

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

**October 27, 2009
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 October 27, 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.

- 10:00 a.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--Human Resources.
 - *4. 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.
 - *5. 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.

6. A. Approve minutes for the Board of County Commissioners' meeting of September 22, 2009.
6. B. Cancel November 17, 2009, November 24, 2009, December 15, 2009, December 22, 2009 and January 19, 2010 Commission meetings.
6. C. Approve roll change requests, pursuant to NRS 361.768 and NRS 361.765, for errors discovered for the 2009/2010 and 2008/2009 secured and unsecured tax rolls as outlined in Exhibit A; and if approved, authorize Chairman to execute Order and direct Washoe County Treasurer to correct the errors [cumulative amount of decrease \$18,610.70]--Assessor. (Parcels are in various districts.)

6. D. Approve payments [\$4,081] to vendors for assistance of 27 victims of sexual assault; and if approved, 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-- District Attorney. (All Commission Districts.)
6. E. Acceptance of 2007 Homeland Security, Exercise Grant from the State of Nevada, Division of Emergency Management, to Washoe County [\$25,000 - no County match] for a full-scale exercise (Deadly Hazard) to be held November 17, 2009; and if accepted, direct Finance to make appropriate budget adjustments--Grants Coordinator/Management Services. (All Commission Districts.)
6. F. Approve removal of Fiscal Year 2008 Uncollectible Returned Checks [\$5,444.03] from Centralized Returned Check Account (7980-121013); and if approved, authorize Comptroller's Office to charge Expense Account 710590 to the identified responsible cost centers/funds--Finance/Comptroller. (All Commission Districts.)

Public Works.

6. G. 1. Approve sale of various surplus vehicles and equipment to interested governmental agencies in "As Is" condition in lieu of selling them through Washoe County's contracted auction company, TNT Auction - revenue from all sales will be deposited into Public Works Equipment Services Fund (669)--Equipment Services. (All Commission Districts.)
6. G. 2. Approve request to proceed with obtaining bid proposals for the rental of a color copier and related software on behalf of Washoe County's Reprographics (in-plant printing) Unit; and if approved, direct Purchasing Department to begin bid proposal process. (All Commission Districts.)

Regional Parks and Open Space.

6. H. 1. Approve Temporary Construction Easement between Washoe County and Sierra Pacific Power Company dba NV Energy for ten months on 12.31 acres at Sierra Sage Golf Course (APN 554-010-01) to maintain and upgrade their 141 transmission line, accept land value proceeds of \$1,538.75 per month for the temporary easement [total of \$15,387.50]; and if approved, authorize Chairman to execute the Easement. (Commission District 5.)
6. H. 2. Approve Resolution for Round 11 submittal supporting protection of environmentally sensitive lands and access to Federal land at Little High Rock Canyon Reservoir (APN: 066-190-05) in northern Washoe County, and the development of a trailhead and trail system at Ballardini Ranch, through the Southern Nevada Public Land Management Act Program administered by the Bureau of Land Management; and if approved, authorize Chairman to execute Resolution. (All Commission Districts, properties located in Districts 5 and 1.)

6. H. 3. Approve revised Regional Parks and Open Space Department's Fees and Charges Policy and the 2010 Fees and Charges Schedule. (All Commission Districts.)

Senior Services.

6. I. 1. Accept cash donations [\$6,829] for the period July 1, 2009 through September 30, 2009 for the first quarter of Fiscal Year 2009/10; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)
6. I. 2. Approve Interlocal Contract between the County of Washoe (Senior Services) and State of Nevada (Department of Administration, Purchasing Division) for the Food Distribution Program from November 1, 2009 through September 30, 2012 to include receipt of USDA commodities and up to \$30,000 reimbursement annually; and if approved, authorize Chairman to execute Interlocal Contract. (All Commission Districts.)
6. J. Accept Commissioner Humke's nomination and appoint D. J. Whittemore to a seat on the Washoe County Planning Commission for a term effective October 27, 2009 and expiring June 30, 2011--Community Development. (Commission District 2.)

