

**BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA**

TUESDAY

2:00 P.M.

JANUARY 10, 2006

PRESENT:

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

**Amy Harvey, County Clerk**  
**Michele Poché, Assistant 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:

**06-08      AGENDA**

Sam Dehne, local resident, said he was surprised that the agenda was being approved without making a lot of changes. He complained the backsides of some citizens were being televised, while televising the fronts of friends of the Board. He would file a complaint, but he did not trust the State Attorney General.

Gary Schmidt, local resident, thanked Commissioner Galloway or whoever was responsible for taking his suggestion and notifying the public on the agenda about the possibility the Board may block items that were not currently blocked on the printed and posted agenda. He commented he still did not like the process, but it was an improvement over the old process where things were moved willy-nilly in and out of the consent agenda and the order of things was changed confusing the public. Mr. Schmidt said that was a defacto violation of the Open Meeting Law and was certainly not in keeping with good open government by providing maximum notice to the public of the business being conducted and how and when it was being conducted. He said he believed the Board had created a rule that stated things would only be moved out of the consent agenda, not into it; and other things that were consensual would be blocked. He complained the note in the agenda said items could be moved to the consent agenda making the statement in violation of the rule. Mr. Schmidt commented on two District Attorneys disagreeing on whether something could be pulled from the agenda after the printed posting and on the Board of Equalization item from the December 20, 2005 meeting that was marked pulled on some agendas. He requested a written legal opinion on that issue.

Melanie Foster, Legal Counsel, had no comment.

In accordance with the Open Meeting Law, on motion by Commissioner Larkin, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the agenda for the January 10, 2006 meeting be approved.

**06-09            ELECTION OF CHAIRMAN**

Commissioner Humke nominated Commissioner Larkin to serve as Chairman. Commissioner Sferrazza seconded the motion.

Sam Dehne, local resident, stated his choice for Chair would be Commissioner Sferrazza, second Commissioner Galloway, and third Commissioner Humke. He said these were the only people he considered eligible for Chair. He said the other fellow had no understanding of what democracy was about.

Gary Schmidt, local resident, commented on his attendance and that of the various Board members at these meetings. He said it was disrespectful to make motions and call for a vote before taking public comment. Mr. Schmidt said the motion and second should be withdrawn. He said at least some lip service should be given to public comment, although the item was already prejudiced when the error was made. He said only Commissioner Galloway and Commissioner Sferrazza were qualified to be Chair, and he recommended Commissioner Galloway. He stated Commissioners Larkin, Weber and Humke have consistently demonstrated disrespect for the public and the law and committed violations of the Public Records and Open Meeting Laws, the United States and Nevada Constitutions, and a host of State Statutes and County Codes. Mr. Schmidt said he knew what would happen, and it would not be starting the year off on a good note.

Chairman Weber apologized for not seeing the public comment sign-in sheet.

On a call for the vote, the motion carried unanimously.

**06-10            ELECTION OF VICE CHAIRMAN**

Commissioner Humke nominated Commissioner Weber to serve as Vice Chairman. Chairman Larkin seconded the motion. Commissioner Sferrazza nominated Commissioner Galloway. Commissioner Galloway seconded the motion.

Gary Schmidt, local resident, said nominating the leaving Chair for Vice Chair smacked of insider politics. He said there were substantial 3-2 votes this year where Commissioners Humke, Larkin and Weber voted in one manner and Commissioners Sferrazza and Galloway voted in another manner. He said there were also quite a few 4-1 votes where Commissioner Sferrazza voted in opposition. Mr. Schmidt said it was very obvious what was going on, and he noted Commissioners Humke and

Weber were up for reelection this year. He said, if the public wanted a fair, objective, responsible representation of persons that supported open government and a fair process, he recommended they act accordingly during the election. He said he supported Commissioner Sferrazza for Vice Chair with his second choice being Commissioner Galloway. He said neither was Chair or Vice Chair last year, and the Board would not look so foolish or partisan if they selected one of them.

Sam Dehne, local resident, commented most of the people in the community believe the citizens, not the other members of the Board, elected the Chair. He said the citizens would not elect the person that had been there for a year and demonstrated a lack of knowledge of democracy over and over again. Mr. Dehne said Commissioner Sferrazza was the best person on the Board with Commissioner Galloway second.

Commissioner Galloway said he seconded his nomination as a matter of process that had nothing to do with being upset with anybody. He said he believed in rotation, which this goes against. He stated it was nothing personal if he did not support Commissioner Weber's election to Vice Chair.

Commissioner Sferrazza agreed Commissioner Weber had done a fine job, and he would have no problem voting for her as Vice Chairman. But he believed Commissioner Galloway was senior on the Board and was furthest away from serving as Chairman. Commissioner Sferrazza said he would continue to support Commissioner Galloway until there were three votes.

Commissioner Weber said she appreciated and understood the Commissioners' comments. She felt she worked well with Vice Chairman Larkin, and believed they had accomplished a lot for the County in the past year. She said she would not withdraw and would like to be considered for Vice Chairman.

Chairman Larkin assumed the gavel because of Commissioner Weber's nomination.

On a call for the vote, Commissioner Sferrazza said he would rather vote for, and he did not want to vote "no."

Commissioner Humke said when there were multiple nominations there was a policy established several years ago that stated that everyone goes down the line stating a preference, which usually flushes out where there would be a tie, a 4-1, or a 3-2 vote. He said that could result in a more diplomatic situation where there could be one resulting motion.

Chairman Larkin suggested a roll call vote or continuing the discussion. Commissioner Weber suggested going down the line.

Commissioner Galloway said he would be willing to go down the line and suggested starting with Commissioner Humke.

Commissioner Humke said he stated his preference by recommending Commissioner Weber.

Chairman Larkin said he seconded Commissioner Weber's nomination because of working with her during the past year and finding her very competent. He felt they were a good team that deserved another year of tried and true effort. He stated he continued to support the vote for Commissioner Weber as Vice Chair.

Commissioner Weber reiterated she did not want her name removed from the nomination.

Commissioner Galloway said he had already stated his position.

Commissioner Sferrazza said he would vote for Commissioner Galloway, but he would make a motion to make it a unanimous vote for Commissioner Weber. Commissioner Galloway seconded the motion. Commissioner Weber was unanimously elected the Vice Chairman of the Board of County Commissioners.

Chairman Larkin presided over the meeting as follows:

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

**06-11      PRESENTATION OF APPRECIATION – CHAIRMAN WEBER**

Chairman Larkin presented a plaque of appreciation to Commissioner Weber for her service as Chairman of the Board from January 2005 to January 2006. He commented this was not an easy job; and it was very easy to come up to the lectern and poke holes at a loving, caring individual who worked in the best interests of Washoe County. He said it was entirely different to be sitting side by side with her and dealing day in and day out with the trials and tribulations. He stated the County had a hero with Commissioner Weber.

Commissioner Weber thanked the Board. She commented she knew she could not be everything to everyone, but she tried hard to be fair and honest and to create a place where everyone could have the opportunity to speak freely and with respect for one another.

Gary Schmidt, local resident, said, after listening to these comments and having attended virtually every meeting Commissioner Weber had chaired, that was a

bunch of crap, which he spelled out. He stated Commissioner Weber discouraged public comment and consistently violated peoples' First Amendment Freedom of Speech rights. He said he believed Commissioner Weber was a well-intentioned person, and he liked her personally. He stated she was not capable of serving as Chair or Vice Chair in these trying times. He commended Commissioner Sferrazza for supporting a citizen's right to address their government. He said the Board had reached a new low after what had happened in the last three agenda items, and he was so ashamed.

Michele Poché, Assistant County Manager, advised the Open Meeting Law does not require a public body to tolerate comments that are willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks. She said Section 8.05 of the Nevada Open Meeting Law manual states, "The Chair of a public body may, without the vote of the public body, declare a recess to remove a person who is disrupting the meeting."

Guy Felton, local resident, addressed the Board about a book titled "Constitutional Chaos" that stressed the theme that government was not a friend of the public. He said adversarial government was practiced in the County, where free speech, equal treatment, and openness were commonly violated. He stated the Commission refused to answer questions about the people's business and refused to engage in give and take discussions with its citizens. He said the Commission abused its police powers to enforce its tyranny by kicking citizens exercising their right of free speech out of meetings under threat of arrest. He commented legitimate complaints sent to the Attorney General were answered with hogwash and legitimate complaints filed with law enforcement were swept under the carpet. He identified problems with the *Reno Gazette-Journal* coverage of these issues while crediting the *Reno News and Review* with giving limited exposure to them. He gave the greatest credit to "Liberty and Justice," a weekly television show sponsored by the Washoe County Libertarian Party for exposing these issues.

Juanita Cox, local resident, discussed the County's effort to hire Madelyn Shipman, former Legal Counsel to the Board, as a lobbyist after her retirement and how the outcry from citizens stopped her hiring. She said dangerous, unsafe conditions existed when holding special meetings in the caucus room, which was corrected by the citizen activists. She discussed the changes to the public comment cards when a shuffling was brought to the attention of the Attorney General and the other challenges to public comment including those of assault and battery. She submitted a copy of a DVD called "Snafu 2 and Memories" so people could go to the County Clerk to get a copy.

objected to the five armed deputies present in the chambers and commented on it being shameful they had to follow the horrible orders they were given. He said, as bad as these critters were, they were not the worst problem in the community, which was the media that should be overseeing them.

