

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

JULY 12, 2005

PRESENT:

Bonnie Weber, Chairman
Bob Larkin, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner*
Pete Sferrazza, Commissioner

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

05-710 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the agenda for the July 12, 2005 meeting be approved with the following deletions: Item 6A, Approval of minutes, and Item 6N(3), Agreement of Ground Lease, Purchase Option and Donation Option with FF-One, LLC.

05-711 PUBLIC COMMENTS

Guy Felton, local resident, said reducing public comment to one minute excludes people from participating in the people's business, which is a form of treason. He called the Commissioners humbugs, and said he wished he lived in an age when he could challenge a person or persons to a duel.

Chairman Weber reminded those in the audience that the Commission cannot respond to comments during public comment. Mr. Felton accused Chairman Weber of lying.

Andrea Manor, Verdi resident, thanked Chairman Weber, Commissioner Sferrazza, and Judge Hardesty for their work in obtaining the Verdi settlement.

Al Hesson, local resident, commented on President Bush and the war in Iraq.

Katherine Snedigar, local resident, expressed her dissatisfaction with Commissioner Larkin's proposed solution to the problems of cattle on open range and private land.

Juanita Cox, local resident, discussed the issues behind her Open Meeting Law complaint filed July 6, 2005 and the Attorney General's Office response, which was distributed to the Board.

Gary Schmidt, local resident, distributed written information to the Board, and he asked about his training. He used derogatory names to describe Chairman Weber, Commissioner Humke, Commissioner Larkin, Katy Singlaub, County Manager, and Melanie Foster, Legal Counsel, when discussing a lawsuit filed to set aside the action of the Board on May 17th regarding his service on the County Board of Equalization.

Sam Dehne, local resident, spoke about himself, the media, and the Nevada Air National Guard.

Chairman Weber read a one-page letter from E. H. Schoenfeld addressed to the Office of the Attorney General of the State of Nevada and dated July 5, 2005.

Later in the meeting, Mr. Dehne, asked if it was okay to call Commissioner Larkin a buffoon. Chairman Weber asked Legal Counsel if she should not have called folks out of order for calling the Commissioners names. She said, from today forward, the Board would expect more decorum and there would not be any name calling. Ms. Foster said the Board could expect the members of the public who address the Board to behave as ladies and gentlemen.

Commissioner Galloway said it is not okay to call a Commissioner a buffoon, and it takes away merit to the substance of what someone is trying to say when they resort to that because it is an attempt to personalize issues instead of talking about the real issue. He said he would appreciate the enforcement of some decorum fairly for everybody.

Chairman Weber thanked the Commissioners for their restraint and their respect for the public. She requested security be in the chambers during the Board meetings to remove people if needed.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Commissioner Larkin commented on the Attorney General's opinion about an alleged Open Meeting Law violation where public comments were heard at the beginning of a budget meeting when it was the last item on the agenda. He said the opinion stated the Commission complied with the Open Meeting Law because it allowed for public comment, and it stated the Commission was not required to allow the citizens to comment on a particular agenda item. The opinion stated the file had been closed on this issue.

Commissioner Larkin apologized for missing the June 28th meeting where a decision was made on the redevelopment issue, but he requested discussion be scheduled for clarification of the Commission's intent. He said the Board wanted a balance between maximizing the economic benefits and minimizing the negative impacts of tools, such as redevelopment, on the community, and he felt he needed to be better educated on redevelopment.

Commissioner Humke said the District Board of Health had made an offer to Dr. Mary Anderson of Pensacola, Florida for the District Health Officer position.

Commissioner Sferrazza said he and Commissioner Larkin met with the new City of Reno Fire Chief. He requested staff represent the Board at tomorrow's Truckee Meadows Water Authority meeting.

Commissioner Galloway stated the United States Post Office sent representatives to Incline Village to discuss the new postal facility. He requested staff report on the legal authority and role of the County and the Tahoe Regional Planning Agency regarding the new postal facility. He also requested a report by staff regarding what could be done about the further delay of the Highway 28 pedestrian path, if the project was not completed by the end of the year.

Chairman Weber asked what would be done about parking when the new Court opens. Katy Singlaub, County Manager, responded staff had been discussing the issue with the City of Reno.

05-712 CANCEL - REGULARLY SCHEDULED JULY 19, 2005 MEETING

Sam Dehne, local resident, objected to the cancellation of the meeting.

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the regularly scheduled meeting for July 19, 2005 be cancelled pursuant to Washoe County Code 5.017(4) and the County Clerk be directed to post the notice of cancellation.

**05-713 FINANCIAL REPORT - GOVERNMENTAL FUNDS - ENDED
MAY 31, 2005 - FINANCE**

In response to questions at Caucus, Katy Singlaub, County Manager, said a summary of travel and overtime expenditures was provided to the Board.

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Financial Report (unaudited) for Washoe County Governmental Funds for the eleven months ended May 31, 2005 be accepted. It was noted that the report was for information only regarding the County's financial activity for the first eleven months for the fiscal year.

**05-714 RESOLUTION - TAX RATES - WASHOE COUNTY ENTITIES -
FY 2005/06 - FINANCE**

Upon recommendation of Anna Heenan, Senior Fiscal Analyst, through John Sherman, Finance Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be approved and Chairman Weber be authorized to execute the same:

**RESOLUTION LEVYING TAX RATES FOR ALL WASHOE COUNTY
ENTITIES FOR THE 2005-2006 FISCAL YEAR**

WHEREAS, the Nevada Tax Commission has certified the combined tax rates for the 2005-2006 fiscal year; and

WHEREAS, the Board of County Commissioners are required, pursuant to NRS 361.460, to levy the tax rates for all local government entities in Washoe County for the fiscal period beginning July 1, 2005, and to designate the number of cents of each \$100 of property levied for each fund; and

WHEREAS; to confirm to the Nevada Department of Taxation the tax rates levied, the Department of Taxation has requested county commissions to adopt the resolution levying the tax rates of all local entities pursuant to NRS 361.460 and forward a copy of the Resolution to the Department;

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Washoe County, Nevada, hereby levy the tax rates for all local government entities in Washoe County as such rates have been certified by the Nevada Tax Commission;

BE IT FURTHER RESOLVED, that the tax rates for all local government entities in Washoe County for the fiscal year 2005-2006 as certified and levied are shown on the attached exhibits; and

BE IT FURTHER RESOLVED, that the tax rate for Washoe County be designated and distributed for each fund as shown on the attached exhibits; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to distribute copies of this Resolution along with all attachments to the Nevada Department of Taxation, the Cities of Reno and Sparks, the Truckee Meadows Fire Protection District, the Washoe County Treasurer, the Comptroller, and the Finance Director.

**05-715 PAYMENT - COUNTYWIDE E911 EXACOM DIGITAL
RECORDING SYSTEM - 911 EMERGENCY RESPONSE
ADVISORY COMMITTEE**

Upon recommendation of Gregg Lubbe, 911 Emergency Response Advisory Committee Chair, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that payment in the amount of \$32,567 from the Enhanced 911 Fund to pay a portion of the cost to acquire a E911 Exacom Digital Recording system for the Cities of Reno and Sparks and Incline Village Public Safety Answering Points be authorized.

**05-716 PAYMENT - RAVEN AVIONICS DATA UP/DOWN LINK -
COUNTY 911 TIBURON CAD SYSTEM/911 PHONE INTERFACE
- 911 EMERGENCY RESPONSE ADVISORY COMMITTEE**

Upon recommendation of Gregg Lubbe, 911 Emergency Response Advisory Committee Chair, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that payment in the amount not to exceed \$50,000 from the Enhanced 911 Fund, to pay a portion of the cost to acquire the Avionics Data Up/Down Link for all Public Safety Agencies to receive real time information from Raven Aircraft during critical incidents from County 911 Tiburon CAD System and 911 Phone Interface, be authorized.

