

**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. 9<sup>th</sup> Street, Reno, Nevada**

**September 14, 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 September 14, 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. 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 Fire Commissioners 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.

**10:00 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. 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.

5. A. Approve minutes for the Board of County Commissioners' meetings of April 13 and August 10, 2010.

5. B. Proclamation--September 27, 2010 as Family Day - A Day to Eat Dinner with Your Children - requested by Commissioner Humke. (All Commission Districts.)

5. C. Acknowledge receipt of Change Log for the 2010/11 Assessment Roll (on file in County Manager's Office)--Assessor. (All Commission Districts.)

5. D. Appoint Dave Cooper to fill an unexpired term as an At-Large member to June 30, 2011, on the Gerlach/Empire Citizen Advisory Board--Community Development. (Commission District 5.)

5. E. Approve establishment of a minimum capitalization threshold policy for intangible assets, for financial reporting purposes only, at \$100,000 effective retroactively to July 1, 2009--Comptroller. (All Commission Districts.)
5. F. Approve Resolution requesting the assistance of the Attorney General in the possible prosecution of a female over the age of 18 for alleged driving under the influence of drugs or alcohol, hit and run, child endangerment and other matters properly related thereto; and if approved, authorize Chairman to execute the Resolution--District Attorney. (All Commission Districts.)
5. G. Approve seven mid-year reclassification requests submitted through the job evaluation and classification process [annual fiscal impact associated with these reclassifications is approximately \$30,944 to the General Fund and approximately \$25,318 to the Senior Services Fund]--Human Resources. (All Commission Districts.)
5. H. Approve Wildlife Extension Agreement and a Right of Entry Agreement between the County of Washoe (Department of Regional Parks & Open Space) and U.S. Fish and Wildlife Service for restoration efforts to Horse Creek at the Swan Lake Nature Study Area [in-kind services valued at \$10,000 - no Washoe County contributions]; and if approved, authorize Regional Parks and Open Space Director to sign both Agreements--Regional Parks and Open Space. (Commission District 5.)
5. I. Accept monetary donations to Washoe County Regional Animal Services [\$4,252], received December 1, 2009 through March 31, 2010, used for the humane care and treatment of sick and/or injured, stray or abandoned animals; and if accepted, express Board appreciation for these thoughtful contributions, approve budget amendment acknowledging donations and direct Finance to make appropriate budget adjustments--Public Works/Animal Services. (All Commission Districts.)
5. J. Authorize additional non-County employee travel expenses specific to the Senior Services Department to reimburse contracted services staff for per diem expenses [\$517.80] related to authorized travel to foreclosure mitigation training; and if authorized, direct Finance to make appropriate budget adjustments to the grant previously accepted by the Board--Senior Services. (All Commission Districts.)
5. K. Authorize Washoe County Treasurer to auction all newly delinquent lands held in trust with the exception of those parcels listed on Exhibit A; and if authorized, approve and authorize Chairman to execute Resolution authorizing the County Treasurer to transfer to other governmental entities, real property held in trust due to property tax delinquencies and other matters properly related thereto (Tax Delinquent Property List 2010 on file in County Manager's Office)--Treasurer. (All Commission Districts.)
5. L. Approve the Correction Water Sale Agreement between Washoe County and Truckee Meadows Water Authority (reflects corrected amount of water rights actually held and leased by Washoe County to Truckee Meadows Water Authority for water service demands); and if approved, authorize Chairman to execute Agreement and direct the Water Rights Manager to record the document--Water Resources. (All Commission Districts.)

5. M. Acknowledge liability coverage for volunteers as required under the Volunteer Protection Act, adopt Amendment to the Volunteer Service Agreement and authorize Risk Management, on behalf of the District Health Department, to secure liability coverage for the Medical Reserve Corps [approximate annual premium \$5,000]--Risk Management/ Finance. (All Commission Districts.)

Juvenile Services.

5. N. 1. Accept Fiscal Year 2010/11 Formula Grant [\$65,000 - no County match] from the Juvenile Justice Commission to fund Wraparound Services for seriously emotionally disturbed youth; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)
5. N. 2. Accept Continuation Grant [\$15,000 - no County match] from the Annie E. Casey Foundation to support activities related to the replication of the Juvenile Detention Alternatives Initiative; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)
5. N. 3. Accept Fiscal Year 2010/11 Juvenile Accountability Block Grant [\$75,862 - County match \$7,586.20] from the Juvenile Justice Commission to fund the Supervised Release Program; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)
5. N. 4. Accept Fiscal Year 2010/11 Title V Grant [\$15,090.50 - no County match] from the Juvenile Justice Commission to fund the Gang Reduction for Achieving Success Program; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)
5. N. 5. Approve travel for one non-County employee serving on the Juvenile Detention Alternatives Initiative Stakeholders Committee to attend the 2010 Juvenile Detention Alternatives Initiative National Inter-Site Conference October 4-6, 2010 in Kansas City, Missouri [estimated cost \$600 - paid from a Juvenile Detention Alternatives Initiative Continuation Grant.] (All Commission Districts.)