**2:53 p.m.** Commissioner Humke temporarily left the meeting.

Gary Schmidt, local resident, requested public comment be continued until the full Board was present. Chairman Larkin said he was 10 seconds into his time. Mr. Schmidt requested a Commissioner make a motion that he be allowed to speak to the full Commission when Commissioner Humke returns. Chairman Larkin said this was public comment, and Mr. Schmidt had two minutes and thirty-five seconds. Mr. Schmidt said he guessed he knew what this year and this Chair were going to be like. He said an item that addressed many issues about the Board of Equalization that was reduced to one issue should have been continued from December 20th and asked if the discussion would be limited to that one item. Chairman Larkin said he had one minute and fifty seven seconds. Mr. Schmidt said he was greatly offended by Commissioner Humke not dealing with the questions and concerns about the Andrew Lane fire. He said Commissioner Humke gave lip service for a few weeks about denial of access and failed to mitigate, along with the other Commissioners, the potential for flooding. He stated this resulted in a couple of million dollars damage due to the recent flooding. He indicated there was talk of a joint lawsuit against the County for their failure to prepare for flooding.

Katherine Snedigar, local resident, discussed the Fifth Amendment and property rights. She said the County was slick in how it deceived people and stole their property. She stated when she bought her property she had agricultural rights. She said Bob Webb, Planning Manager, informed her the term was being changed to General Rural Residential with no interruption to her agricultural rights. She stated Mr. Webb later said their private roads were public roads, which was an absolute lie. They were private roads with restricted public access. She stated the County had no jurisdiction on these roads; the Sheriff cannot patrol for speeders. She said having the residential tacked onto her property and Mr. Webb lying about the roads, gives the County the opportunity to patrol for revenue. She stated her lands were private; and the County had no jurisdiction unless there was a health, safety or welfare problem.

**2:58 p.m.** Commissioner Humke returned to the meeting during Ms. Snedigar's comments.

Andy Manor, local resident, commended Chairman Larkin for being the new Chairman and former Chairman, Bonnie Weber, for doing an excellent job last year. She suggested the people that want to be part of the selection of the Chair and Vice Chair put their name on the ballot and run for office.

**06-13            COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS**

Commissioner Sferrazza said he was not aware of the Commission taking a position on changing the angle of the camera. He requested that everyone be treated the same.

Commissioner Galloway informed the Board of the letter he wrote to Bob Cashell, Reno Mayor, asking the City not to dispose of the shoofly right-of-way until the

emergency preparedness people could have a look at it. He stated the tunnel could be obstructed in the event of a really large earthquake and there should be a way to quickly lay track to maintain service into the community. He stated the Mayor indicated he would look into it and respond.

Commissioner Weber asked for a presentation on the reconstruction of the V&T Railroad. She commented on the event held January 3rd honoring Senator Harry Reid for obtaining money for the project.

Commissioner Humke requested a report on the next possible agenda on the recent flood damage to County and private property. He said the report should concentrate on roads, blocked culverts, other washouts, and wells. It should also provide the availability of funds, whether from the Federal Emergency Management Agency (FEMA) or from local lending institutions providing bridge loans, and what needed to be done to obtain those funds.

Commissioner Galloway requested staff provide him with information on the cause of the overflow of the Steamboat Ditch. He said he would like to tour the area with qualified staff to see if there was something that could have been, or could be done, to prevent the flooding. He observed there would be a joint meeting with the Cities of Reno and Sparks on Thursday at 9:00 a.m. in the Commission Chambers to resolve the settlement on the annexation litigation.

Chairman Larkin commended Naomi Duerr, Truckee River Flood Management Project Director, John Berkich, Assistant County Manager, and Tom Gadd, Public Works Director, on keeping him informed of the flood control issues during the recent flooding. Ms. Duerr was able to get the Assistant Secretary of the Department of the Army and the Colonel of the Army Corp of Engineers that were responsible for flood control in this region to take a tour of the flooded areas. He said he also went on the tour, which included Steamboat Ditch. He stated the ditch was private property and there would have to be coordination with the owners to deal with flood issues. He believed a commendation was in order for Ms. Duerr and her staff along with Mr. Gadd.

Michelle Poché, Assistant County Manager, thanked Chairman Larkin for his staff commendation. She noted the staff from the Cities of Reno and Sparks worked right alongside County staff in a really great team effort.

### **CONSENT AGENDA DISCUSSION**

During discussion on what items should be pulled from the consent agenda, Commissioner Weber commented there was a policy among the Commissioners that they would get their questions or items to be pulled to staff by 11:00 a.m., Monday. Commissioner Galloway replied responses to questions often lead to more questions and trying to be rigid about this was self-defeating. He said he was elected by his constituents and would do whatever was necessary to protect their interests.

Sam Dehne, local resident, objected to the concept of the consent agenda, which was originally created to handle mundane items. He asked who decided what went on it, and he was concerned some of the items involved a lot of money that would be voted on with no discussion. He commented some items not in consent were for small amounts of money, and asked why they were not in consent. He felt 38 items, which was the number in consent this week, was too many items because no one could discuss 38 items in three minutes during public comment.

Gary Schmidt, local resident, said it was back to shuck and jive on the consent agenda. He stated that identifying the total consent by number and not giving a hint to the television audience to the substance of the item was part of the shell and pea game the Board does. He commented the Board used nine minutes to discuss the consent agenda. He discussed the attempt to slide through on consent the lobbyist contract with former Deputy District Attorney Madelyn Shipman, which no one to this date had identified how it got on the consent agenda. He said when citizens raised the red flag, the Commissioners stated they would not support the contract. He alleged no one knew how anything got on the consent agenda. He made a public records request under NRS 239 for every document generated by any employee or agent of the County, including the Board, for all of last year that was in any manner related to any item in consent being removed from the consent. He clarified the request was whether a Commissioner supported it being on the consent agenda and for the so-called e-mails back and forth to the Manager to remove things from the consent agenda or to discuss them. He emphasized he expected the documents by next week or they would see their rear ends in court.

Juanita Cox, local resident, commented there should be a better way to identify agenda items than by item numbers because the public might not know what was being discussed. She said items that were not mundane should be discussed at length. She suggested the Board go down the line taking the items one at a time for discussion and voting.

Commissioner Galloway said the Boards' attention was focused on those items that needed it, and the Board did its job. He commented his understanding was the Ms. Shipman item was put on the consent agenda by the County Manager; and, if that was wrong, she could correct it later.

Commissioner Sferrazza said he understood the consent agenda was set at the agenda setting conference that included staff, the County Manager, Chairman Larkin and Commissioner Weber. He said the consent agenda was a recommendation by staff as to what items should be on consent, and this meeting was the Boards' opportunity to change that. Commissioner Sferrazza said anyone in the audience had the right to request something be pulled from the consent agenda, but it was up to the Board to determine whether or not it was pulled.

After Chairman Larkin polled the Commissioners to determine what items they wanted pulled from consent, Commissioner Galloway made a motion, seconded by Commissioner Sferrazza, which motion duly carried, that the consent agenda was

approved with the following changes: Items 9D(4) – 06-47, 9D(5) – 06-48, 9E(2) – 06-49, 9I(2) – 06-50, and 9K(5) – 06-51 were pulled from the consent agenda for discussion. Item 9E(5) – 06-27 was pulled and would be brought back to the Board at a future meeting.

**06-14            SEXUAL ASSAULT MEDICAL CARE PAYMENT**

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care for 31 sexual assault victims in the amount totaling \$4,557.94 and for follow-up treatment (up to \$1,000) for victims, victim's spouses and other eligible persons as set forth in a memorandum from Kim Schweickert, Program Assistant, District Attorney's Office, dated December 1, 2005.

**06-15            RESIGNATION AND APPOINTMENTS – LAW LIBRARY BOARD OF TRUSTEES – LAW LIBRARY**

Commissioner Sferrazza commented he supported the recommendations made today, but in the future he requested the members of this Board be contacted, if no applications were received, to see if they had anyone who would like to serve. He stated he had numerous citizens who wanted to serve on boards and commissions.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the resignation of the Honorable Brian Sandoval from the Law Library Board of Trustees be accepted, Shawn Meador be appointed to the vacant attorney position for a two-year term from January 1, 2006 to December 31, 2007, and Russ Musselman be reappointed to the non-attorney position for a two-year term from January 1, 2006 to December 31, 2007.

**06-16            GRANT PROGRAM CONTRACT AMENDMENT – RESOLUTION – LOW INCOME HOUSING TRUST FUNDS – RESTART, INC. – MANAGEMENT SERVICES**

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the amendment to the Grant Program Contract with ReStart, Inc. to sub-grant Low Income Housing Trust Funds in the amount of \$62,185 with a 10 percent cash match of \$6,218 for fiscal year 2005/06 be approved and Chairman Larkin be authorized to execute the following resolution necessary for the same:

**RESOLUTION** –Authorizing the Grant of Public Money to a Private Nonprofit Organization

**WHEREAS**, NRS 244.1505 provides that a board of county commissioners may expend money for any purpose which will provide a substantial benefit to the inhabitants of the county and that a board may make a grant of money to a private organization, not for profit, to be expended for a selected purpose; and

**WHEREAS**, the Board of Commissioners of Washoe County has determined that a certain amount of money is available for fiscal year 2005-2006 for community support grants, which grants will provide a substantial benefit to the inhabitants of Washoe County and which are made to private nonprofit organizations; now, therefore, be it

**RESOLVED**, by the Board of Commissioners of Washoe County that:

1. The Board hereby grants to Restart Inc., a private, nonprofit organization, a grant for fiscal year 2005-2006 in the amount of \$68,403 (\$62,185 LIHTF 10% cash match \$6,218) (Community Support).
2. The purpose of the grant, the maximum amount to be expended from the grant and the conditions and limitations upon the grant are set forth in the Grant Program Contract, which Contract is attached hereto and incorporated herein by reference.