**05-717 MODIFIED INTERLOCAL AGREEMENT - CITY OF RENO -
LEASE OF SPACE - PALOMINO VALLEY REGIONAL
TRAINING FACILITY - SHERIFF**

Upon recommendation of Jim Lopey, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the modification of the interlocal agreement between Washoe County and the City of Reno, concerning the lease of space in the modular training building at the Regional Training Facility in Palomino Valley, be approved and Chairman Weber be authorized to execute the same upon receipt. It was noted the County agrees to bill the City of Reno annually the sum of \$14,808 for a period of five years with the final installment on July 1, 2009.

**05-718 AMENDED INTERLOCAL AGREEMENT - CITY OF RENO
POLICE DEPARTMENT - AIR SERVICES - SHERIFF**

Upon recommendation of Jim Lopey, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the amended interlocal agreement between the City of Reno, on behalf of the Reno Police Department and Washoe County, on behalf of the Washoe County Sheriff's Office, establishing the Air Services Unit for Extradition Services, Helicopter Support Services and Aircraft Usage, be approved and Chairman Weber be authorized to execute the agreement upon receipt.

05-719 GRANT AWARD - NEVADA JUVENILE JUSTICE COMMISSION
- SHERIFF

Commissioner Humke disclosed he serves on the Nevada Juvenile Justice Commission, which voted to make the grant award.

Upon recommendation of Marshall Emerson, Patrol Division Captain, through Dennis Balaam, Sheriff, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the \$15,000 Grant Award, with no County match, be accepted from the Nevada Juvenile Justice Commission. It was further ordered that the Budget Division be directed to make the following budget adjustments:

Account	Description	Amount
Increase Revenues		
10118-431100	EUDL – Federal Grants	\$15,000
Increase Expenditures		
10118-701300	EUDL – Overtime	\$15,000

05-720 GRANT OF AVIGATION EASEMENT - AIRPORT AUTHORITY -
LONGLEY LANE WATER FACILITY - PUBLIC WORKS

Sam Dehne, local resident, opposed granting an avigation easement for the Longley Lane Water facility because it places County workers too close to airport noise.

Upon recommendation of Roger Van Alyne, Capital Projects Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Grant of Avigation Easement to the Airport Authority of Washoe County (Reno-Tahoe Airport Authority) for the Longley Lane Water Facility be approved and Chairman Weber be authorized to execute the easement documents upon presentation.

05-721 RED ROCK ROAD REPAIR - PURCHASE AGGREGATE
MATERIALS - MARTIN MARIETTA - PUBLIC WORKS

Upon recommendation of Bill Oroszi, Roads Operations Assistant Manager, through Tom Gadd, Public Works Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the expenditure of \$75,000 from fiscal year 2004/05 funds for the repair of Red Rock Road, including equipment rental and purchasing aggregate materials from Martin Marietta, in the estimated amount of \$33,000 be approved.

05-722 INFORMATION SECURITY POLICY - COUNTY MANAGER

Upon recommendation of the Washoe County Information Technology Advisory Committee (ITAC), on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the Washoe County Information Security Policy document be approved.

05-723 PURCHASE - OFFICE EQUIPMENT - REGISTRAR OF VOTERS

Upon recommendation of Dan Burk, Registrar of Voters, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the purchase of office equipment for the Registrar of Voters from Machabee Office Environments in the amount of \$31,370 be approved. It was noted the purchase was to complete a reorganization project started in 2001.

05-724 SALARY - PUBLIC DEFENDER - COUNTY MANAGER

Upon recommendation of Katy Singlaub, County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the salary for the Public Defender, Jeremy Bosler, be increased ten percent to \$120,473.60 effective June 21, 2005 and retroactive adjustments be approved upon approval of the agreement between Washoe County and the Public Attorneys Association.

**05-725 FEDERAL EQUITABLE SHARING AGREEMENT -
DEPARTMENT OF THE TREASURY AND JUSTICE - DISTRICT
ATTORNEY**

Upon recommendation of Neeroo Manning, Fiscal Compliance Officer, through Richard Gammick, District Attorney, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Federal Equitable Sharing Agreement between the Washoe County District Attorney's Office and the Department of the Treasury and Justice, effective July 1, 2005 to September 30, 2008, be approved and Chairman Weber be authorized to execute the same.

**05-726 ACCEPTANCE - FEDERAL CHILDREN'S JUSTICE ACT TASK
FORCE DIGITAL TECHNOLOGY GRANT FUNDS - STATE
DIVISION OF CHILD AND FAMILY SERVICES - SOCIAL
SERVICES**

Upon recommendation of Mike Capello, Social Services Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the Federal Children's Justice Act Task Force – Digital Technology Grant Funds from the State Division of Child and Family Services (DCFS) in the amount of \$10,000, to assist the Department in the identification and

documentation of child abuse and neglect, be accepted and the Social Services Director be authorized to expend the funds. It was further ordered that the Finance Department be directed to place the funds in 280210 Cost Center Grouping, Internal Order 10491 for the Digital Technology Grant; the Revenue Account Number is 431100; and the General Ledger Expenditure Account Number is 711504.

**05-727 ESTABLISH AMBULANCE REIMBURSEMENT RATES -
SOCIAL SERVICES**

Upon recommendation of Ken Retterath, Adult Services Division Director, through Mike Capello, Social Services Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the reimbursement rates for ground ambulance at 40 percent of billed charges and air ambulance at 14 percent of billed charges be established effective July 1, 2005.

**05-728 EXPENDITURE - REFRESHMENTS - CITIZEN ADVISORY
BOARD TRAINING PROGRAMS - COMMUNITY
DEVELOPMENT**

Upon recommendation of Bob Webb, Planning Manager, through Adrian Freund, Community Development Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that no more than \$1,500 be approved to be spent on refreshments for participants attending Washoe County Citizen Advisory Board training programs during fiscal year 2005/06.

**05-729 APPOINTMENT - LESA SOL PENSAK - BOARD OF MASSAGE
EXAMINERS**

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that Lesa Sol Pensak be appointed to the Washoe County Board of Massage Examiners with a term ending July 1, 2007.

**05-730 EXPENDITURE - REGIONAL WATER MANAGEMENT FUND -
INTERLOCAL AGREEMENT - TRUCKEE MEADOWS
REGIONAL PLANNING GOVERNING BOARD, CITIES OF
RENO/SPARKS - WATER RESOURCES**

Upon recommendation of Jim Smitherman, Program Manager, and Jeanne Ruefer, Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the expenditure of \$68,000 from the Regional Water Management Fund and \$17,460 from the Department of Water Resources to complete a 208 Plan amendment be approved. It was further ordered that Chairman

Weber be authorized to execute the interlocal agreement with the Truckee Meadows Regional Planning Governing Board to complete a 208 Plan amendment.

**05-731 AWARD OF BID - PURCHASE ORDERS - ELECTRICAL -
SEWER, WATER AND RECLAIMED WATER FACILITIES -
WATER RESOURCES**

This was the time to consider award of bid for preventative maintenance and for multiple or serial purchase orders for repair and replacement of emergency electrical services for sewer, water, and reclaimed water facilities for the Department of Water Resources. The Notice to Bidders for receipt of sealed bids was published in the *Reno-Gazette Journal* on June 2 and 3, 2005. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Action Electric, Inc.
Nelson Electric Co., Inc.
Quality Control Systems

Upon recommendation of Jerry McKnight, Finance Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the Award of Bid to Action Electric, Inc. for a preventative maintenance contract in the amount of \$25,000; and for multiple or serial purchase orders that may aggregate to amounts in excess of \$25,000, for repair and replacement and emergency electrical service for the Department of Water Resources sewer, water and reclaimed facilities, be approved.

**05-732 ADJUSTMENTS - 1996 SERVICE TERRITORY - TRUCKEE
MEADOWS WATER AUTHORITY - NORTH VALLEYS AREA -
WATER RESOURCES**

Upon recommendation of Vahid Behmaram, Water Rights Supervisor, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the 1996 Service Territory Boundaries between the Truckee Meadows Water Authority and Washoe County be adjusted for several parcels located in the North Valleys area. It was noted the parcels were APN's 552-142-01 through 03, 552-125-01 through 03, 552-100-01, 086-350-37, 086-370-09, 086-101-22, 086-421-31, and 086-421-02 through 08.