Sheriff.

6. K. 1. Accept donation [\$20] to the Washoe County Sheriff's Office DNA Testing Program from Mr. John W. Baranec of Davison, Michigan; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)
6. K. 2. Accept donation [\$320] to the Washoe County Sheriff's Office to purchase tote bags for graduates of the Truckee Meadows Citizen's Police Academy Program; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)
6. K. 3. Accept donation of one vehicle purchased by the United States Marshals Service for the purpose of and use by the Regional Fugitive Task Force; and if accepted, direct Equipment Services Division to collect monthly replacement fees as provided. (All Commission Districts.)
6. K. 4. Accept Recovery Act Justice Assistance Grant #09-ARRA-22 [\$39,200 - no County match] awarded to Washoe County Sheriff's Office from State of Nevada, Department of Public Safety, Office of Criminal Justice Assistance, to be utilized for overtime and regional advanced training to the personnel assigned to RAVEN; and if approved, authorize travel/training funds to be utilized by non-county employees assigned to the unit and direct Finance to make appropriate budget adjustments. (All Commission Districts.)

6. K. 5. Accept grant award [\$31,838 - no County match] from Nevada Office of Traffic Safety for equipment purchase and overtime for Fiscal Year 2010 to conduct additional traffic enforcement and specialize Administrative Vehicle Checkpoints; and if accepted, direct Finance to make necessary budget adjustments. (All Commission Districts.)
6. K. 6. Accept Recovery Act Justice Assistance Grant #09-ARRA-23 [\$90,000 - no County match] awarded to Washoe County Sheriff's Office from State of Nevada, Department of Public Safety, Office of Criminal Justice Assistance, to be utilized to assist in costs associated with personnel hired to analyze the Data Driven Approaches to Crime and Traffic Safety; and if accepted, direct Finance to make appropriate budget adjustments. (All Commission Districts.)
6. K. 7. Approve Interlocal Agreement and Amendment to Interlocal Agreement between the City of Reno (Reno Police Department), Washoe County (Washoe County Sheriff's Office), City of Sparks (Sparks Police Department) and Washoe County School District to establish the Regional Gang Unit and promote coordinated multi-jurisdictional investigations of gang crimes by law enforcement agencies in the region; and if approved, authorize Chairman to execute Agreement and Amendment. (All Commission Districts.)
6. K. 8. Approve Interlocal Agreement and Amendment to Interlocal Agreement between the City of Reno (Reno Police Department), Washoe County (Washoe County Sheriff's Office) and City of Sparks (Sparks Police Department) to establish a Regional Sex Offender Notification Unit and promote the monitoring, investigation, public notification and prosecution of sex offenders; and if approved, authorize Chairman to execute Agreement and Amendment. (All Commission Districts.)
6. K. 9. Approve training scholarship donation for Washoe County Sheriff's Office Victim Advocate to attend the 2009 Annual Sexual Assault Awareness Conference [\$418 - no County match] from the Nevada Coalition Against Sexual Violence; and if approved, direct Finance to make necessary budget adjustments. (All Commission Districts.)
6. K. 10. Authorize non-county employee per diem and travel expenses for Ms. Kim Murga, Ms. Kathy Guenther and Ms. Julie Marschner, employees of the Las Vegas Metropolitan Police Department Forensic Laboratory, [approximately \$2,000] for performance of an external audit of the Forensic DNA Testing and the DNA Databasing Laboratories according to the Federal Quality Assurance Standards, as well as an external Combined DNA Index System audit according to the National DNA Index Standards (December 15-17, 2009); and if approved, direct Finance to make necessary budget adjustments. (All Commission Districts.)
6. L. Acknowledge receipt of the 2009-2010 Influenza Season Preparation Guide--Human Resources. (All Commission Districts.)