It was further ordered that Finance be authorized to make the following adjustments:

<b>Account</b>	<b>Description</b>	<b>Amount</b>
183100-710100	LIHTF/Professional Services	Increase (\$6,218.00)
185050-60058	Tahoe Regional Planning Agency	Decrease (\$6,218.00)

It was noted the amendment was necessary because the amount of the award from the State of Nevada was increased by \$62,185 after the County Commission originally approved the award on June 14, 2005. It was also noted this grant provides assistance to families and seniors in danger of becoming homeless, or who were homeless and were in need of assistance with utilities, security deposits, rent or a mortgage payment.

**06-17                    RANKING – COMMUNITY DEVELOPMENT BLOCK FUNDING REQUESTS – STATE OF NEVADA – MANAGEMENT SERVICES**

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was

ordered that the submission and ranking of the Heppner Well Abandonment and Community Water Service Connection, the Family Shelter grant proposals, and the sponsorship of the Food Delivery and Nutrition Enhancement Project to the State of Nevada for Community Development Block Grant (CDBG) funding consideration be approved. It was further ordered that Chairman Larkin be authorized to execute the documents upon receipt.

**06-18            SUPPLEMENTAL FUNDING – STATE HOMELAND SECURITY PROGRAM GRANT – SHERIFF – BOMB SQUAD VEHICLE – MANAGEMENT SERVICES**

Upon recommendation of Cathy Ludwig, Grants Coordinator, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that supplemental funding in the amount of \$20,000 through the FFY 2004 Office of Domestic Preparedness (ODP), State Homeland Security (HS) Program Grant for enhancements to a bomb squad vehicle for the Sheriff’s Office, as previously approved in the FFY 2004 ODP/HS grant funding, be approved and the Finance Department be directed to make following fiscal year 2006 budget adjustments:

<b>Account</b>	<b>Description</b>	<b>Amount</b>
<b>Increase Revenue:</b>		
10475-431100	Federal Revenue	\$20,000
<b>Increase Expenditure:</b>		
10475-711504	Equipment <\$10,000	\$20,000

**06-19            PAYMENT – ENHANCED 911 FUND TO REGIONAL EMERGENCY MEDICAL SERVICES AUTHORITY – PLANT VESTA 911 TELEPHONE ANSWERING SYSTEM – 911 EMERGENCY RESPONSE ADVISORY COMMITTEE**

Upon recommendation of Gregg Lubbe, 911 Emergency Response Advisory Committee Chair, through John Slaughter, Management Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the payment from the Enhanced 911 Fund to Regional Emergency Medical Services Authority (REMSA) for reimbursement of the lease-purchase of a Plant Vesta 911 Telephone Answering System from Nevada Bell in the amount of \$4,293.09 per month be approved.

**06-20            ACCEPTANCE OF PROPOSAL – GOLF PROFESSIONAL SERVICES – RFP NO. 2502-06 – PARKS**

This was the time to consider proposals received in response to Request for Proposal (RFP) No. 2502-06 for Golf Professional Services for the Regional Parks and Open Space Department. The Notice to Proposers for receipt of sealed proposals was

published in the *Reno Gazette-Journal* on September 19, 2005. Proof was made that due and legal Notice had been given.

A proposal was received from Peavine Golf Associates.

In response to Commissioner Sferrazza, Rosemarie Entsminger, Regional Parks and Open Space Fiscal Compliance Officer, replied when the RFP process was done, the Board set performance benchmarks for Peavine Golf Associates. She said the performance number was a 10 percent increase in rounds of play. She confirmed this measure was not met the first two years because of mitigating circumstances. She stated stringent guidelines were in the current contract specific to marketing, including specific due dated marketing benchmarks. She said it also required a 10 percent per year increase in rounds of play. She said it was anticipated that Peavine Golf Associates would be able to meet all of the benchmarks.

Commissioner Sferrazza asked if the rounds of golf increased, decreased, or stayed the same. Ms. Entsminger provided Commissioner Sferrazza with the numbers for 2001 to 2005. Commissioner Sferrazza said there was only a 1.5 percent increase in revenue over the life of the contract. He wanted to know the base numbers used. Ms. Entsminger said the increase was based on the 2004 calendar year rounds. She stated through September they were already closing in on the 2004 totals with several months to go in the year, and it was believed they would meet the 10 percent increase. Commissioner Sferrazza said they were not back to where they were at the start of the contract. Ms. Entsminger said the increase had to be based from year to year, and staff still recommended approval of the contract.

Upon recommendation of Charlene Collins, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Karen Mullen, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the Request for Proposal No. 2502-06 submitted by Peavine Golf Associates for Golf Professional Services at Sierra Sage Golf Course be accepted and the Purchasing and Contracts Administrator be authorized to execute a revenue generating agreement with Peavine Golf Associates for a three-year period starting January 1, 2006 through December 31, 2008, with one additional three-year renewal option.

**06-21            RENTAL – XEROX DOCUCOLOR250 – PURCHASING/PUBLIC WORKS, REPROGRAPHICS**

In response to Commissioner Weber, Charlene Collins, Buyer, replied maintenance was included in the agreement.

Upon recommendation of Ms. Collins, through John Balentine, Purchasing and Contracts Administrator, Jean Ely, General Services Division Director, and Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the

rental of one Xerox DocuColor250 with D250 EFI Fiery Color Copier/Printer, on behalf of Reprographics, a division of the Public Works Department, be approved. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement with the Xerox Corporation for a four-year period in the approximate net amount of \$156,302.88, joining the State of Nevada's Request For Proposal No. 6935 for copiers.

**06-22                    RENTAL – XEROX 4110 COPIER/PRINTER –  
PURCHASING/COMMUNITY DEVELOPMENT**

In response to Commissioner Galloway, Charlene Collins, Buyer, replied there was a technical justification for this copier. She said it would run the business card stock used by the County while the Minolta copier did not, nor did Minolta cover repairs. Commissioner Galloway commended staff for trying other options.

Commissioner Weber stated there was no maintenance agreement mentioned in the staff report. Ms. Collins confirmed the agreement included maintenance.

Upon recommendation of Ms. Collins, through John Balentine, Purchasing and Contracts Administrator, and Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the rental of one Xerox 4110 Copier/Printer on behalf of the Community Development Department be approved. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement with the Xerox Corporation for a four-year period in the approximate net amount of \$62,783.04, joining the State of Nevada's Request for Proposal No. 6935 for copiers.

**06-23                    ACCEPTANCE OF PROPOSAL – MEDIA BUYING SERVICES –  
RFP NO. 2482-05 – HEALTH**

This was the time to consider proposals received in response to the Request for Proposal (RFP) No. 2482-05 for Media Buying Services for the Health Department. The Notice to Proposers for receipt of sealed proposals was published in the *Reno Gazette-Journal* on June 22, 2005. Proof was made that due and legal Notice had been given.

Proposals were received from the following vendors:

Captive Media  
Marketing Synergists  
Media Directions, Inc  
Rose Glenn Group

In response to Commissioner Humke, Mike Sullens, Senior Buyer, replied every firm that submitted a proposal was approved by the Health Department to be on the roster; and the Health Department would choose the firm best suited for the task.

Upon recommendation of Mr. Sullens, through John Balentine, Purchasing and Contracts Administrator, and Dr. Mary Anderson, District Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the proposals received, in response to the Request for Proposals No. 2482-05 for Media Buying Services, from the Rose Glenn Group, Marketing Synergists, Media Directions, and Captive Media be accepted and used to establish a roster of qualified firms that might be utilized by the Washoe County District Health Department (WCDHD) to perform media buying services for various WCDHD programs for the remainder of fiscal year 2006 with the County retaining the option to renew in annual increments not to exceed two renewals. It was noted the estimated annual value for the media buying services for fiscal year 2006 was \$328,000.