05-733 AGREEMENT - RENO-TAHOE BLUES FEST - RANCHO SAN RAFAEL REGIONAL PARK - PARKS

Upon recommendation of Gregg Finkler, Parks Operations Superintendent, through Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the agreement between Washoe County and the Reno-Tahoe Blues Fest, concerning an outdoor music event to be held at Rancho San Rafael Regional Park on August 13 and 14, 2005, be approved and Chairman Weber be authorized to execute the agreement upon presentation.

05-734 GRANT OF EASEMENT - SIERRA PACIFIC POWER COMPANY - DAVIS CREEK REGIONAL PARK - APN'S 040-051-39/046-051-04 - PARKS

Upon recommendation of Karen Mullen, Regional Parks and Open Space Director, through Michelle Poché, Assistant County Manager, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Grant of Easement for Underground Utilities for the Sierra Pacific Power Company (SPPC), for a 20 foot wide underground utility easement on the eastern edge of parcels 040-051-39 and 046-051-04 at the Davis Creek Regional Park, be approved subject to the following conditions:

1. The power line will be placed underground and the easement will be directly adjacent to the eastern property line;
2. Washoe County will be compensated by SPPC for the square footage included within the easement area based on the \$900,000 purchase price;
3. The funds received will be restored to the WC-1 voter approved Bond project account for the Davis Creek Park land acquisition;
4. SPPC will compact the trench, backfill and re-grade the area so the land is relatively smooth and similar to the adjacent natural area;
5. SPPC will be responsible for re-seeding the property with a native seed mix approved by the Washoe County Regional Parks and Open Space Department;
6. SPPC will be responsible for noxious and invasive weed abatement and re-seeding if necessary until native seed takes hold;
7. SPPC will provide 14 days notice prior to the start of construction to the Washoe County Regional Parks and Open Space Department and will further work with the Department to assure that traffic into the park is not hindered;

8. Hours of construction will be limited to 8:00 a.m. until 5:00 p.m., Monday through Friday, with no construction to be done on weekends unless approved by the Regional Parks and Open Space Department.
9. Any historic structures, foundations or other historic resources will not be removed or disturbed.

It was further ordered that Chairman Weber be authorized to execute the necessary documents upon presentation.

05-735 INDEPENDENT CONTRACTOR AGREEMENT - LEGAL SERVICES IN SPECIALTY COURTS - DAVID D. SPITZER - SECOND JUDICIAL DISTRICT COURT

In response to questions at Caucus, Katy Singlaub, County Manager, commented the dates in the future would be coordinated for the independent contractor agreements for legal services in the specialty courts with a possible conflict contract or a second Public Defender Office.

Upon recommendation of Shelia Leslie, Specialty Courts Coordinator, through Ron Longtin, Districts Courts Administrator, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the independent contractor agreement, retroactive to July 1, 2005, between Washoe County (District Court) and David D. Spitzer, Esq. in the amount of \$195,000, concerning legal services in Specialty Courts, be approved and Chairman Weber be authorized to execute the same.

05-736 PROFESSIONAL SERVICES AGREEMENT - DRUG/ALCOHOL REHABILITATION SERVICES ADULT DRUG COURT - BRISTLECONE FAMILY RESOURCES - SECOND JUDICIAL DISTRICT COURT

Katy Singlaub, County Manager, stated the Board wanted the taxpayers to know that clients reimburse 85 percent of the County's costs for the Adult Drug Court.

Upon recommendation of Shelia Leslie, Specialty Courts Coordinator, through Ron Longtin, Districts Courts Administrator, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the professional services agreement, retroactive to July 1, 2005, between Washoe County (2nd Judicial District Court) and Bristlecone Family Resources in the amount of \$498,960, concerning the Adult Drug Court, be approved and Chairman Weber be authorized to execute the same.

05-737 PURCHASE REQUISITION - JEFFERSON AUDIO VIDEO SYSTEMS, INC. (JAVS) - FAMILY COURT - SECOND JUDICIAL DISTRICT COURT

Katy Singlaub, County Manager, stated the Board had suggested all of the Courts be encouraged to install the Jefferson Audio Visual Systems (JAVS) to reduce long-term court reporting costs.

Upon recommendation of Darin Conforti, Assistant Court Administrator, through Ron Longtin, Districts Courts Administrator, on motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the fiscal year 2005/06 purchase requisition, for the purchase and installation of JAVS in Family Court courtrooms 1, 2, 3, and 5, to Jefferson Audio Video Systems Inc. in the amount not to exceed \$60,280.46, be approved.

05-738 CERTIFICATES OF APPRECIATION - SUGGESTION AWARDS COMMITTEE - CASH AWARDS - MANAGEMENT SERVICES

John Slaughter, Management Services Division Director, discussed the recommendation by David Ybarra, Suggestion Program Coordinator, as contained in the staff report dated July 12, 2005.

Chairman Weber read and presented Certificates of Appreciation to Sandra McGarva and Susan Vial of the Comptroller's Office for their suggestion to pool cell phone use.

05-739 OFFICE OF DOMESTIC PREPAREDNESS CRITICAL INFRASTRUCTURE PROTECTION GRANT - STATE OF NEVADA EMERGENCY MANAGEMENT - RESOLUTION - SUBGRANTING FUNDS - MANAGEMENT SERVICES

Katy Singlaub, County Manager, said Cathy Ludwig, Emergency Management Grants Coordinator, manages the Homeland Security Grants and audits the subgranting of those funds to ensure the funds are spent appropriately.

Tami Cummings, Sheriff's Office Administrative Division, explained the grant's history and funding matrix.

In response to Commissioner Galloway, Ms. Ludwig stated the subgrants are audited quarterly and onsite audits are currently being performed on fiscal year 2004 Office of Domestic Preparedness funds; and she described what auditing the subgrants entails. Ms. Cummings said the Local Emergency Planning Committee (LEPC) determines the balance between overtime and equipment based on their particular needs assessment. Commissioner Galloway said that analysis should be included as part of the audit if the money expended for several years of overtime was greater than the cost to

purchase equipment to prevent the overtime being expended. Ms. Cummings responded that is also included in the LEPC needs assessment.

Upon recommendation of Ms. Ludwig, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Larkin, it was ordered that the Office of Domestic Preparedness Critical Infrastructure Protection Grant in the amount of \$284,000 from the State of Nevada, Division of Emergency Management, to Washoe County as fiscal agent for the Local Emergency Planning Committee (LEPC) be accepted, the resolution subgranting funds to other governments and nonprofit organizations be approved, and Chairman Weber be authorized to execute the same. It was further ordered that the County Manager or designee be authorized to execute the subgrants with local LEPC members.

RESOLUTION - Authorizing Subgrants to Government Entities or Nonprofit Organizations of Homeland Security Grants from the State of Nevada, Division of Emergency Management

WHEREAS, Washoe County is a member of the Local Emergency Planning Committee and is a subgrantee of Office of Domestic Preparedness Grants from the State of Nevada, Division of Emergency Management for the FFY-03 Phase II Critical Infrastructure Protection Grant award in the amount of \$284,000 and

WHEREAS, for the grant listed above, Washoe County is either the recipient of grant funds for individual items for use of Washoe County, or is fiscal agent for other government entities or nonprofit organization that are also members of LEPC; and

WHEREAS, NRS 244.1505 allows the Board of County Commissioners of Washoe County to make a grant of public money for any purpose which will provide a substantial benefit to the inhabitants of Washoe County; and

WHEREAS, Washoe County as fiscal agent for the other government entities or nonprofit organizations that are members of LEPC desires to pass through funds and grant assurances from the State grants as described on the attached grant award administrative grid for the uses herein and therein described;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Washoe County that:

1. The Board hereby grants to the government entities (other than Washoe County agencies for which the Board has accepted funds from the awards) and nonprofit organizations as listed on the attached grant award administrative grid, as a pass through of the amounts shown and for the uses shown thereon, finding that said amounts and uses will provide a substantial benefit to the inhabitants of Washoe County.

