by Washoe County's Sheriff's Office in collaboration with Washoe County Juvenile Services and approve sole source purchase of a Nicolet iN10FTIR Microscope System from Thermo Electron North America LLC [\$55,543.42]; and if all approved, authorize Chairman to execute grant documents and Finance to make necessary budget adjustments. (All Commission Districts.)
6. D. 3. Approve Sheriff's Security Agreement between the County of Washoe, Washoe County Sheriff's Office and Lake Tahoe Shakespeare Festival (July 17, 2009 through August 23, 2009), to provide uniformed Deputy Sheriffs for security [estimated security costs \$10,212 to be paid by the Lake Tahoe Shakespeare Festival]; and if approved, authorize Chairman to execute Agreement. (Commission District 1.)
6. D. 4. Accept Supplemental Grant Award [\$3,000 - no County match required] from Join Together of Northern Nevada, to cover overtime costs related to enforcing underage drinking laws activities, and equipment donation of two Lifelock Intoxilyzers [valued @ \$340 each]; and if all accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)

6. E. Approve and certify budgets and special assessments or tax rates for: the Pleasant Valley Groundwater Basin [\$2,500], the Cold Springs Valley Groundwater Basin [\$3,000], the Honey Lake Valley Groundwater Basin [\$2,000], the Lemmon Valley Groundwater Basin [\$11,000], the Truckee Meadows/Sun Valley Groundwater Basin [\$35,000] and a tax rate of \$0.0004, the Washoe Valley Groundwater Basin [\$1,957.12] and the Warm Springs Valley Groundwater Basin [\$4,818.23] as required by NRS 534.040 to fund the budgets of the water basins and distribution systems administered by the State Engineer as requested by Nevada Department of Conservation and Natural Resources; and if approved, authorize Washoe County Clerk to execute same--Finance. (All Commission Districts.)
6. F. Reappoint Randi Thompson (Commission District 2) to the Reno-Tahoe Airport Authority, with a term to expire July 1, 2013. (All Commission Districts.)
6. G. Accept 2010 State Emergency Response Commission Grant [\$33,994]; and if accepted, authorize Chairman to execute a Resolution to subgrant funds to other governments and nonprofits which make up the Local Emergency Planning Committee (LEPC) and authorize the County Manager, or her designee, to sign Contracts and/or Memorandums of Understanding with local LEPC members and direct Finance to make appropriate Fiscal Year 2010 budget adjustments--Management Services/Emergency Management. (All Commission Districts.)
6. H. Accept donation of MagniSight Explorer MTQ2021SC Closed-Circuit Television for the Visually Impaired [estimated market value \$2,000] from Mr. Tony Steiner for use at the Spanish Springs Library--Library. (Commission District 4.)

Assessor.

6. I. 1. Approve roll change requests for adjustment for destruction of property, typographical, and clerical errors in the 2008/09, 2007/08, 2006/07, 2005/06 Personal Property Tax Rolls; and if approved, authorize Chairman to execute Order for same [cumulative amount of reduction in tax revenue \$82,996.92]. (All Commission Districts.)
6. I. 2. 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 for same and direct the Washoe County Treasurer to correct the errors [cumulative amount of *increase* \$1,372.03]. (Parcels are in various Commission Districts as outlined.)
6. J. Approve and authorize Chairman to sign Extension for an additional one year (June 1, 2010) of the original Ophir Lakes Subdivision Agreement (aka Winters Ranch) which allows with certain exceptions, the property owner to submit a tentative map application under the tentative map rules in effect at the time the original Agreement was signed (1999), with a finding that an extension will provide a significant public benefit if it ultimately facilitates the acquisition of the final parcels of the Winters Ranch for public open space--Community Development. (Commission District 2.)

6. K. Approve reclassification requests submitted through the job evaluation and classification process--Human Resources. (All Commission Districts.)
6. L. Approve Interlocal Agreement for Division of Water Service Areas between the County of Washoe and South Truckee Meadows General Improvement District (May 26, 2009 through May 26, 2014); and if approved, authorize Chairman to execute Interlocal Agreement--Water Resources. (Commission District 2.)
7. Recommendation to approval Lease Agreement between the County of Washoe and ECOL Partnership for a 48-month term (retroactive May 1, 2009 through April 30, 2013), for the continuation of occupancy at 250 S. Rock Boulevard, #100, by the Registrar of Voters [approximately \$262,554 for the term of the lease]; and if approved, authorize Chairman to execute Lease Agreement--Public Works. (Commission District 2.)
8. Recommendation to accept the following Defense Reutilization and Marketing Offices' (DRMO) items awarded to the Washoe County Sheriff's Office [valued at \$230,165.90]: life preservers and chest medical instruments for Search and Rescue, blade rotary wings, fuel and oil kits and dampener flutters to be utilized by the Flight Operations Unit (equipment was obtained through the DRMO 1033 Program from the military at no charge to Washoe County)--Sheriff. (All Commission Districts.)
9. Recommendation to accept grant award [\$119,520 - County in-kind match \$23,904] from the State of Nevada Housing Division for the National Foreclosure Mitigation Counseling Program Round 2 (retroactive January 1, 2009 through December 31, 2009); and if accepted, direct Finance to make appropriate budget adjustments--Senior Services. (All Commission Districts.)
10. Introduction and first reading of an Ordinance amending Chapter 5 of the Washoe County Code relating to the operation of the Office of the Commissioner of Civil Marriages to provide that said office will operate by appointment only as determined by the County Clerk effective July 1, 2009; and other matters properly relating thereto (second reading and adoption to be June 9, 2009 at 6:00 p.m.)--Washoe County Clerk. (All Commission Districts.)
11. Recommendation to approve the budgeted operating expense contribution [\$121,000 from the General Fund] for continued operation of the Sierra Spirit Bus for Fiscal Year July 1, 2008 to June 30, 2009; and if approved, authorize Chairman to execute Interlocal Agreement between the County of Washoe and the Regional Transportation Commission of Washoe County--Community Development. (Commission Districts 3 and 5.)
12. Recommendation to approve certain purchasing process improvements, including elimination of the requirement for prior Board approval to go out for bid or Requests for Proposals; increasing the contracting authority of Purchasing and Contracts Administrator to \$100,000 (including purely knowledge-based consulting agreements); and, approve the addition of contract language that limits labor rate increases for non-prevailing wage contracts to not exceed that approved for County employees under the Washoe County Employees Association contract; and if agreed to, direct staff to draft the necessary policies and ordinance changes--Finance. (All Commission Districts.)