**06-24            INTERLOCAL CONTRACT – EMERGENCY MEDICAL SERVICES PROGRAM GRANT FUNDING – BUDGET AMENDMENT – FY 2005/06 – HOSPITAL MUTUAL AID EVACUATION ANNEX GRANT PROGRAM – HEALTH**

In response to Chairman Larkin, Stephanie Beck, Emergency Medical Services (EMS) Coordinator, replied all of the hospitals would be involved in the planning process and in the exercise. She said the consultant being used to finalize the contract does exercises like this with hospitals throughout the country and would help the Health Department and the hospitals to focus the objectives of the exercise. She stated revisions were being made to the Multi Casualty Incident Plan Annex regarding hospital evacuations, which should be tested before finalizing the revisions. Ms. Beck said the Inner Hospital Coordinating Counsel worked on medical disaster preparedness issues every month with planning, training, and exercises. She stated this exercise focused on a situation where there was an overwhelming catastrophe at one of the hospitals and it had to be evacuated.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Interlocal Contract between Washoe County and the Washoe County District Health Department, to award Local Emergency Planning Committee (LEPC) grant funding for the Emergency Medical Services Program for the period through September 30, 2006 in the amount of \$8,350 be approved and Chairman Larkin be authorized to execute the same. It was further ordered that the amendments totaling \$8,350 in both revenues and expenses to the LEPC-Hospital Mutual Aid Evacuation Annex Grant Program fiscal year 2005/06 budget be approved. It was also ordered that Finance make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
2002-IO-TBD-431100	Federal Revenue	\$8,350
2002-IO-TBD-710100	Professional Services	\$8,350
	Total Expenditures	\$8,350

**06-25            BUDGET AMENDMENT – FY 2005/06 – FAMILY PLANNING GRANT PROGRAM – HEALTH**

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the following amendment to the District Health Department fiscal year 2005/06 Family Planning Grant Program budget, in support of Operating and Contractual Expenditures funded by a Notice of Grant Award from the Department of Health and Human Services, Public Health Service, be approved and Finance make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
2002-IO-10025-431100	Federal Revenue	\$16,557
2002-IO-10025-710703	Biologicals	6,557
2002-IO-10025-710714	Referral Services	10,000
	Total Expenditures	16,557

**06-26            BUDGET AMENDMENT – FY 2005/06 – TUBERCULOSIS CENTER FOR DISEASE CONTROL GRANT PROGRAM – HEALTH**

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the following amendment to the District Health Department fiscal year 2005/06 Tuberculosis Center for Disease Control Grant Program budget, in support of Operating Expenditures funded by a Notice of Subgrant Award from the Nevada State Health Division, be approved and Finance make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
2002-IO-10016-431100	Federal Revenue	\$14,980
2002-IO-10016-710100	Professional Svcs	1,150
2002-IO-10016-710300	Operating Supplies	150
2002-IO-10016-710500	Other Expense	2,000
2002-IO-10016-710721	Outpatient	5,900
2002-IO-10016-711504	Equipment <\$10,000	5,780
	Total Expenditures	14,980

06-27

**CREATION PUBLIC HEALTH EMERGENCY RESPONSE  
COORDINATOR POSITION – BUDGET AMENDMENT – FY  
2005/06 – PUBLIC HEALTH PREPAREDNESS GRANT  
PROGRAM - HEALTH**

Commissioner Galloway asked how a job could be created and the budget reduced. Michele Poché, Assistant County Manager, said there was a recommendation from staff to pull this item and defer it to another meeting.

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the creation of one full-time equivalent benefits eligible Public Health Emergency Response Coordinator position, as evaluated by the Job Evaluation Committee, and the recommended budget transfers, be pulled.

06-28

**PURCHASE REQUISITION NO. 3000004461 – RESOLUTION – FY  
2005/06 VOCES PROGRAM – HEALTH**

Chairman Larkin said he would approve this item this time only. He said the next time it came before the Board he wanted to know how the effectiveness of the program was measured, the benchmark criteria that the program could be evaluated against, and the results in other ethnicities.

Commissioner Weber commented she could not support providing taxpayer dollars to this program.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Weber voting “no,” it was ordered that the fiscal year 2005/06 Purchase Requisition #3000004461 issued to Nevada Hispanic Services in the amount of \$189,988 (fiscal year 2006 = \$47,497, fiscal year 2007 = \$94,994, fiscal year 2008 = \$47,497) pertaining to the VOCES Program on behalf of the Community and Clinical Health Services Division of the District Health Department be approved. It was further ordered that Chairman Larkin be authorized to execute the following resolution:

**RESOLUTION:** Authorizing grant of funds to Nevada Hispanic Services

**WHEREAS**, the Washoe County District Board of Health made the determination to fund Nevada Hispanic Services' HIV risk reduction and prevention efforts through a Notice of Subgrant Award on December 15, 2005; and

**WHEREAS**, by virtue of the Interlocal Agreement creating it, the Washoe County Health District is required to use the same financial policies and procedures that are used for County Departments; and

**WHEREAS**, pursuant to NRS 244.1505, Washoe County may grant money to a nonprofit organization for any purpose which will provide a substantial benefit to the inhabitants of the county; and

**WHEREAS**, Washoe County desires to provide money to Nevada Hispanic Services to provide HIV prevention and risk reduction to Hispanic Men Who Have Sex With Men (MSM) and sexually active heterosexuals in an effort to decrease the practice of sexual and/or drug using risk behavior associated with HIV infection in Northern Nevada.

**WHEREAS**, Washoe County finds that these HIV prevention and risk reduction services provide a substantial benefit to the inhabitants of the county;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY**, that the Board hereby enters into the Purchase Requisition to provide funds to Nevada Hispanic Services for the purposes set forth in the attached Notice of Subgrant Award.

**06-29            PURCHASE REQUISITION NO. 3000004462 – RESOLUTION – FY 2005/06 PREVENTION CASE MANAGEMENT AND RISK REDUCTION COUNSELING PROGRAM – HEALTH**

Chairman Larkin said he would approve this item this time only. He reiterated his comments from the prior item.

Commissioner Weber said she could not support providing taxpayer dollars to this program.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried with Commissioner Weber voting “no,” Chairman Larkin ordered that the fiscal year 2005/06 Purchase Requisition #3000004462 issued to the Nevada AIDS Foundation, Inc. in the total amount of \$190,000 (fiscal year 2006 = \$47,500, fiscal year 2007 = \$95,000, fiscal year 2008 = \$47,500) pertaining to the Prevention Case Management and Risk Reduction Counseling Program on behalf of the Community and Clinical Health Services Division of the District Health Department be approved. It was further ordered that Chairman Larkin be authorized to execute the following resolution:

**RESOLUTION:** Authorizing grant of funds to Nevada AIDS Foundation, Inc.

**WHEREAS**, the Washoe County District Board of Health made the determination to fund the HIV prevention and risk reduction efforts of Nevada AIDS Foundation, Inc. through a Notice of Subgrant Award on December 15, 2005; and

**WHEREAS**, by virtue of the Interlocal Agreement creating it, the Washoe County Health District uses the same financial policies and procedures that are used for County Departments; and

**WHEREAS**, pursuant to NRS 244.1505, Washoe County may grant money to a nonprofit organization for any purpose which will provide a substantial benefit to the inhabitants of the county; and

**WHEREAS**, Washoe County desires to provide money to Nevada AIDS Foundation, Inc. to provide HIV prevention and services to HIV positive individuals that will assist them in assessing individual risk(s), resulting in the adoption of risk reduction behaviors and utilization of skills necessary to protect others from HIV infection.

**WHEREAS**, Washoe County finds that these HIV prevention and risk reduction services provide a substantial benefit to the inhabitants of the county;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY**, that the Board hereby enters into the Purchase Requisition to provide funds to Nevada AIDS Foundation, Inc. for the purposes set forth in the attached Notice of Subgrant Award.

**06-30**            **REVISIONS – BACKGROUND AND REFERENCE CHECKS  
POLICY AND PROCEDURES – CREATION INTERMITTENT  
HOURLY POSITIONS SHERIFF – HUMAN RESOURCES**

In response to Commissioner Galloway, John Berkich, Assistant County Manager, replied the entire amount of \$97,145 was not included in this year's budget. Commissioner Galloway requested the staff report clearly indicate the amount was coming out of contingency.

Upon recommendation of Joanne Ray, Human Resources Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the revisions to the *Washoe County Background and Reference Checks Policy and Procedures*, the creation of four additional intermittent hourly positions at the Sheriff's Office, the purchase of portable automatic fingerprint stations, and the expenditure of approximately \$30,000 to cover the cost of submitting fingerprints to the Federal Bureau of Investigation be approved. It was further ordered that Finance be directed to make the necessary budget adjustments.

**06-31**            **JOB RECLASSIFICATIONS – HUMAN RESOURCES**

Upon recommendation of Joanne Ray, Human Resources Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman

Larkin ordered that the following reclassification requests submitted through the job evaluation and classification process be approved:

**Reclassification of Existing Positions**

Department	Current Position	Pay Grade	Recommended Job Class	New Pay Grade
Public Works	Storekeeper	EE	Equipment Parts Specialist	GG
Public Works	Imaging Equipment Technician I (2 positions)	CC	Imaging Equipment Technician II	GG

Pay Grade	Hourly Rate	Annual Salary
C	\$13.47 - \$17.52	\$28,017.60 - \$36,441.60
E	\$15.03 - \$19.53	\$31,262.40 - \$40,622.40
G	\$16.73 - \$21.74	\$34,798.40 - \$45,219.20

**06-32      PUBLIC EMPLOYEES RETIREMENT SYSTEM INCREASE – JUVENILE SERVICE CLASSIFICATIONS COVERED UNDER POLICE/FIRE EMPLOYER RATE – HUMAN RESOURCES**

Upon recommendation of Joanne Ray, Human Resources Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the 1.75 percent employee portion of the July 25, 2005 Nevada Public Employees Retirement System (PERS) increase for the classifications in Juvenile Services that are non-represented and covered under the Police/Fire Employer Rate be picked up by the County.