2. The Board authorizes the County Manager, or her designee, to sign subgrants with the entities listed on the attached grant award administrative grid, which subgrants, herein incorporated by reference, will set forth the maximum amount to be expended under the subgrants, the use and purposes of the subgrants, and the conditions, limitations and the grant assurances of the subgrants.

It was also ordered that the Finance Department make the following cash and budget adjustments:

Account Number	Description	Amount
Increase Revenue		
10493-431100	Federal Revenue	\$284,000
Increase Expenditure		
10493-710119	Subrecipients	\$284,000

05-740 REPORT - MICROPILE TECHNOLOGY - DOWNTOWN RENO BRIDGES - WATER RESOURCES

Gary Norris, University of Nevada, Reno Professor of Civil Engineering, requested this item be postponed to give him time to read the report. Chairman Weber granted his request because the engineer from the Nevada Department of Transportation (NDOT) had not arrived.

Later in the meeting, Amir Soltani, NDOT Chief Hydraulic Engineer, discussed his letter on bridge scour and micropiles dated June 28, 2005, which was placed on file with the Clerk.

In response to Commissioner Galloway, Mr. Soltani discussed the factors that determine whether or not to use micropiles. He said the Army Corps of Engineers rejected lowering the channel in the 1960's and speculated they were aware of the technology then.

Commissioner Larkin requested these issues be presented to the Flood Coordinating Committee.

Mr. Norris spoke about deepening the channel and using micropiles to stabilize the foundation of the existing or any replacement bridges with emergency flood control money without waiting to hear if the Army Corps of Engineers would replace or rehabilitate the bridges through NDOT's efforts. He said all of the bridges need to be treated, not just the Virginia Street Bridge, or the flooding problem would persist. He suggested deepening the channel five or more feet and adding micropiles, providing enough capacity on an emergency basis so it would not flood downtown as much if another flood occurred. He discussed the Army Corp model and that the final decision still had to go through several approvals.

Upon recommendation of Jeanne Ruefer, Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that the report on the use of micropile technology be accepted.

05-741 RESOLUTION - NEVADA GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER BONDS - WATER RESOURCES

In response to questions at Caucus, Katy Singlaub, County Manager, stated the bond covenants require rates be set sufficient to fully fund the debt service of these bonds so there is no burden on the General Fund, and no one but ratepayers and utility customers would repay the bonds.

Commissioner Galloway commented although the bonds have County General Obligation backing, because of agreements that the rates must always be raised to make the payments, it means that backing the bonds poses less risk. John Sherman, Finance Director agreed, and stated this resolution asks the Debt Management Commission to hold a hearing, which is the next step in a series of required steps, before passing a bond ordinance requiring utility rates and hookup charges be set to pay the bonds back and to run the utility operations.

Commissioners Galloway and Sferrazza said they were satisfied there was no risk to the general fund and the taxpayers.

Gary Schmidt, local resident, tried to discuss Commissioner Larkin's earlier reading of the Attorney General's Opinion; and Chairman Weber reminded him he needed to speak to this item. He then requested time to read the staff report. Chairman Weber said she would not continue the item.

Upon recommendation of Jerry McKnight, Finance Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried, it was ordered that the following resolution be approved and Chairman Weber be authorized to execute the same:

RESOLUTION NO. 741

A RESOLUTION CONCERNING THE FINANCING OF WATER AND SEWERAGE PROJECTS; DIRECTING THE CLERK TO NOTIFY THE WASHOE COUNTY DEBT MANAGEMENT COMMISSION OF THE COUNTY'S PROPOSAL TO BORROW MONEY AND TO ISSUE ITS WASHOE COUNTY, NEVADA GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED

REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$65,000,000 TO EVIDENCE SUCH BORROWING FOR THE FOLLOWING PROJECTS IN THE FOLLOWING APPROXIMATE PRINCIPAL AMOUNTS: LONGLEY LANE WATER TREATMENT FACILITY--\$5,000,000, HIDDEN VALLEY WATER SYSTEM--\$1,400,000, LEMMON VALLEY WATER SYSTEM--\$1,150,000, SOUTH TRUCKEE MEADOWS WATER TREATMENT FACILITY--\$41,000,000, SPANISH SPRINGS WATER SYSTEM--\$7,750,000, PLEASANT VALLEY INTERCEPTOR--, \$4,200,000, SPANISH SPRINGS WASTEWATER TREATMENT CAPACITY--\$2,000,000 AND OTHER WATER SYSTEM IMPROVEMENTS--\$2,500,000; SETTING FORTH THE INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH BOND PROCEEDS; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County, Nevada (the "County") was created as a county pursuant to Section 243.340 of Nevada Revised Statutes ("NRS"), and, pursuant to NRS 244A.011 to 244A.065, inclusive (the "County Bond Law"), is authorized to acquire, improve, equip, operate and maintain water and sewerage projects within the County, including facilities pertaining to the County water system as provided in NRS 244A.056 and facilities pertaining to County sewer system and drainage and flood control system pursuant to NRS 244A.0505 (the "Project"); and

WHEREAS, the Board of County Commissioners ' (the "Board") of the County proposes to issue the County's general obligation (limited tax) water and sewer bonds additionally secured by pledged revenues (the "Bonds"); and

WHEREAS, pursuant to NRS 350.020(3) (subject to the approval of the proposal to issue general obligations by the Washoe County Debt Management Commission), proposes to adopt and publish notices of public hearing and adoption of a resolution of intent to issue the Bonds additionally secured by pledged revenues of the County's drainage and flood control system, sanitary sewer system and water system (the "Pledged Revenues"); and

WHEREAS, the Board hereby makes a finding that the Pledged Revenues will at least equal the amount required in each year for the payment of interest on and principal of the Bonds; and

WHEREAS, the Board proposes to issue the Bonds without an election unless a petition signed by the requisite number of registered voters of the County representing the requisite assessed value of the taxable property of the County is presented

to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

GENERAL OBLIGATION (LIMITED TAX) WATER AND SEWER BOND ADDITIONALLY SECURED BY PLEDGED REVENUES PROPOSAL:

Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) water and sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$65,000,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of water projects, including, but not limited to, facilities pertaining to a County water system as provided in NRS 244A.056 and sewerage projects, including, but not limited to, facilities pertaining to a County sewer system and drainage and flood control system as provided in NRS 244A.0505, such bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available therefor), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the "Bond Proposal"); and

WHEREAS, subsection 1 of NRS 350.014 provides, in relevant part, as follows: "1. Before any proposal to issue general obligation debt . . . may be submitted to the electors of a municipality, or before any other formal action may be taken preliminary to the issuance of any general obligation debt, the proposed incurrence . . . must receive the favorable vote of two-thirds of the members of the [debt management] commission of each county in which the municipality is situated...."; and

WHEREAS, subsection 1 of NRS 350.0145 provides, in relevant part, as follows: ".1. The governing body of the municipality proposing to incur general obligation debt. . . shall notify the secretary of each appropriate commission, and shall submit a statement of its proposal in sufficient number of copies for each member of the commission...."

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, NEVADA:

Section 1. Based on the revenue study presented to the Board, the Board hereby finds that no increase in the rate of an ad valorem tax is anticipated to be necessary for the payment of the Bonds described in the Proposal for the term thereof (the "Finding"), and requests the Washoe County Debt Management Commission (the "Commission") to approve the Proposal and the Finding.

Section 2. All action, proceedings, matters and things heretofore taken, had and done by the Board, and the officers thereof (not inconsistent with the provisions of this resolution) directed toward the Project and the financing thereof be, and the same hereby is, ratified, approved and confirmed.

Section 3. The County Clerk shall be, and she hereby is, authorized and directed to notify immediately the Secretary of the Commission of the County's Proposal and Finding, and to submit to said Secretary a statement of the Proposal in sufficient number of copies for each member of the Commission. The County Director of Finance is authorized to update or amend the County's plan for capital improvements if necessary to reflect the Project and the Bonds and the Project to be financed thereby and to file the information as required by NRS 350.013 to the extent required to comply with NRS 350.013.