Manager.

5. O. 1. Retroactively accept additional funding from the Bureau of Land Management 2009 Rural Fire Assistance Grant for the Gerlach Volunteer Fire Department [\$10,000 - County match \$1,000 in-kind services] for purchase of a Wildland Firefighting Skid Unit with ultra high pressure including an engine, pump, tank and hose for use on a Polaris Ranger 10 ATV; and if accepted, confirm the Chairman's signature on the acceptance documents and direct Finance to make appropriate budget adjustments-- Fire Services Coordinator. (Commission District 5.)
5. O. 2. Acknowledge receipt of the Three-Year Schedule of Audits for Internal Audit Division--Internal Audit. (All Commissioner Districts.)

Sheriff.

5. P. 1. Approve donation of equipment from the Washoe County Forensic Science Division to the Center for Undergraduate Research Experience in the Department of Biology at University of Nevada, Reno [equipment outdated and has minimal market value]. (All Commission Districts.)
5. P. 2. Approve Memorandum of Understanding between the County of Washoe (Sheriff's Office) and United States Marshals Service (USMS) to participate in the USMS Fugitive Apprehension Task Force; and if approved, authorize Sheriff Haley to execute same on behalf of Washoe County Sheriffs Office. (All Commission Districts.)
5. Q. Approve the reallocation of budgeted travel funding of \$15,000 for the 2010 National Association of Counties (NACo) Annual Conference for other NACo conferences and other necessary Board of County Commissioner travel expenditures for Fiscal Year 2010-2011 and direct the Finance Department to make the necessary adjustments--Finance. (All Commission Districts.)

10:00 a.m.

6. Sierra Fire Protection District--See separate agenda.
7. Presentation of status report for Sheriff's Office Fiscal Year 2009/10 and acknowledgement of same--Sheriff. (All Commission Districts.)
8. Presentation, discussion and possible direction to staff on Washoe County's Volunteer Program--Community Relations/Human Resources. (All Commission Districts.)
9. Acknowledge receipt of report from County Clerk concerning the first month of reduced operational hours in marriage license bureau; discussion and possible action concerning hours of operation for the issuance of marriage licenses--County Clerk. (All Commission Districts.)
10. Recommendation to award contract [\$2,982,064 - funding source Capital Improvement Fund] to an Energy Service Company to perform Energy Conservation Measures for Washoe County (staff recommends NORESKO); and if approved, authorize Chairman to execute the Energy Services Agreement between Washoe County and NORESKO LLC--Public Works. (All Commission Districts.)

11. Recommendation to accept federal Land and Water Conservation Fund Grant [\$224,744 - County match 50% cash/in-kind (\$215,744 from Residential Construction Tax and \$9,000 park staff labor)] for Washoe County Playground Rehabilitation Projects; and if accepted, authorize Regional Parks and Open Space Director to execute the Project Agreement with Nevada Division of State Parks and sign all subsequent documents and reports associated with this grant; authorize Finance make appropriate budget adjustments; authorize the District Attorney to deed restrict the lands for public outdoor recreation in perpetuity; and further, authorize the Regional Parks and Open Space Department to request proposals for selection of a qualified contractor to construct the projects--Regional Parks and Open Space. (Commission Districts 2 and 4.)
12. Recommendation to award Invitation to Bid #2741-10 for New Factory Law Enforcement Ammunition on a multiple award basis to the lowest responsive, responsible bidders who represent various manufacturers of ammunitions for use by Washoe County Sheriff's Office, Washoe County Courts, Constables, Animal Services and participating joinder agencies including the City of Reno, City of Sparks, Washoe County School District, Reno Airport Authority and the City of Henderson, award shall run from the date of bid award and be in effect until September 14, 2011, with Washoe County retaining the option for two, one-year extensions [estimated Washoe County will spend over \$117,500 in Fiscal Year 2010/11 for ammunition requirements]--Purchasing. (All Commission Districts.)
13. Recommendation to accept Nutrition Grant Awards from the State of Nevada Aging and Disability Services Division [\$288,430 - County match \$50,905 for the Home Delivered Meals Program and \$214,063 - County match \$37,780 for the Congregate Meals Program] from September 30, 2010 through September 29, 2011; and if accepted, authorize Chairman to sign the Notification of Grant Award and direct Finance to make appropriate budget adjustments--Senior Services. (All Commission Districts.)
14. Discussion and possible direction to staff on the membership composition of the Multi-Stakeholder Emergency Medical Services Task Force previously approved by the Board August 10, 2010--Fire Services/Management Services. (All Commission Districts.)
15. Recommendation to adopt, by Resolution, a Master Fee Schedule for Fiscal Year 2010/11 (including new fees) as required by Article 906, Fees, Section 110.906.05, Fee Schedule, of the Washoe County Code Chapter 110, (Development Code), including the addition of various new fees, such as noticing, legal ads, building permit appeal fees, TMRPA Regional Plan Amendment costs, administration review for detached accessory dwellings fees, display vehicle permits and Master Plan and Regulatory Zoning Amendments, and authorizing the Chair to execute the Resolution, and directing staff to return in no more than three years to review the Master Fee Schedule--Community Development. (All Commission Districts.)