**06-33      CASH DONATIONS – SEARCH AND RESCUE PROGRAM - SHERIFF**

Upon recommendation of Sergeant Russ Pedersen, Search and Rescue, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the \$9,493.49 donation from the Washoe County Specialized Vehicle Unit and the \$44,680.16 donation from the Helen Close Charitable Foundation to the Sheriff’s Office Search and Rescue Program for the purchase of a 2006 “Commander” North River Jet Boat, trailer, and support equipment be accepted with the gratitude of the Board. It was further ordered that the sole source justification be approved and the Finance Department be directed to make the following budget adjustments:

Account	Description	Amount
<b>Increase Revenues:</b>		
20050-484000	Search & Rescue Donations – Donations	\$54,173.65

<b>Increase Expenditures:</b>		
20050-781004	Search & Rescue Donations – Equipment >\$10,000	\$54,173.65

**06-34            CASH DONATION – SEARCH AND RESCUE PROGRAM - SHERIFF**

Upon recommendation of Sergeant Russ Pedersen, Search and Rescue, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the \$1,000 donation from the Northwest Reno Wal-Mart Store #3254 to the Sheriff’s Office Search and Rescue Program be accepted with the gratitude of the Board and the Finance Department be directed to make the following budget adjustments:

<b>Account</b>	<b>Description</b>	<b>Amount</b>
<b>Increase Revenues:</b>		
20050-484000	Search & Rescue Donations – Donations	\$1,000
<b>Increase Expenditures:</b>		
20050-711504	Search & Rescue Donations – Equipment <\$10,000	\$1,000

**06-35            DONATIONS – ANNUAL INCLINE SHERIFF’S COMMUNITY PICNIC 2005 – SHERIFF**

Upon recommendation of Gregg Lubbe, Incline Substation Commander, through Dennis Balaam, Sheriff, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the \$1,660 in cash donations and the \$6,384.73 in product and services donated in support of the annual Incline Substation Sheriff’s Community Picnic held September 25, 2005 be accepted with the gratitude of the Board.

**06-36            CASH DONATION – JAN EVANS MEMORIAL JAPANESE GARDEN – JUVENILE SERVICES**

Upon recommendation of Cherie Graham, Administrative Legal Secretary, through Michael Pomi, Juvenile Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that the cash donation in the amount of \$3,049 from the Northern Nevada Youth Foundation for repairs and upgrades to the Jan Evans Memorial Japanese Garden be accepted with the gratitude of the Board and Finance Department be directed to make the following budget adjustments:

<b>Account</b>	<b>Description</b>	<b>Amount</b>
20052-484000	Jan Evans Facility General Donations	\$3,049
20052-710500	Jan Evans Facility Other Expense	\$3,049

06-37

**INTERLOCAL CONTRACT – STATE OF NEVADA –  
TEMPORARILY HOUSE JUVENILES IN WITTENBERG HALL  
JUVENILE DETENTION FACILITY – JUVENILE SERVICES**

Upon recommendation of Mary Ann Woolley, Juvenile Services Division Director, through Leonard Pugh, Juvenile Services Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Interlocal Contract between the Washoe County Department of Juvenile Services and the State of Nevada Division of Child and Family Services to temporarily house juveniles under the jurisdiction of the Youth Parole Bureau in the Wittenberg Hall Juvenile Detention Facility be approved effective from July 1, 2005 to June 30, 2007 and Chairman Larkin be authorized to execute the same. It was noted that the County was to be reimbursed at a cost of \$80 per day per youth with the total contract not to exceed \$141,600 in fiscal year 2006, and \$141,600 in fiscal year 2007 to a maximum of \$283,200. It was also noted the reimbursement revenue would be posted to the Cost Center-Account 127100-460321 in the amount of \$141,600 for fiscal year 2006 and \$141,600 for fiscal year 2007.

06-38

**FINANCE PLANNING/DESIGN – NEVADA TAHOE  
CONSERVATION DISTRICT'S LOWER MILL AND MIDDLE  
ROSEWOOD CREEKS RESTORATION AND ENHANCEMENT  
PROJECT – PUBLIC WORKS**

Upon recommendation of Kimble Corbridge, Licensed Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that staff be directed to request \$70,000 from Washoe County's Tahoe Regional Planning Agency (TRPA) Water Quality Mitigation Fund, Stream Environmental Zone (SEZ) portion only to finance a portion of the planning and design of the Nevada Tahoe Conservation District (NTCD) Lower Mill Creek and Middle Rosewood Creek Restoration and Enhancement Project.

06-39

**REAPPOINTMENT – ANIMAL CONTROL BOARD – PUBLIC  
WORKS**

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that Brenda Whitfield, the Member Representative from County Commission District 3, be reappointed to the Washoe County Animal Control Board to serve a four-year term effective January 1, 2006 to December 31, 2009.

06-40

**EMPLOYEE HOUSING AGREEMENT – DEPUTY SHERIFF -  
GERLACH AREA – PUBLIC WORKS**

Upon recommendation of Mike Turner, Facility Management Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner

Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Employee Housing Agreement between Washoe County and James McNeill, Deputy Sheriff, concerning provision of and residing in a County-owned residence in Gerlach, be approved and Chairman Larkin be authorized to execute the same. It was noted the Public Works, Facility Management Division, would provide all on-going maintenance and the resident deputy would pay all utility expenses incurred during occupancy of the property.

**06-41            LEASE AGREEMENT – NEVADA HUMANE SOCIETY –  
REGIONAL ANIMAL SERVICES FACILITY – PUBLIC WORKS**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Lease Agreement between Washoe County and the Nevada Humane Society for lease of certain space in the Regional Animal Services Facility designated for use by the Nevada Humane Society, setting forth terms and conditions relative to the lease term, renewal, rental (reimbursement for pro-rata share of expenses) and for other such terms and conditions as contained therein be approved and Chairman Larkin be authorized to execute the same upon receipt.

**06-42            HIDDEN VALLEY REGIONAL PARK RESIDENT CARETAKER  
AGREEMENT - PARKS**

Upon recommendation of Greg Finkler, Parks Operations Superintendent, through Doug Doolittle, Regional Parks and Open Space Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Hidden Valley Regional Park Resident Caretaker Rental Agreement, effective upon approval with an expiration date of January 10, 2007, between Washoe County and Richard D. and Yvonne E. McCollum for caretaker services at the Hidden Valley Regional Park be approved and Chairman Larkin be authorized to execute the same.

**06-43            APPOINTMENT – WELL MITIGATION HEARING BOARD –  
WATER RESOURCES**

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that David Carlson be appointed to the Well Mitigation Hearing Board to serve the remainder of a one-year renewable term ending September 30, 2006.

**06-44            WATER SERVICE CONTRIBUTION AGREEMENT – REYNEN &  
BARDIS, LLC (CATRON RANCH) – WATER RESOURCES**

Upon recommendation of Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway,

seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the Water Service Contribution Agreement between Washoe County and Reynen & Bardis, LLC, (Catron Ranch) be approved and Chairman Larkin be authorized to execute the same.

**06-45            FIRST AMENDMENT – SEWER INTERCEPTOR EXTENSION AGREEMENT – ST. JAMES’S VILLAGE/WORLD PROPERTIES, INC. – STATUS REPORTS - PLEASANT VALLEY INTERCEPTOR PHASES 1 AND 2 – WATER RESOURCES**

Commissioner Humke stated he had received a letter from Reed and Mary Simmons, which was placed on file with the Clerk, that made some interesting points about this item.

Commissioner Galloway requested staff comment on the Simmons’ letter and asked if the letter justified further consideration and continuance of this item by the Board. Michele Poché, Assistant County Manager, replied staff recommended the Board take action today on this item and further action would be required at a future Board meeting.

Steve Bradhurst, Department of Water Resources Director, clarified there were delays incurred in the design, development and approval of the interceptor leading to the parties asking for the 180-days. He said agreement was reached November 9, 2004 and the parties had been diligently, and in good faith, pursuing their obligations under the agreement.

Mr. Bradhurst said the easements were obtained from the property owners for Reach 4, and they were negotiating the last agreement for the easements for Reach 3. He said the special use permit that was before the Board was for Reach 4, which had a condition that the impacts to property from Reach 4 would be identified. He stated that was done. He concluded only one agreement with a property owner had not been reached.

Upon recommendation of Thomas Kelly, Senior Engineer, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the First Amendment to the Sewer Interceptor Extension Agreement between Washoe County and St. James’s Village, World Properties, Inc., be approved and Chairman Larkin be authorized to execute the same. It was further ordered that the status reports for the Pleasant Valley Interceptor Phase 1 and 2 be accepted.

**06-46            WATER SALE AGREEMENT - WATER RIGHTS DEED – SUN VALLEY GENERAL IMPROVEMENT DISTRICT – GEPFORD PARK – WATER RESOURCES**

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Steve Bradhurst, Water Resources Director,

on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the conveyance of 0.80 acre-feet of water rights from the Sun Valley General Improvement District (SVGID) to Washoe County in support of Gepford Park and the associated Water Sale Agreement leasing said water rights back to SVGID be approved. It was further ordered that Chairman Larkin be authorized to execute the Water Rights Deed and Water Sale Agreement and the Engineering Manager be directed to record both documents.

**06-47            PURCHASE – REPLACEMENT 2006 INTERNATIONAL/  
VACCON COMBINATION SEWER, STORM DRAIN CLEANING  
TRUCK – PURCHASING/PUBLIC WORKS**

Commissioner Galloway said he had no problem with the competitiveness of the bid, but saw no justification why this brand needed to be purchased.

John Balentine, Purchasing and Contracts Administrator, said when the specification of needs was submitted, Purchasing looked around to see if it had already been bid, which saves time and money.

Tom Gadd, Public Works Director, said Public Works helped Water Resources specify what was needed; and he discussed the benefits of the vehicle that met those specifications.

In response to Commissioner Galloway, Mr. Balentine stated the City of Sparks had bid a similar vehicle within the year; and Purchasing elected to join on that bid. He confirmed the bid was open to anyone who met the nine-yard requirement.

Chairman Larkin called a one-minute recess at 4:02 p.m. because Commissioner Weber was engaged in a conversation with Legal Counsel Melanie Foster. During the recess, Gary Schmidt, local resident, approached the dais and was asked to step back by one of the Sheriff's Deputies in attendance.