Section 4. In order to permit the County to reimburse itself for prior expenditures relating to the Project with the proceeds of Bonds, the Board hereby determines and declares as follows:

(a) The County reasonably expects to incur expenditures with respect to the financing of the Project prior to the issuance of Bonds and to reimburse those expenditures from the issuance of Bonds; and

(b) The maximum principal amount of Bonds expected to be used to reimburse such expenditures is \$65,000,000.

Section 5. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 6. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 7. This resolution shall become effective and be in force immediately upon its adoption.

**05-742 TRUCKEE RIVER SEDIMENT REMOVAL AND CAPACITY
ASSESSMENT REPORT - WATER RESOURCES**

Matt Setty, Kennedy/Jenks Consultants Project Manager, discussed the contents of the Truckee River Sediment Removal and Capacity Assessment report dated June 15, 2005. He said it was important to note the decisions being made by the Joint Flood Project Coordinating Committee were trying to balance economics with flood protection and the associated damage resulting from a flood. Mr. Setty stated it is a reasonable engineering feat to turn an eleven-year reoccurrence flood event into a nine-year event by increasing the in-channel capacity. He stressed the associated change of very expensive sediment removal may not lower the water much because so much of the flow would be out of the channel.

In response to Commissioner Galloway, Mr. Setty said the effect of an event could be reduced, but not that of a major event. He said the concept of flood control was that of a living river and reestablishing flood plain management efforts.

Commissioner Larkin suggested this information be presented to the Joint Flood Project Coordinating Committee. Chairman Weber agreed, but felt it was also important information for the Board and the public to hear.

Gary Norris, University of Nevada, Reno Professor of Civil Engineering, asked what the flow would be if the channel were lowered five feet from Arlington Avenue to Lake Street and what model was used. Mr. Setty replied they used a cross-sectional aerial computation, not models. Mr. Norris suggested they consider removing material from the bottom of the channel as a maintenance issue, which is the same type of situation as removing rock falls from highways.

Upon recommendation of Jeanne Ruefer, Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the Truckee River Sediment Removal and Capacity Assessment Report be accepted and staff be directed to forward the report to the Joint Flood Project Coordinating Committee.

ROUNDAABOUT - EAGLE CANYON DRIVE AND ALENA WAY

Tom Gadd, Public Works Director, provided background and discussed the Eagle Canyon Drive and Alena Way options, traffic, and level of service (LOS) as outlined in the staff report dated June 13, 2005. He said staff believes the optimum solution is to put a roundabout at Eagle Canyon Drive and Alena Way.

Paul Kanitra, Reno-Sparks Indian Colony Government Affairs Director, stated the major purpose for building Eagle Canyon Drive was to provide the only access to the Hungry Valley Reservation, and the Bureau of Indian Affairs funded it. He said the Colony was concerned these plans were not brought to the Colony for its input, and the Colony does not agree with the traffic impediment caused by a roundabout. He requested in the future the Colony be involved in the process.

John Bradbury, Spanish Springs Citizen Advisory Board (CAB) representative, distributed and discussed the CAB's concerns with traffic at Eagle Canyon Drive and Alena Way and requested planning for the roundabout be delayed.

Chairman Weber read Vallea Rose's comments stating that this intersection improvement should wait until all upcoming changes to Eagle Canyon Drive are completed, and then make a decision on what should be done.

Dale Sanderson, Washoe County School District Plant Facilities Administrator, said there were concerns over student safety in crossing the intersection. He said Condition 43 of the School District's Special Use Permit stated the School District's cost would not exceed the cost of building a roundabout at Missy Drive. He said it is believed the cost of the roundabout at Alena Way would substantially exceed those at Missy Drive because of existing utilities and other issues. He said that might result in some costs to the County.

Gary Schmidt, local resident, said he generally favored roundabouts if they were properly placed and did not add to the drive time. He said cars making right turns should be separated so they do not enter the flow of traffic in the roundabout.

Commissioner Galloway asked if the traffic analysis considered the paving of Calle de la Plata and future retail development at Eagle Canyon Drive and Pyramid Highway. Mr. Gadd responded it did not because the traffic analyses were done approximately a year ago. He said staff did not believe paving Calle de la Plata would alleviate congestion on Eagle Canyon Drive. He stated there was a plan to widen the road, but widening only adds more traffic. Mr. Gadd also agreed the County would likely have to pay additional costs associated with building at Alena Way rather than Missy Drive and the District Attorney's Office is looking at that issue.

Commissioner Galloway asked if the roundabout would be big enough to tie into the road if it were widened or would it have to be redone. Mr. Gadd said the County might have to acquire additional rights of way to put in a bigger roundabout if

Eagle Canyon Drive were widened, but the value of the original roundabout would remain.

***4:06 p.m.** Commissioner Humke left the meeting.

Commissioner Larkin said, at the CAB meeting, there was concern that there is a limited amount of money that can be spent on this traffic problem; and they felt it should only be done once. In response to Commissioner Larkin, Mr. Gadd replied the total cost estimate for the Golden View traffic light is \$260,000 to \$270,000 including cost savings from the County doing construction management and the State doing the design. He expected a traffic light at Eagle Canyon Drive and Alena Way would be between \$275,000 and \$350,000, and the roundabout would cost about \$150,000.

Commissioner Larkin said for \$150,000 the intersection moves from LOS F to B and for \$278,000 it moves to LOS F to D; and Mr. Gadd agreed, stating the LOS rating was based on the engineering study done on the intersection.

In response to Commissioner Galloway, Mr. Kanitra replied the roundabout would increase the LOS for the school, but also would increase emergency response time by six to twelve seconds for the Colony as indicated in the staff report.

In response to Commissioner Larkin, Mr. Gadd said the traffic analysis was done based on the current state of the road. He stated it is believed widening the road to four lanes would increase the service level, but it would also generate a corresponding increase in traffic volume leaving the LOS at F. Mr. Gadd said even though school is in session only nine months and affects only certain periods of the day, service levels are computed from worst-case conditions. He said the 2030 Plan does not call for Eagle Canyon Drive to meet the requirement to go to four lanes until 2012, but it might take longer than that.

Chairman Weber said it was imperative the County works with the Colony and invited Mr. Kanitra to speak using the rest of her time.

Mr. Kanitra said, when staff was asked if there would be an increase in time it took for Colony members to get to and from Hungry Valley, the answer was possibly or maybe a little bit, which are not solid answers. He said he did not think there was enough information to make a decision.

Commissioner Sferrazza disclosed he represented the Tribe at the time the Hungry Valley property was acquired, but had not represented them for the last 15 years. He said Eagle Canyon Drive was built because the people of Lemmon Valley did not want access to Hungry Valley through Lemmon Valley. He said people other than the Tribe are now using this road. He felt the Tribe should be involved in the planning process, and that this issue should be delayed for staff to meet with the Tribe, School District, and interested residents to explore alternatives to the roundabout.

Mr. Gadd said school busses exit onto Alena Way and then have to try to get onto Eagle Canyon Drive. He said widening Eagle Canyon Drive does not do anything but exacerbate the problem. He said the Colony was notified when the County put in a temporary roundabout to test.

Commissioner Larkin said a lot of work had been done, but more work was needed. He asked what the consequences would be of a 30-day delay. Mr. Gadd said this would not be put out for bid until later in the year to get better prices, so a 30-day delay would not have a significant impact.

Commissioner Galloway discussed the option of having staff go back to the Planning Commission to change Condition 43 of the School District's Special Use Permit to require that they deposit the requisite sum of money with Public Works. He said in 30 days the Board might know more about the proposed retail construction. He would like to see more pedestrian data on people crossing the street because of concerns about crossing the street with a roundabout rather than a stoplight; and he would like to resolve the LOS contradiction, looking at the affect on all of the people. Commissioner Galloway said LOS D or F means people are losing time on a road, and they would be gaining back some time with LOS B. He suggested doing a total time analysis versus a LOS analysis to tell how long it takes to get through that intersection from Pyramid Highway with or without a roundabout or a stoplight and the number of minutes wait.