Truckee River Flood Management Project.

6. M. 1. Acknowledge receipt of Truckee River Flood Management Project Status Report for September 2009. (All Commission Districts.)
6. M. 2. Approve month-to-month Building Space Lease Agreement between Washoe County and Nevada Wing - Civil Air Patrol to lease 185 North Edison Way, Units 1, 2, 3, 4, 14, 15 and 16, for daily operations, training and educational purposes beginning October 27, 2009 through October 31, 2012 for \$1.00 per year rent (the Flood Project Infrastructure Sales Tax (NRS 377B) will not be used for the lease); and if approved, authorize Chairman to execute Lease Agreement. (Commission District 2.)

10:00 a.m. 7. Sierra Fire Protection District--See separate agenda.

10:00 a.m. 8. Truckee Meadows Fire Protection District--See separate agenda.

- *9. Appearance: Greg Martinelli, General Manager, Waste Management, Inc.--Manager. (All Commission Districts.)

Discussion on disposal charges at the transfer stations and landfill; and

Appearance: Bob Webb, Community Support Services Manager, Washoe County Community Development--Manager. (All Commission Districts.)

Presentation on sanctions for illegal dumping.

10. Recommendation to accept COPS Technology Program Grant #2009CKWX0613 [\$850,000 - no County match] for improvements that affect the DNA workflow, DNA evidence receipt, storage and release, quality assurance document management system and toxicology workflow in the Washoe County Sheriff's Office Forensic Science Division; and if accepted, authorize Chairman to execute grant acceptance and direct Finance to make appropriate budget adjustments--Sheriff. (All Commission Districts.)
11. Recommendation to approve reclassification requests submitted through the job evaluation and classification process and reported to the Board during the Fiscal Year 2009/10 budget presentations [annual cost savings for these reclassifications are approximately \$393,727]--Human Resources. (All Commission Districts.)
12. Recommendation to approve Intrastate Interlocal Contract between the State of Nevada (Department of Health and Human Services, Division of Child and Family Services) and the County of Washoe (Department of Social Services) to maintain funding for the integrated child welfare service system in Washoe County which will continue year to year with an automatic renewal upon a legislatively approved biennial budget which is statutorily authorized in a Nevada State Appropriations Act and Authorizations Act of the Nevada Executive Budget each Legislative Session and is effective July 1 of each odd-numbered year [the Legislatively approved budget for Washoe County for the 2010-2011 biennium is \$52,153,131]--Social Services. (All Commission Districts.)

13. Discussion and direction to staff regarding a proposal by Washoe Legal Services to renew the agreement between the County of Washoe and Washoe Legal Services to provide for the legal representation of children in the Child Protective Services system for a period of three years [fixed annual amount \$468,014]--District Court/Social Services/Manager. (All Commission Districts.)
14. Recommendation to approve an Agreement For License And Professional Management Services At Sierra Sage Golf Course With Cal-Mazz Golf Management, LLC, formerly Performance Golf, for full management of Sierra Sage Golf Course for a one (1) year period commencing on November 1, 2009 through October 31, 2010 with one (1) additional one (1) year renewal option--Regional Parks and Open Space. (Commission District 5.)
15. Recommendation to approve, and authorize the Chairman to execute, a Resolution directing the defeasance of and the payment of principal of and interest on a portion of the Washoe County, Nevada, General Obligation (Limited Tax) Water and Sewer Bonds (additionally secured by pledged revenues) Series 2005; and providing other details in connection therewith--Finance. (All Commission Districts.)
16. Recommendation to review Water Rights Applications 74408, 74409 and 74410 filed by Aqua Trac, LLC, proposing to change the point of diversion of up to 29.7 cubic feet per second of water rights from Kumiva Valley, located in Pershing County, for use in Washoe, Lyon, Churchill and Storey Counties; and, authorize Chairman to recommend denial of the subject applications to the Nevada State Engineer--Water Resources. (All Commission Districts.)
17. Recommendation to approve and authorize the Chairman to: 1) execute a Resolution to sponsor a Regional Plan amendment that implements Washoe County Question #3, approved by voters, which calls for the regional plan to be amended to reflect and to include a policy or policies requiring that local government land use plans be based upon and in balance with identified and sustainable water resources available within Washoe County; and 2) recommend to the Regional Planning Commission and the Regional Planning Governing Board that the Regional Plan and the Regulations on Procedure, Section XII, be amended to clarify that the Consensus Forecast is to be compared with the estimated population that can be supported by the sustainable water resources as identified in the Regional Water Management Plan--Water Resources/Community Development. (All Commission Districts.)
Continued from October 13, 2009 Commission meeting.