16. Introduction and first reading of an Ordinance amending the Washoe County Code at Chapter 110 to amend the use table for detached accessory dwellings within Article 302 (Allowed Uses) by eliminating inconsistencies regarding required minimum lot size and uses allowed by regulatory zone, allowing by right a detached accessory dwelling in the General Rural regulatory zone and introducing a new administrative review procedure for establishing a detached accessory dwelling in certain regulatory zones; to amend the residential use type definitions and standards within Article 304 (Use Classification System) for attached and detached accessory dwelling units and detached accessory structures; to amend Article 902 (Definitions) to reflect the above amendments to Article 304 and to add new definitions relating to the below amendments to Article 306 (Accessory Uses and Structures); and to incorporate various amendments identified by staff and the Planning Commission to the following sections of Article 306 (Accessory Uses and Structures): Section 306.05, applicability to add clarifying language that a main use must exist and to add heavy equipment; Section 306.10, Detached Accessory Structures to amend buildable area regulations and create lot coverage thresholds by regulatory zone, eliminate restrictions on 2-story accessory structures, require a deed restriction for connection to water and sewer, and to require an Administrative Permit (pursuant to Article 808) for accessory structures larger than the main dwelling; Section 306.15, Main Structures Required to clarify a main structure or use must exist prior to establishing accessory uses; Section 306.20, Attached Accessory Dwellings to amend the definition and size standards of attached accessory dwellings; Section 306.25, Detached Accessory Dwellings to amend the definition and size standards of detached accessory dwellings, reduce the minimum lot size required, and create a new staff level administrative review permit process; a new section titled Section 306.30, Hallways, Breezeways and Other Similar Connections to establish definitions and standards for such connections; Section 306.35, Outdoor Storage/Outdoor Display to define and regulate commercial vehicles, clarify language defining outdoor storage versus temporary storage, and to incorporate changes necessitated by approval of the Nuisance Code; and other matters properly relating thereto. Set public hearing and second reading of the Ordinance for September 28, 2010 at 6:00 p.m.--Community Development. (All Commission Districts.)
17. Recommendation to approve Agreement for Professional Services between Washoe County and Lewis and Roca, LLC for legislative services for the period September 15, 2010 to December 31, 2011 [\$131,000 for Fiscal Year 2010/11; \$48,000 for Fiscal Year 2011/12 - plus pre-approved expenses]; and if approved, authorize Chairman to execute Agreement--Management Services. (All Commission Districts.)
18. Discussion and possible approval of a Resolution allocating all or a portion of the County's remaining \$4,251,000 Volume Cap for Recovery Zone Economic Development Bonds to other governmental entities pursuant to the American Recovery and Reinvestment Act of 2009; and providing the effective date hereof; and if approved, authorize Chairman to execute Resolution--Finance. (All Commission Districts.)
19. Discussion and possible direction to staff regarding the modification of how costs for the Truckee Meadows Regional Planning Agency are allocated and changing the representation on the Regional Planning Governing Board--Finance. (All Commission Districts.)

20. Discussion and possible 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 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.)

21. Hearing concerning the proposed economic development revenue bonds of Washoe County, Nevada, for IMG Energy, to finance the reduction, abatement or prevention of pollution--Finance/Manager. (All Commission Districts.)
22. Discussion and possible direction to staff regarding the statutory determinations concerning the proposed issuance of up to \$75,000,000 in Recovery Zone Facility Bonds (RZFB) for IMG Energy, or to request State Board of Finance approval for waiver of requirements, or withdraw the allocation of Washoe County's RZFB and solicit new applicants--Finance/Manager. (All Commission Districts.)
23. Appeal Case No. AX10-002: Appeal of the Board of Adjustment's Action denying Amendment of Conditions Case No. AC10-007 (Sid Ferris)--Community Development. (Commission District 2.) In accordance with applicable law, including Article 810, Special Use Permits, of the Washoe County Development Code, to review the record and any additional information received by the Board of County Commissioners in the hearing of this appeal, and either affirm the Board of Adjustment's denial of Amendment of Conditions Case No. AC10-007, requesting a 5 year extension of Special Use Permit Case No. SB08-011 (for the development and operation of a heavy equipment and truck rental/sales business), in order to have sufficient time to convince the Nevada Department of Transportation (NDOT) to allow use of the existing driveway on S. US Highway 395 North and to begin litigation, or to concur with the appellant and overturn the Board of Adjustment's decision, subsequently approving the request for a 5-year extension of Special Use Permit Case No. SB08-011 in order to have sufficient time to convince the Nevada Department of Transportation (NDOT) to allow use of the existing driveway on S. US Highway 395 North and to begin litigation. The special use permit is due to expire on October 2, 2010.

### End Of Scheduled Public Hearings

- \*24. 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 Committee, Citizen Advisory Boards).

25. Possible Closed Session for the purpose of discussing negotiations with Employee Organizations per NRS 288.220.
26. Emergency Items.
27. Adjournment.