Commissioner Sferrazza requested the Fire Department override be investigated if the traffic light is analyzed for emergency response. He said a traffic light is better for emergency response. He also requested an analysis of controlling speed in the roundabout.

On motion by Commissioner Larkin, seconded by Chairman Weber, it was ordered that selection of a solution regarding Condition 43 of the Special Use Permit associated with the construction of the Shaw Middle School be delayed so staff could provide the following information:

- Available data regarding the number of trips by the Tribe and any collection of data should include working with the Tribe;
- Impact of options with the standard assumptions based on Eagle Canyon Drive being a 35 mile per hour zone;
- Addition of Calle de la Plata and its northern nexus, with assumptions on how much traffic would go North and come back around;
- Engineering assumptions on the impact of four lanes;
- Pedestrian data on people crossing the street using a roundabout and a stoplight;

- Total time versus an LOS analysis to tell how long it takes to get through that intersection from Pyramid Highway with or without a roundabout or a stoplight and the number of minutes wait.

4:36 p.m. The Board took a brief recess.

5:15 p.m. The Board reconvened with Commissioner Humke absent.

05-744 **WILDFIRE RISK/HAZARD ASSESSMENT - MITIGATION PLAN
MANAGEMENT SERVICES**

Katy Singlaub, County Manager, advised that the presenters were unable to attend the meeting and suggested the item be continued until August 9, 2005.

Susan Seidl, local resident, referred to the staff report in regard to Warm Springs, concerning water sources and infrastructure.

Juanita Cox, Sparks resident, commented on the Hazard Assessment/Mitigation Plan and was concerned that the Andrew Lane Fire was not mentioned. Ms. Cox was troubled that cheatgrass was used to reseed the area.

Gary Schmidt, Washoe County resident, said he was a victim of gross negligence and intentional violation of the law during the Andrew Lane Fire.

Guy Felton, Reno resident, began discussing matters other than the agenda item regarding due process. Chairman Weber and other Board members advised Mr. Felton that his comments needed to be about the specific agenda item and nothing else. Mr. Felton continued his attempts to comment on other issues and called Chairman Weber a "humbug." The Chairman requested security be called and gave Mr. Felton the choice of leaving on his own or being removed by security. Mr. Felton left.

Commissioner Galloway said it was necessary to have a plan like this in order to qualify for federal funds; however, even though it met all the federal statutes, the plan did not cover the County's planning needs. He was in support of this plan, but felt a supplemental plan would also be needed.

Ms. Singlaub commented the plan was a starting point, and she would convey the Board's concerns to the developers.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Humke absent, it was ordered that the presentation of the Wildfire Risk/Hazard Assessment Mitigation Plan be continued to August 9, 2005.

ORDINANCE NO. 1271 - BILL NO. 1450 - AMENDING CHAPTER 5 - RECRUITMENT FOR NEW BOARD MEMBERS

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on July 1, 2005 to consider second reading and adoption of Bill No. 1450. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

Commissioner Galloway questioned if a Citizen Advisory Board (CAB) member could serve on one of the various task forces within the County. Bob Webb, Planning Manager, replied he did not believe so because the issues involved County appointed boards and commissions.

Katy Singlaub, County Manager, said the language staff was attempting to navigate was the provision of recommendations from one Board to another. She said the CAB's were not constituted to provide recommendations to an elected task force. Ms. Singlaub said it was not intended that CAB members not serve on ad hoc task forces or citizen committees appointed by the Board.

Commissioner Galloway recommended replacing the wording in Section 8 from, "any other County Commission appointed board or commission," to read "a member of the County Planning Commission or the Board of Adjustment." Mr. Webb said the Planning Commission and the BOA were staffed by Code and the CAB's provided formal recommendations back to those Boards, which could create a conflict of interest if a current CAB member also sat on the BOA or Planning Commission. Commissioner Galloway said he would rather amend the Ordinance later to prohibit other boards.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that Ordinance No. 1271, Bill No. 1450, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE AT CHAPTER 5 BY REVISING PROVISIONS REGARDING ADVERTISING FOR RECRUITMENT OF NEW BOARD MEMBERS; ADDING PROVISIONS THAT RESTRICT CONCURRENT SERVICE ON CERTAIN BOARDS; AND, PROVIDING OTHER MATTERS PROPERLY RELATING THERETO,**" be approved, adopted and published in accordance with NRS 244.100 as amended.

**OUTDOOR FESTIVAL BUSINESS LICENSE APPLICATION -
RENO-TAHOE OPEN 2005 GOLF TOURNAMENT -
COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing in the *Reno-Gazette Journal* on July 1, 2005 to consider the application for an outdoor festival business license for the Reno-Tahoe Open 2005 Golf Tournament. The Reno-Tahoe Open 2005 is to be held on August 15-21, 2005. The event is proposed to be held at the Montreux Golf and Country Club (Assessor’s Parcel Numbers 148-010-25, 148-010-31, 148-010-50, 148-061-65, 148-100-02, and 148-140-11) with additional off-site parking located on a vacant parcel generally located south of the intersection of State Route 431 and Wedge Parkway (Assessor’s Parcel Number 144-070-03). Tournament volunteer staff will be parking at Galena High School (Assessor’s Parcel Number 144-010-01). The Reno-Tahoe Open 2005 is a PGA tour sanctioned golf tournament and this event marks the seventh year for the tournament. Event organizers estimate that a maximum of 10,000 spectators will participate in the event on a single day; with a total of 35,000 spectators for the week. Based on the testimony and evidence presented at the hearing, to include the report of reviewing agencies, the County Commissioners may approve the issuance of the business license with conditions, or deny the business license.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against issuance of said Business License. There being no response, the hearing was closed.

Bob Webb, Planning Manager, reviewed the application for the business license. He stated, based on the preceding six years of this event and the exemplary performance of tournament staff, he suggested that no performance bond be required of the applicant. Mr. Webb said the applicant would be conditioned to provide a written statement that guaranteed clean up to the pre-event condition, and staff would check the adequacy of clean up after the tournament concluded.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered that the Outdoor Festival Business License for the Reno-Tahoe Open 2005 Golf Tournament be approved subject to the following conditions:

**LICENSING REQUIREMENTS FOR AN OUTDOOR FESTIVAL
BUSINESS LICENSE
RENO-TAHOE OPEN 2005 GOLF TOURNAMENT**

(Approved by the Washoe County Commission on July 12, 2005)

AT THE PUBLIC HEARING HELD ON JULY 12, 2005 AS REQUIRED UNDER WASHOE COUNTY CODE §25.277, THE WASHOE COUNTY BOARD OF COMMISSIONERS (BOARD) ESTABLISHED CONDITIONS WHICH MUST BE MET PRIOR TO THE ISSUANCE OF ANY OUTDOOR FESTIVAL BUSINESS LICENSE PURSUANT TO WASHOE COUNTY CODE §25.263 TO §25.305,

INCLUSIVE. SUCH CONDITIONS MAY BE IMPOSED BY THE BOARD UNDER THE COUNTY'S GENERAL POLICE POWER AS MAY BE NECESSARY UNDER ALL THE CIRCUMSTANCES NECESSARY FOR THE PROTECTION OF THE HEALTH, WELFARE, SAFETY AND PROPERTY OF LOCAL RESIDENTS AND PERSONS ATTENDING AN OUTDOOR FESTIVAL IN THE COUNTY, INCLUDING, WITHOUT LIMITATION, THE CONDITIONS SPECIFIED IN WASHOE COUNTY CODE §25.291 TO §25.305, INCLUSIVE (SEE CONDITIONS LISTED BELOW).