After the brief recess, Mr. Schmidt said he hoped the recorder was on when the Deputy Sheriff accosted him at the front podium during the recess. Commissioner Humke said the speaker was not on the agenda item. Chairman Larkin requested Mr. Schmidt address the agenda item dealing with a pump truck. Mr. Schmidt said, related to 9D(4), there was apparently a recess called while it was determined whether he could speak on 9D(4). He said when he attempted to discuss it individually with a Commissioner during recess; he was accosted by a Deputy Sheriff; and he resented that. He suggested the Chair take better control of his meeting or the District Court will.

Mr. Schmidt said he opposed "piggybacking" on the back of work done by the City of Sparks or Reno in regards to purchasing. He said that information should be placed in the staff report for the public's consideration. He stated he had found in the past that Purchasing was quite incompetent and subject to suspicion. He opposed the approval of this item based on hearsay from Mr. Balentine on what the City of Sparks did or did

not do. He thanked Commissioner Galloway for raising this issue and hoped he followed through and voted no. He said this was an example of how the consent agenda did not work.

Upon recommendation of Michael Sullens, Senior Buyer, through Dave Gonzales, Equipment Services Superintendent, Jean Ely, General Services Director, Mr. Gadd, and Mr. Balentine, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the purchase of the new (replacement) 2006 International/Vaccon Combination Sewer, Storm Drain Cleaning Truck on behalf of the Water Resources Department from Silver State International in the amount of \$239,008.28 utilizing the City of Sparks Bid Number 04/05-028 be approved.

**06-48                    PURCHASE – BITUMINOUS PLANT/CONCRETE ASPHALT –  
PURCHASING/PUBLIC WORKS**

This was the time to consider award of the bid for Bid No. 2497-05 Bituminous Plant Mix/Concrete Asphalt for the Public Works Department, Roads Division. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on June 15, 2005. Proof was made that due and legal Notice had been given.

In response to Commissioner Sferrazza, John Balentine, Purchasing and Contracts Administrator, said the County only had access to three granite plants: one was in Sacramento, California, one was in Idaho, and the other was local; and he doubted the plants in California and Idaho could better the price of the local plant. He said the price depended on the petroleum market, which varied everyday. He said he had approval to sign for up to \$50,000, but the amount was estimated to be up to \$40,000 based on last year's usage. He said the cap was what was budgeted by the Department for the material. Commissioner Sferrazza asked what the cap was and if there was any cap on the price. Mr. Balentine replied he could get that information for the Commissioner. He explained if the Department sent in a requisition with an estimated amount, Purchasing would buy up to that amount, which might purchase only five yards of material instead of eight yards. Commissioner Sferrazza stated he would not be able to vote for this if his question was not answered.

Commissioner Galloway said Purchasing was being authorized to buy, but he trusted Purchasing would not buy at an absurd price and would look for alternatives in that case.

Upon recommendation of Richard Williams, Buyer, through Mr. Balentine, and Tom Gadd, Public Works Director, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Larkin ordered that the purchase of Bituminous Plant Mix/Concrete Asphalt on a sole source basis from Granite Construction Company as the supplier of record be approved. It was noted that Granite Construction Company was the

only company operating an “Asphalt Batch Plant” within pickup distance of the Roads Division Facility. It was further ordered that the Purchasing and Contracts Administrator be authorized to issue purchase orders in the amount in excess of \$50,000 to procure said material.

**06-49                    BUDGET AMENDMENT – FY 2005/06 – PERINATAL GRANT PROGRAM – HEALTH**

In response to Commissioner Galloway, Jennifer Stoll-Hadayia, Public Health Program Manager, replied the source of the funding was the Nevada State Health Division from the Center for Disease Control and Prevention.

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Officer, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the following amendment to the District Health Department fiscal year 2005/06 Perinatal Grant Program budget in support of salaries, benefits and operating expenditures funded by a contract from Washoe Health System Services be approved and Finance be directed to make the following account adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE/ (DECREASE)</b>
2002-IO-60163-460162	Services to Other Agencies	\$7,249
2002-IO-60163-710100	Professional Services	6,899
2002-IO-60163-710334	Copy Machine	(150)
2002-IO-60163-710502	Printing	500
	Total Expenditures	\$7,249

**06-50                    PURCHASE OF SERVICES – REGIONAL ANIMAL SERVICES**

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the purchase of services from Nevada By Products (dba Koefran/Reno Rendering) as a sole source provider of such services without competitive bidding at an estimated annual cost not to exceed \$45,000 be approved.

**06-51                    WATER RIGHTS DEED – TRUCKEE MEADOWS WATER AUTHORITY – MARK ANDELIN – WATER RESOURCES**

In response to Commissioner Sferrazza, Steve Bradhurst, Water Resources Director, stated the Truckee River rights and groundwater rights were set aside for this development. He said the water that was not used was banked with the County, and the individual now wanted those water rights moved into the Truckee Meadows Water Authority (TMWA) service area. Mr. Bradhurst said he did not know the amount

dedicated per residence, but he assumed it was a parcel map because of a reference in the deed.

Commissioner Sferrazza said he had a similar request that was denied, and the requester said they objected that other developers were not required to dedicate as much water as they were per residence. Mr. Bradhurst said he had a letter that Commissioner Sferrazza should look at that would help him with that issue.

Upon recommendation of Vahid Behmaram, Water Rights Manager, and Paul Orphan, Engineering Manager, through Mr. Bradhurst, on motion by Commissioner Sferrazza, seconded by Chairman Larkin, which motion duly carried, it was ordered that the following actions be taken:

1. The Water Rights Deed for 0.63 acre-feet of Truckee River water rights and 5.20 acre-feet of Spanish Springs groundwater rights from Permit 52524 between Washoe County, as Grantor on behalf of Mark Andelin, and, as Truckee Meadows Water Authority as Grantee, be approved and Chairman Larkin be authorized to execute;

2. The Engineering Manager be directed to record the Water Rights Deed with the County Recorder.

#### **DISCUSSION – BLOCK VOTE**

Gary Schmidt, local resident, said he had placed a request for all documents related to every agenda item. He said his packet did not include the block vote document Chairman Larkin described. He stated the Board could not assemble those items in a block because he did not get the document in advance. In response to Chairman Larkin, Mr. Schmidt stated the Open Meeting Law required the document to be supplied upon request and a block vote would be acting on that document, which would be in flagrant, knowing, and willful violation of the Open Meeting Law.

Chairman Larkin asked Mr. Schmidt if he had a specific comment on the block vote items. Mr. Schmidt said that was what he was commenting on; he was commenting on the procedure.

Melanie Foster, Legal Counsel, stated the document suggesting the block vote was in the book at the back of the room. She said the book was compiled shortly before the meeting by staff, which appeared to be done after Mr. Schmidt was provided with his agenda.

Commissioner Galloway asked if the Board could decide to vote to combine items in one vote if Chairman Larkin had not issued the unilateral communication. Ms. Foster said the legality did not hinge on whether or not this document was there or not.



Section 3. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller and the Finance Department.

**06-54            APPOINTMENT – REGIONAL PARKS AND OPEN SPACE  
DIRECTOR – MANAGER**

On motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Douglas Doolittle be appointed as the Director of the Regional Parks and Open Space Department at a salary of \$113,422 effective immediately pursuant to Washoe County Code Section 95.105.

**06-55            RESOLUTION OF BID PROTEST - AWARD OF CONTRACT –  
LIBERTY CENTER THIRD AND FOURTH FLOOR  
RENOVATION – PUBLIC WORKS**

In response to a concern by Commissioner Sferrazza, Chairman Larkin asked if there was anyone in attendance about the bid protest, and there was no response.

This was the time to consider the bid protest filed by Bison Construction, Co., and award the bid for the Liberty Center Third and Fourth Floor Renovation for the Public Works Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette Journal* on November 30, 2005.

Bids were received from the following vendors:

Bison Construction Co.  
Frank Lepori Construction  
K 7 Construction, Inc.  
Northern Sierra Construction Inc.

Upon recommendation of Roger Van Alyne, Public Works Deputy Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried, it was ordered that the bid protest filed by Bison Construction Co., be rejected and the contract for the Liberty Center Third and Fourth Floor Renovation for the Public Works Department be awarded to the apparent low bidder, Northern Sierra Construction Inc., in the amount of \$1,324,829, and Chairman Larkin be authorized to execute the contract documents upon presentation.

**6:02 p.m.**        The Board recessed.

**6:40 p.m.**        The Board reconvened with all members present.

Adrian Freund, Community Development Director, updated the Board on the 2002 Regional Plan Settlements, Regional Plan litigation, and recent meetings of the negotiating team. He outlined the key issues that were discussed at the January 6, 2006 meeting. Mr. Freund reviewed the 2005 Annexation Settlement Agreement Explanatory Notes Draft dated January 9, 2006. He gave an overview and discussed changes on the maps, which were placed on file with the Clerk. Mr. Freund noted the recommendations were from the respective governing bodies to the Regional Planning Commission, and they would have to be acted on at that level in order to be incorporated in the Regional Plan update.

Karen Boldi, Summit Engineering representative on behalf of the Encore Group, requested the Board consider placing a parcel back into the expanded Truckee Meadows Service Area (TMSA). She said there was a current application on file with the County, and the Encore Group was working to formulate a master-planned community for that area. She outlined reasons why it should be included as potential future development.