18. Discussion and possible approval of a settlement and/or authorization to the District Attorney's Office to enter into a settlement by dismissal of Case Number CV08-03523, Sally S. Weston et. al. vs. Washoe County. 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). Settlement possibilities include, but are not limited to, the following: consolidating the case with a related case against the regional planning agency (CV09-01642); agreeing to up-zone that portion of Weston's property north of the proposed hydrographic basin line to Low Density Suburban provided the TMSA boundary is appropriately extended; limiting Weston's development potential north of the proposed TMSA boundary to a maximum of 109 units (or other appropriate number) which could be clustered; limiting development south of the hydrographic basin line to a maximum of 4 units (or another appropriate number) including the existing Weston residence; keeping the Medium Density Rural zoning designation for the parcel that includes the existing Weston residence; requiring Weston to dedicate the remainder of the approximately 600 acres of the entire property as open space; and, providing that no damages, costs or attorneys fees are awarded to any party--District Attorney. (Commission District 2.)

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.)

19. Development Agreement Case Number DA07-002 (Harris Ranch Subdivision) Tentative Subdivision Map Case Number TM05-016--Community Development. (Commission District 4.)

Recommendation to consider Amendment of Conditions Case Number AC09-002, which would extend the previous approval by the Board of County Commissioners of Development Agreement Case Number DA07-002 for the Harris Ranch Subdivision, Tentative Subdivision Map Case Number TM05-016, which was previously approved by the Washoe County Planning Commission. The sole purpose of the amendment to the Development Agreement is to extend the expiration of the Tentative Subdivision Map until December 7, 2011 with a possible second extension until December 7, 2013.

AND IF APPROVED

Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 approving Amendment of Conditions Case Number AC09-002 to extend Development Agreement Case Number DA07-002 for Tentative Subdivision Map Case Number TM05-016 for Harris Ranch as previously approved by the Washoe County Planning Commission, the purpose of the Agreement being to extend map approval until December 7, 2011 with a possible second extension until December 7, 2013.

- 6:00 p.m.**
20. Second reading and adoption of an Ordinance amending Chapter 15 of the Washoe County Code (County Finances; Purchasing; Collections; Comptroller) by eliminating the County Purchasing Department and creating the Purchasing and Contracts Division as a Division of Finance by eliminating the Collections Division of the Finance Department, by assigning the collections function to the Comptroller's Office and other matters properly related thereto (Bill No. 1603)--Finance. (All Commission Districts.)
 21. Second reading and adoption of Ordinance amending the Washoe County Code at Chapter 50 by revising provisions relating to unlawful riding of a vehicle off road, and by adding a public nuisance code that prohibits certain activities and conditions and requires certain property maintenance, all pertaining to structures, property and residential foreclosures in disrepair, existence of garbage, weeds, junk vehicles, attractive nuisances, pollutants, hazardous waste or criminal gangs, storage, grading of land, obstruction of public roads, off-road vehicle restrictions, animals, parking, and graffiti; and providing other matters properly relating thereto (Bill No. 1602)--Community Development. (All Commission Districts.)

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.