COMPLIANCE WITH THE CONDITIONS OF THIS LICENSE IS THE RESPONSIBILITY OF THE LICENSEE AT THE LICENSEE'S EXPENSE. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED BY THE COUNTY COMMISSION MAY CAUSE WASHOE COUNTY TO NOT ISSUE THE BUSINESS LICENSE OR FOR THE COUNTY TO TAKE APPROPRIATE MEASURES TO REVOKE OR SUSPEND THE BUSINESS LICENSE.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THE COUNTY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

THE APPLICANT SHALL SUBMIT ALL REQUIRED PLANS, PERMITS, DOCUMENTATION, ETC. TO THE IDENTIFIED RESPONSIBLE AGENCY. THE APPLICANT SHALL PROVIDE WASHOE COUNTY BUSINESS LICENSE WITH PROOF OF COMPLIANCE PURSUANT TO WASHOE COUNTY CODE §25.283(1) WITH ALL CONDITIONS BY AUGUST 5, 2005. WASHOE COUNTY BUSINESS LICENSE WILL ISSUE THE OUTDOOR FESTIVAL BUSINESS LICENSE AFTER DETERMINING THAT ALL OF THESE CONDITIONS HAVE BEEN MET AND THAT ALL APPLICABLE FEES AND DEPOSITS HAVE BEEN PAID.

GENERAL CONDITIONS

1. Police protection (Sheriff):
(Staff contact: Deputy Donald DePoali)
 - a. Applicant will contract with either a private security firm licensed in the State of Nevada or with the Washoe County Sheriff's Office to provide security. All security personnel employed by a private security firm will have current Washoe County security guard work permits. The number and type of security personnel to provide for the preservation of order and protection of persons and property in and around the place of the event shall be determined and specified by the Sheriff.
 - b. Applicant will also be responsible for all costs incurred by the Washoe County Sheriff's Office (WCSO) to provide police protection for the event and the community. To ensure personnel and equipment costs are met by the licensee, a cash bond of the estimated cost may be required to be placed with the Sheriff's Office.
 - c. Security personnel will have radio communication with the WCSO as all times and authority and control of this augmented security force will be subordinate to all on-scene law enforcement personnel.

- d. Vehicle and pedestrian access controls will be established to the satisfaction of the WCSO.
 - e. Hours of operation will be enforced by on-site security personnel and the WCSO.
 - f. Centrally located sites for a command post and staging area for the WCSO will be provided, including power and telephone service.
2. Food concessions and attendant sanitary facilities (District Health):
(Staff contact: Jeffrey M. Brasel, 328-2620)
- a. The Reno Tahoe Open Foundation (event promoter) shall obtain a Special Event Promoter's Permit from the Environmental Health Services Division of the Washoe County District Health Department no later than 14 days prior to the start of the event (August 1, 2005).
 - b. Adequate supply water from a specified and approved water source shall be provided for the food service operations of Hole-in-One Catering. The promoter shall arrange to tend to their water supply for the duration of the event.
 - c. 5-gallon jugs of water are only acceptable for transport to the food establishments if the jugs are food grade (e.g., drinking water jugs).
 - d. All food-service operations shall be at a minimum of 50 feet from portable toilet facilities.
 - e. All food-service operations shall be situated to prevent potential flooding and/or contamination from sprinkler spray or runoff, non-potable water spray (e.g., dust control), or portable toilets.
 - f. Garbage containers at all food-service operations shall have flip lids (to abate fly attraction). Waste from garbage containers at all food-service operations will be removed every half-hour (continuous runs) from 10:00 a.m. until 1:00 p.m. daily from Thursday (August 18th) through Sunday (August 21st).
 - g. Fans will be provided on all food service lines to keep flies away from food products.
 - h. All water lines or hoses used for the Temporary Food Service Operations shall be food grade and equipped with an approved back-flow prevention device.
 - i. Hole-in-One Catering shall secure Temporary Food Establishment permits for the event no later than August 1, 2005. The permits are obtained through the Environmental Health Services Division of the Washoe County District Health Department and shall meet all of the requirements of Temporary Food Service Establishment operations of the Regulations of the Washoe County District Board of Health Governing Food Establishments.
 - j. Adequate refrigeration shall be provided for or by Hole-in-One Catering for overnight storage of food.
 - k. Any other vendors selling or sampling food and/or beverage items shall contact the Environmental Health Services Division of the Washoe

County District Health Department regarding permit requirements at least 7 days prior to the event.

1. Recycling containers for plastic bottles (PTE) must be placed alongside garbage cans and cardboard from the vendors must be separated and recycled.
3. Solid Waste Disposal (District Health)
(Staff contact: Jeffrey M. Brasel, 328-2620)
 - a. The minimum required sanitation facilities must be approved by District Health to include twelve 250-gallon holding tanks for gray water storage (serviced twice per day) and provisions for dumping, or pumping out, RV and food vender holding tanks.
4. Medical Services (District Health)
(Staff contact: Stephanie Beck, 328-2420)
 - a. By July 15, 2005, the applicant shall provide the EMS Coordinator at the District Health Department with copies of the letters sent to the Emergency Department managers at St. Mary's Regional Medical Center, Washoe Medical Center South Meadows, Washoe Medical Center, and the Northern Nevada Medical Center, notifying them of the dates of the event and of the contact information for the event medical coordinator should the hospitals have any questions.
 - b. Summary medical data regarding patients treated on site or transported to area hospitals will be provided to the EMS Coordinator at the District Health Department within 30 days after the conclusion of the event.
5. Illumination (Building and Safety):
(Staff contact: Charlene Parish, 328-2039)
 - a. Applicant must apply to the Building and Safety Department for permits for any temporary electrical power provision.
6. Hours of Operation (Community Development)
(Staff contact: Bob Webb, 328-3623)
 - a. The event shall operate only between the hours of 6:30 a.m. until 8:00 p.m. each day from August 15, 2005 until August 21, 2005. Tournament staff is allowed on site from 5:30 a.m. until 10:00 p.m. each day of the tournament.
7. Licensing and Inspections (Community Development)
(Staff contact: Bob Webb, 328-3623 or Karin Kremers, 328-3733)
 - a. PGA TOUR Apparel shall obtain an appropriate Washoe County business license.
 - b. Hole-in-One Catering shall obtain appropriate Washoe County business and intoxicating liquor licenses.
 - c. The applicant shall provide Washoe County Code Enforcement with a vehicle pass to gain access to the tournament sites, to include all parking

areas, for inspections to verify compliance with these conditions and issued business/liquor licenses.

8. Fire protection (Nevada Division of Forestry):
(Staff contact: Rich Riolo, 849-2376)

The following conditions shall be met subject to the approval of the Forestry Division:

- a. Grass and weeds on parking lots at Callahan and freeway shall be cut to a minimum height of 2 inches. A water truck shall water the areas at least once a day, depending on the use and temperatures on a given day.
- b. Fire extinguishers must be provided for tents, cooking areas and on-site parking areas.
- c. Applicant must provide a schematic of the location of generators and associated electrical wiring.

9. Indemnification and insurance (Risk Management):
(Staff contact: Jim Jeppson, 328-2075)

- a. Applicant must provide a copy of a current insurance certificate valid for the duration of the Reno-Tahoe Open 2005 tournament to Risk Management.
- b. The sponsor will have all volunteers sign a waiver. If the waiver form has changed from the one used during the Reno-Tahoe Open 2004 tournament, then Risk Management will review the volunteer application form and accompanying waiver before it is distributed.

10. Performance Security (District Attorney)
(Staff contact: Blaine Cartlidge, 337-5716)

- a. The applicant will be responsible for total clean up of the sites. The applicant shall provide a written statement guaranteeing the cleanup and restoration of the site to pre-event condition.
- b. The site will be inspected by and approved as to the adequacy of cleanup by the Department of Community Development.

05-747 PURCHASE OF UNIVERSITY OF NEVADA, RENO PARCEL - WATER RESOURCES

Steve Bradhurst, Water Resources Director, reviewed the supplemental information, which was provided to the Board.