Jack Schwartz, Pleasant Valley resident, commented the Settlement Agreement gave everything away to the Cities and the developers. He encouraged the inclusion of the explanatory notes to minimize the harm of the Settlement Agreement. He gave a brief history of the lawsuit and stated the government in Nevada was of, by, and for the developers.

Gary Schmidt, Washoe County resident, voiced his support of Mr. Schwartz's comments and addressed the Settlement Agreement and the Redfield Regional Center Plan. He requested the Commission protect rural Pleasant Valley, Washoe Valley, and southern Steamboat areas.

Commissioner Sferrazza inquired about areas in Golden Valley and the North Valleys, and Mr. Freund stated there was no acceptance across the negotiating team to take existing developed areas out of the TMSA.

Commissioner Galloway discussed and explained the "Alternate Wording Suggestions for Explanatory Notes Removed on January 6, 2006," which was included in the staff report dated January 9, 2006.

In response to Commissioner Humke, Mr. Freund stated the St. James rollback would include all of the acres not envisioned to be in the City's sphere with the exception of one public land parcel. Mr. Freund explained the difference between cooperative planning and joint planning.

Commissioner Galloway emphasized the importance of adopting an implementation package at the joint meeting on January 12, 2006. He noted there was an agreement, but it could not be implemented without defining terms.

Commissioner Weber commented on the Winnemucca Ranch area, and she said it was important that all the entities work together on the project. Mr. Freund agreed and stated it would be essential to work toward a collaborative process concerning that area.

Chairman Larkin affirmed it was imperative the three entities came to a resolution at the joint meeting to move forward because the next phase of the Regional Plan would begin soon.

Ms. Foster referenced the agenda memorandum dated January 9, 2006 and explained the Reno City Attorney asked the County to express an opinion in regard to the appeal that had been filed on the Redfield Regional Center Plan. She asked the Board to consider authorizing her to file an appearance on the Board's behalf, joining in the pleading to be filed by the City of Sparks. She noted the City of Sparks took no position on the merits of the appeal, but took the position that the appeal procedures created by the Master Settlement Agreement were designed to allow the parties to that agreement to go directly to Regional Planning on an expedited schedule and from there to the District Court. She confirmed the procedures were never designed to afford a different appeal by a citizen or a citizens' group than that which existed under statute. She stated the District Attorney's Office urged the County to carefully consider the issue as a party to the agreement. She noted the other parties the County settled the lawsuit with had taken that position except Regional Planning, and they would hear the matter on January 11, 2006.

Commissioner Sferrazza said he previously presented to the Board the issue of taking a position on the neighborhood casinos on South Virginia, and this body conveyed it was inappropriate to get involved. He asked why the Commission would get involved in this issue.

Ms. Foster stated she was not asking the Commission to take any position on the appeal or on the merits of the case, but for the Board to direct her to take the action necessary to support the Settlement Agreement that was agreed upon three years ago.

Commissioner Galloway inquired if Legal Counsel had been asked to join in a motion that said this individual/group had no standing. He commented by authorizing Legal Counsel to take that action, he would be saying he agreed with it. Ms. Foster noted they might have status under the normal provisions of State law; however, the argument was that they did not have standing because only the County, Reno City Council, and the City of Sparks had position under the Settlement Agreement. Commissioner Galloway questioned if all the individual/group wanted was to be heard by the Regional Planning Commission, and Ms. Foster concurred. Commissioner Galloway stated he would not support a legal action to try to prevent them from being heard.

Commissioner Humke stated the individual/group had a right to be heard, and he would not support the staff recommendation.

Ms. Foster concluded she would convey that to the City of Reno.

**HOME-BASED BUSINESS LICENSE MODIFICATION REQUEST**  
**– THOMAS MATASSA – COMMUNITY DEVELOPMENT**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on December 30, 2005 and mailed to affected property owners on December 29, 2005 to consider the request by Thomas Matassa to modify the development standards for the home-based business license issued to Mr. Matassa dba Toms' Tree & Yard Service LLC at 17115 South Virginia Street (APN 045-222-08) in Reno to allow parking of five employee vehicles, storage of eight work trucks (business vehicles), and storage of up to 50 cords of wood on the premises.

Bob Webb, Community Development Planning Manager, explained the Commission may approve the request and modifications, approve the modifications with different conditions, or deny the application based on the testimony and evidence presented at the hearing. He stated any conditions approved by the Board would be reflected as conditions on Mr. Matassa's home-based business license. Mr. Webb reviewed the staff report dated December 15, 2005; and he pointed out Mr. Matassa's letter, maps of the area, and a section from the Home-based Business License Regulations. He noted the limitations the development standards placed on the business. He discussed the reasons staff did not support the requested modification to the home-based business license development standards, as outlined in the staff report. Mr. Webb mentioned the additional materials presented to the Board, which included a letter signed by several residents in the area, and an e-mail in opposition to Mr. Matassa's request. He added, if conditions were imposed on the requested modifications, Code Enforcement staff would establish compliance with those conditions through periodic and unannounced site inspection visits. Mr. Webb confirmed failure to adhere to the set conditions would result in automatic suspension of Mr. Matassa's license, and a subsequent hearing before the Board would be held.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against the request.

Richard Dunn, area resident, gave a PowerPoint presentation concerning the impacts of Mr. Matassa's business on the Cheyenne subdivision. He noted 12 residents who owned 16 of the 19 properties signed the petition before the Board, and they were asking for denial of the request and for the County to direct Mr. Matassa to abide by the law.

Rex Jones, local resident, asked that there be no zoning change.

Tom Matassa, business owner, stated he was requesting an amendment to his business license. He presented numerous pictures of neighborhood properties and noted violations by his neighbors. He offered pictures of his property and showed how he was in compliance to the standards.

Diane Barlow, local resident, stated she was against the business being located in a residential area because it degraded the area properties.

Deanna Fechther, area resident, talked about her property and voiced her opposition to the business due to dirt, dust, noise, and the traffic flow in the vicinity.

Stephen Pestoni, local resident, noted there had been improvements to Mr. Matassa's property through the years. He stated his objections to the expansion of the business and discussed the impacts to the neighborhood.

Juanita Cox, area resident, commented the neighbors should take this issue to court if problems existed. She said neighbor-to-neighbor disputes were not an issue for the government to resolve.

Katherine Snedigar, area resident, asked why anyone would want to deprive Mr. Matassa the full use of his property for his business and lifestyle. She said the neighbors needed to provide documented evidence to prove their case, and the Board should step out of the dispute.

Gary Schmidt, Washoe County resident, inquired about the zoning and the history of the business license. He stated that information was key for the Board to properly perform their duty in the case.

Phyllis Dunn, local resident, encouraged the Board to read the violations in the staff report from Mike Kennedy, Code Enforcement Officer (CEO). She said there were fire, safety, and pollution issues; and the business impacted resale values in the neighborhood.

Mr. Matassa refuted the comments by the neighbors and stated he sold firewood, soil, and gravel; and he was licensed to do that.

There being no one else wishing to speak, Chairman Larkin closed the public hearing.

In response to Commissioner Humke, Mr. Webb replied a person could conduct sales from a home-based business; however, the concern was the development standards violations that were presented in the staff report. He noted the number of employees was an additional violation brought forward today. He verified the other businesses in the area were issued general commercial business licenses. Mr. Webb stated neither he nor Mr. Kennedy had been out to the area when chainsaws were being operated, and he would defer to the neighbors concerning the noise. He confirmed Cheyenne Drive was a public street and open for public traffic.

Commissioner Weber stated this was not about the government being involved in a situation, but it was about an individual that had asked for a home-based business license and needed to comply under the established guidelines.

In response to Commissioner Galloway, Mr. Webb confirmed the zoning for the property was low density suburban. He explained a business had to be in establishment before 1991 to be grandfathered in, and the business would have to continue "as is" because any expansion or change of business use could trigger them to come into compliance. Mr. Webb said Mr. Matassa received his business license in 1986, and there were development standards associated with home-based businesses that were specific to those types of businesses regardless of the zoning. He noted when Mr. Matassa was issued his home-based business license in 1986, he signed the development standards; and those limit what he could do with his business. He stated Mr. Matassa was allowed to have a home-based business based on residential property as a residential property owner, and there were different rules for general rural across the street.

Commissioner Galloway asked if signing something would waive the right to be grandfathered in. Melanie Foster, Legal Counsel, confirmed the issue was not about the right to be grandfathered in, but what he may do under that home-based business license he received in 1986. She said the development standards had changed, and he acknowledged the new standards when his license was renewed. She added the issue concerned his desire to waive those development standards to allow him to have more vehicles and parking.

In response to Commissioner Sferrazza, Mr. Webb explained the standards concerning storage, the limitations on wood storage, and how many vehicles the business could retain. Mr. Webb clarified the system worked on a complaint basis, and he became aware of the situations on the neighboring properties from the testimony of Mr. Matassa at this hearing. He added, if it was the Board's desire, the CEO could look at the properties for land use violations that may or may not exist.

Commissioner Humke moved to deny the requested modifications to the development standards for the home-based business license issued to Thomas Matassa dba Tom's Tree and Yard Service Inc. at 17115 South Virginia Street (APN 045-222-08) with the findings that the requested modifications would alter the appearance of the surrounding residential area and would be detrimental to the surrounding area's character. Commissioner Weber seconded the motion.

Commissioner Galloway said the entire area showed a lack of code enforcement. He stated Mr. Matassa could file a complaint based on his photos, and they could be dealt with on a case-by-case basis. He emphasized it was because of the zoning of the property that Mr. Matassa had to have a home-based business license.