13. Recommendation that the Board of County Commissioners provide direction for creation of an Other Postemployment Benefits Trust including: 1) Seek an opinion from the Washoe County District Attorney that investments of the trust in the Retirement Benefits Investment Fund will not violate the provisions of Section 10 of Article 8 of the Constitution of the State of Nevada, which prohibits local governments from investing in stocks; 2) Work with the Retirement Benefit Investment Board to develop an agreement for management of the investment of the irrevocable trust assets; 3) Solicit applicants to be appointed as the board of trustees, which must include at least three but not more than five persons, including: a) One or more persons who each have a combination of education and experience in finance or economics that totals 5 years or more, b) A public officer or employee of the local government who manages the fiscal affairs; and c) A beneficiary of the benefits plan of the local government; and, 4) Complete the drafting of the trust document for Board approval--Finance. (All Commission Districts.)
14. Recommendation to approve Fiscal Year 2010 renewal of contracts and service agreements above \$50,000 to be approved as a group by the Board of County Commissioners and authorize the Purchasing and Contracts Administrator sign the contract renewals, as they come due, with approval from the District Attorney, Budget Office and Risk Management when necessary [total not to exceed \$2,156,700]: American Fiber Systems [\$64,800 - T1 Service]; Ariston Consulting & Technologies [\$55,000 - renewal of SAP Financial Software System Software Maintenance Agreement]; AT&T [\$650,000 - pre-encumber E911 CAMA Trunk; ANI/ALI; Router; phone lines; monthly invoices]; AT&T ILEC [\$120,000 - renewal of Washoe County's Centrex Phone Service, 800 lines]; AT&T Mobility [\$150,000 - renewal of E911 System Hardware/Software Service Contract]; Data Information Management Systems [\$69,500 - renewal of Election Software System Software Maintenance Agreement]; ESRI [\$58,200 -renewal of GIS Software Maintenance Agreement]; EPI-USE America, Inc. [\$115,000 - renewal of SAP Financial Software System Software Maintenance Agreement]; High Sierra Communications [\$62,000 - renewal of leases for three Washoe County 800MHz sites and a DS1 Data circuit]; M/A Com Inc. [\$95,000 - renewal of Washoe County's 800MHz Regional Communications System Software Maintenance Agreement]; Manatron [\$182,700 - first year Software Maintenance Agreement for the Treasurer's Manatron Tax System software]; Reno, City of [\$250,000 - renewal of reimbursement of salaries for three City of Reno Geographic Information Systems staff that service the E911 system, per interlocal agreement]; SAP [\$284,500 - renewal of SAP Financial Software System Software Maintenance Agreement]--Technology Services. (All Commission Districts.)
15. Recommendation to approve a refund to Montreux Development Group, LLC for water connection privilege fees [\$675,675 plus accrued interest in the approximate amount of \$10,000]--Water Resources. (Commission District 2.)
16. Introduction and first reading of an Ordinance revising the requirements and schedule of rates and charges for water service within certain areas of Washoe County; requiring the Department of Water Resources to submit billings to all water users within the certain areas, requiring payment thereof; and providing procedures for its enforcement. This Ordinance repeals Ordinance No. 1389 - set public hearing for June 9, 2009 at 6:00 p.m.--Water Resources. (All Commission Districts.)

17. Discussion and possible direction to staff regarding a proposed amendment to the Truckee Meadows Regional Plan to modify the boundaries of or eliminate the Reno-Stead Joint Corridor Plan (requested by Commissioner Weber)--Community Development. (Commission Districts 3 and 5).
18. 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.

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

19. Second reading and adoption of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Development Agreement Case No. DA09-004 for Tentative Subdivision Map Case No. TM05-011 for Ladera Ranch as previously approved by the Washoe County Planning Commission, the purpose of the agreement being to extend map approval until July 5, 2010 with a possible second extension until July 5, 2011. (Bill No. 1584); and if adopted, authorize Chairman to execute Development Agreement between the County of Washoe and Ladera Ranch 390, LLC--Community Development. (Commission District 5.)

End Of Scheduled Public Hearing

- *20. 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).
21. Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.
22. Emergency Items.
23. Adjournment.