Paul Urban, Flood Control Manager, discussed the provided map that covered the Federal Emergency Management Assistance (FEMA) floodplain and said the map showed that the University of Nevada, Reno parcel was included in a FEMA floodplain. He said the rest of the parcel was zoned AE, meaning it would flood during a 100-year event with greater than one foot of water. Mr. Urban said, the flood depths for a 100-year event vary on this parcel and the site would have to be raised a foot above the flood level with approximately 500,000 cubic feet of landfill to meet FEMA requirements

in order to be developed. He said, if a development came in on the 46 developable acres, those would be filled to the flood depths. Mr. Urban concluded this was a critical constraint on how the parcel could be used for a potential purchase.

Commissioner Galloway questioned how the property could be worth \$12 million with all the constraints. Mr. Bradhurst replied the Nevada Land Conservancy and Great Basin Land and Water were serving as the County's realtors in these parcels. He said the Nevada Land Conservancy looked at the last appraisal completed and were conducting the due diligence. Mr. Bradhurst said questions had been asked of the University about the development potential, and he hoped the due diligence would be completed prior to the July 26, 2005 Board meeting. He advised, if the Coordinating Committee created a proposal, that proposal would have to be submitted by July 28, 2005.

Commissioner Galloway stated per the agreement, the Board had to honor the Coordinating Committee's decision.

In response to Commissioner Larkin, Mr. Bradhurst said staff was determining if the appraisal considered the cost to cure. He said with that much fill on the property you would need no net increase in the flood elevation. Mr. Bradhurst remarked the Coordinating Committee would make an assessment with a proposal to present to the Board.

Juanita Cox, Sparks resident, objected to the acquisition of properties 19 through 22 in Storey County. She said, if Washoe County purchased those parcels, it took them off of Storey County's roll.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, Chairman Weber ordered that the purchase of the University of Nevada, Reno parcel be continued to July 26, 2005.

05-748 REAPPOINTMENTS/APPOINTMENTS - WEST WASHOE VALLEY CITIZEN ADVISORY BOARD

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered that Debbie Sheltra, be reappointed and William Elliott be appointed as At-Large representatives to the West Washoe Valley Citizen Advisory Board with terms from July 1, 2005 to June 30, 2007.

**DRAFT ENVIRONMENTAL IMPACT STATEMENT - NORTH
VALLEYS RIGHT-OF-WAY PROJECT - COMMUNITY
DEVELOPMENT**

Bill Whitney, Senior Planner, said the Board was being requested to provide comments to the Bureau of Land Management (BLM) in regard to adequacy and accuracy of the Draft Environmental Impact Statement (DEIS). He said a combination of the Planning Commission's and the Board's comments would be submitted to the BLM for consideration when the final Environmental Impact Statement was completed. Mr. Whitney reviewed the information presented to the Board in the staff report.

In response to Commissioner Galloway, Mr. Whitney replied two separate companies were involved. He stated the companies proposed to extract water out of the ground from two different locations, and the BLM was accepting both of these applications for rights-of-way. Mr. Whitney said the preferred alternative was to combine the pipelines, which paralleled for 13 miles of the approximate 33 miles, into a common right-of-way. Commissioner Galloway asked if approved, could those two companies use the same pipe. Mr. Whitney said conceivably they could. Mr. Whitney explained a map in the DEIS disclosed the proposed six wells in the complex that would deliver water to the pipeline. He said the pipelines would be buried to approximately four to six feet below the ground surface and deeper at larger stream crossings if necessary. Mr. Whitney said two alternatives to the proposed actions in the DEIS were the no action alternative and Alternative A. He remarked Alternative A would result in a permanent 60-foot common right-of-way for both pipelines with a single access service road in the area where they paralleled.

Mr. Whitney commented the BLM hosted three open house meetings to take citizen comments on this draft. He said the Planning Commission reviewed the DEIS on June 21, 2005 and approved forwarding all 16 comments with one additional comment to the BLM.

In response to Chairman Weber, Mr. Whitney stated there was a 60-day federal public comment period. He said the draft was released on May 20, 2005, so to continue the item may not be feasible.

Commissioner Larkin said the County was a cooperating agency, so some leniency may be extended in terms of the 60-day public comment period. Mr. Whitney concurred and would contact the BLM to see if that could be arranged. He remarked the purpose of the staff report was to give the Board a head start on the review.

Juanita Cox, Sparks resident, stated she was opposed to any movement of water from this area.

On motion by Commissioner Galloway, seconded by Commissioner Larkin, which motion duly carried with Commissioner Humke absent, Chairman Weber

ordered that staff be directed to forward to the BLM the 17 comments from the Planning Commission, with two additional comments stating:

1. Support for Alternative A because the two pipelines would use a common right-of-way that runs adjacent to the existing alignment of the Tuscarora Gas Pipeline. The DEIS should not foreclose on the option for both proponents to utilize a single common water line in the sections where they run parallel to each other.

2. Both proponents should work with the individual communities along the proposed pipeline route to coordinate and inform residents of construction activities and road closures.

It was further ordered to put this item on the August 23, 2005 agenda in the event there were any additional questions.

REPORTS AND UPDATES FROM COUNTY COMMISSIONERS

Commissioner Sferrazza stated he would be unable to attend the Truckee Meadows Water Authority meeting and requested an agenda item to appoint a County staff member as an alternate in the event a County Commissioner could not attend. He commented he could not attend the meeting of the Flood Control Committee and requested first alternate Commissioner Humke attend.

Commissioner Galloway said Mike Harper, Community Development, would be in attendance at the Tahoe Regional Planning Agency meeting for discussions on ways to fund fuel removal in the Tahoe Basin.

Commissioner Larkin reported that the Star Spangled Sparks events were a success and attended by many within the community. He said the Regional Planning Governing Board meeting had been cancelled, and the next regular scheduled meeting was August 11, 2005. Commissioner Larkin reported on the first meeting of the Flood Control Committee and announced Reno Councilmember Jessica Sferrazza was elected Chairman and Sparks Mayor Geno Martini elected Vice Chairman.

Chairman Weber congratulated the Community Relations Department for their production of newsletters to be circulated to the respective Commission districts. She commented on attending the Reno 4th of July Parade and distributing American flags to the spectators. Chairman Weber reported the Cal Ripkin Little League field was vandalized prior to the League holding championship games, and thanked the community for supplying food and drink.

05-750 2002 REGIONAL PLAN SETTLEMENT

Melanie Foster, Legal Counsel, said she received correspondence dismissing the City of Sparks appeal on the Spanish Springs Area Plan based upon the Regional Planning action. She reviewed the drafted Rules and Procedures, Rules of

Conduct, and Governing Rules for the Oversight Advisory Board for the Interlocal Agreement. Ms. Foster said the Board needed to appoint two members to serve on that Board. She included a list of possible suggestions for the citizen donation and said those would be on the July 26, 2005 agenda. She remarked a hearing before Judge James Hardesty would occur on August 4, 2005.

Chairman Weber requested an acknowledgement be sent to the City of Sparks thanking them for withdrawing the appeal.

Gary Schmidt, Washoe County resident, attempted to speak on litigation issues unrelated to the Regional Plan. Chairman Weber repeatedly advised Mr. Schmidt that his comments were out of order and not relevant to the current agenda item and that if he continued to speak on unrelated matters she would have security remove him. Mr. Schmidt left the podium.

On motion by Commissioner Larkin, seconded by Commissioner Galloway, which motion duly carried with Commissioner Humke absent, it was ordered that Chairman Weber and Commissioner Sferrazza be appointed to serve on the Oversight Advisory Board. It was further ordered that the remaining Commissioners serve as alternates.

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There being no further business to come before the Board, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Humke absent, it was ordered that the meeting be adjourned to a Closed Session at 8:00 p.m. for the purpose of discussing negotiations with Employee Organizations per NRS 288.220. It was further ordered that the meeting would adjourn from the Closed Session.

BONNIE WEBER, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, County Clerk
and Clerk of the Board of
County Commissioners

*Minutes Prepared by
Jan Frazzetta, Deputy County Clerk
Stacy Gonzales, Deputy County Clerk*