Commissioner Sferrazza stated code enforcement must be even-handed, and the property owner that Mr. Matassa addressed in his presentation should be told to clean up his property.

On call for the question, the motion passed on a 5-0 vote.

**APPEARANCE – CHRISTI CAKIROGLU – KEEP TRUCKEE MEADOWS BEAUTIFUL – CONTINUED**

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the appearance by Christi Cakiroglu, Executive Director of Keep Truckee Meadows Beautiful, be continued to the January 24, 2006 meeting.

**06-58            REIMBURSEMENT AND PAYMENT – EMPLOYEE EVENT - CITIZEN VOLUNTEER RELATIONS – COMMUNITY RELATIONS**

Upon recommendation of Kathy Carter, Community Relations Director, through Katy Singlaub, County Manager, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the following reimbursement and payment of outstanding charges from the Community Relations budget, in the amount of \$474.67, be approved:

\$ 47.22	Flowers for former West Truckee Meadows Citizen Advisory Board member Ellen Steiner
\$325.00	Reimbursement to County Manager Katy Singlaub
\$102.45	Food expenses related to employee event

**06-59            SPONSORSHIP LEVEL – NEVADA BLACK CULTURAL AWARENESS SOCIETY – DR. MARTIN LUTHER KING, JR. CELEBRATION DINNER – COMMUNITY RELATIONS**

Commissioner Sferrazza moved to approve \$1,000 for the event. Commissioner Humke seconded the motion.

Commissioner Weber said she was concerned about consistency in the sponsorship of events. She asked about the policy adopted by the Board regarding these types of items.

Kathy Carter, Community Relations Director, confirmed a policy was established through Board direction. She said the Commission developed policy that grants would be given to assist Community Support activities. She explained how this request did not meet the policy, which was outlined in the staff report dated December 27, 2005. Ms. Carter noted the event was not budgeted in the Community Relations budget, and a funding source would have to be identified if it was approved.

Commissioner Weber stated she could not support the motion because it went against the established policy.

Commissioner Sferrazza commented on the preferential treatment given to the Economic Development Authority of Western Nevada (EDAWN) and other groups.

He commented he did not see how the County benefited more from supporting EDAWN as compared to supporting the Nevada Black Cultural Awareness Society.

Commissioner Weber stressed it was not about the organization, but about the policy the Board had set in place.

Commissioner Galloway asked if the EDAWN event that was approved earlier in the meeting met the criteria, and Ms. Carter confirmed that it did.

Chairman Larkin asked when the event was funded in the past, and Ms. Carter verified the County had never funded the event.

Commissioner Galloway said the event called for private funding, and he would not support the motion.

Chairman Larkin stated he was not opposed to the event, but the manner in which it came before the Board was contra to the policy; and he would not support it.

Commissioner Sferrazza asked if there would be support if he identified the funds to come from of his District funds. Melanie Foster, Legal Counsel, explained the item would have to come back to the Board because an expenditure of District funds required action by resolution.

Commissioner Galloway stated that would not make a difference in his vote because it would still be public monies.

Commissioner Humke withdrew the second to the motion to dispose of the item.

Commissioner Sferrazza asked if he could change his vote concerning the Sponsorship of the Reno/Sparks Chamber of Commerce and EDAWN Directions 2006 Economic Forum Event. Ms. Foster informed the Board the motion on the item could be reconsidered at this point.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried with Chairman Larkin and Commissioner Weber voting "no," it was ordered that the Sponsorship of the Reno/Sparks Chamber of Commerce and EDAWN Directions 2006 Economic Forum Event be reconsidered. (See Item No. 06-52)

Commissioner Galloway moved to approve the \$1,500 Sponsorship of the Reno/Sparks Chamber of Commerce and EDAWN Directions 2006 Economic Forum Event to take place January 25, 2006. Commissioner Humke seconded the motion.

Commissioner Sferrazza said he would not support the sponsorship because he believed it was an inappropriate expenditure of public funds.

On call for the question, the motion passed on a 4-1 vote with Commissioner Sferrazza voting "no."

On motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that no action be taken on the Sponsorship Level for the Nevada Black Cultural Awareness Society's 18th annual Dr. Martin Luther King, Jr. birthday celebration dinner on January 16, 2006.

**06-60**            **APPOINTMENT – ALTERNATE MEMBER – BOARD OF EQUALIZATION**

Commissioner Weber commented the item was brought back to the Board to give Commissioner Sferrazza an opportunity to appoint James Young to the position as an alternate on the Board of Equalization (BOE). She stated Mr. Young was from District 3.

Commissioner Sferrazza moved to appoint Mr. Young as an alternate to the original panel of the BOE. Commissioner Galloway seconded the motion.

Donna Kollman, area resident, detailed her experience in applying for the BOE and questioned the misinformation she was given.

Gary Schmidt, Washoe County resident, gave a history of the item and how violations of the Open Meeting Law and due process were involved. He commented there would be a meeting of the BOE on January 23, 2006, and he had requested several items be placed on that agenda. He said Steve Sparks, the current Chairman of the BOE, refused his requests. He discussed copies of letters submitted to Chairman Sparks, Jim Jeppson, Risk Manager, the Nevada Attorney General, and Melanie Foster, Legal Counsel. Mr. Schmidt stated he would object to any meetings of the BOE being held because the membership was in question. He remarked, if meetings went forward, he would have to disclose to each person that appeared before the BOE that he believed there may have been violations of due process.

Commissioner Galloway apologized to Ms. Kollman for any wrong information she may have received. He explained there had been a concern about balanced representation among the Districts, and the motion was intended to satisfy that. He asked the Manager to check into Ms. Kollman's comments. He acknowledged it was possible to give and receive wrong information; however, that would not be cause to invalidate the business of the organization.

Commissioner Humke expressed regret for the conflicting direction given to Ms. Kollman. He noted her application was received in good order, and it was given due consideration. He said Commissioner Sferrazza had made a case repeatedly that his District had no representation.

Commissioner Sferrazza apologized to Ms. Kollman and indicated he would consider her for future openings. He supported the principle of equity in terms of the BOE, and that was why he approved of the appointment of Mr. Young.

Commissioner Weber assured Ms. Kollman her application had been reviewed, and District 2 already had a number of people in place. She said staff would look into the situation.

On call for the question, the motion passed on a 5-0 vote.

Michelle Poché, Assistant County Manager, stated she would follow up with staff to determine what happened in this case.

**06-61            STANDARDIZED BOARD AND COMMISSION TRAINING –  
MANAGER**

Chairman Larkin stated he was satisfied with the staff report and the direction that it took.

Commissioner Weber asked that Commissioners be notified of any training.

Commission Galloway requested the Citizen Advisory Boards (CAB's) be prioritized. He asked that they not be the last group on the schedule.

Michelle Poché, Assistant County Manager, clarified staff would return to the Board with something more complete in anticipation of the next budget. She said, in the interim, staff was moving forward with a proposal to activate additional CAB trainings. She referenced the agenda memorandum dated January 5, 2006 that included a schedule of CAB meetings and trainings.

Upon recommendation of Ms. Poché, through Katy Singlaub, County Manager, on motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that the County Manager be directed to develop a proposal for standardized Board and Commission training, administrative support processes and procedures, including the resources necessary to support and coordinate such a program, for inclusion in the fiscal year 2006/07 County budget, and to seek opportunities to begin implementing portions of such a program as soon as possible (on an incremental basis if necessary) between now and the next fiscal year.

**06-62            PURCHASE – COUNTY-OWNED PROPERTY - APN 018-113-07 -  
JACK TUTTLE - PUBLIC WORKS**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on December 30 and 31, 2005 to allow for public comment regarding an

offer by Mr. Jack Tuttle to acquire APN 018-113-07, a surplus sliver parcel, for the sum of \$500.

The Chairman opened the public hearing by calling on anyone wishing to speak. There being no response, the hearing was closed.

Commissioner Humke moved to accept the offer by Mr. Jack Tuttle to acquire APN 018-113-07, a surplus sliver parcel, for the sum of \$500; and to authorize the Public Works Director to execute the Purchase and Sale Agreement, a Quitclaim Deed and any other documents necessary to transfer the subject property. Commissioner Weber seconded the motion.

Commissioner Sferrazza commented he did not support the motion because public property should be sold by auction to allow others to bid on it. He stated the property was worth more than \$500.

Commissioner Galloway remarked there had been previous testimony by staff that the parcel by itself was worthless. He previously questioned staff to make sure the County did not need the parcel for a sewer pump station, and staff assured him it was not needed.

On call for the question, the motion passed on a 4-1 vote with Commissioner Sferrazza voting "no."

It was noted the potential revenue to the Public Works Facility Management Property Division [161510-485191] was less than \$500.

**06-63                    ORDINANCE NO. 1282 - BILL NO. 1461 - AMENDING WCC**  
**CHAPTER 5 – TRAVEL EXPENSES**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on December 30, 2005 to consider second reading and adoption of Bill No. 1461. 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.

On motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1282, Bill No. 1461, entitled, "**AN ORDINANCE AMENDING SECTION 5.361 (TRAVEL EXPENSES) OF THE WASHOE COUNTY CODE BY ELIMINATING THE ANNUAL SETTING OF THE MILEAGE ALLOWANCE FOR COUNTY EMPLOYEES AND OFFICIALS WHILE TRAVELING IN CONNECTION WITH THE PUBLIC BUSINESS OF THE COUNTY AND PROVIDING THE MILEAGE ALLOWANCE IS AUTOMATICALLY TIED TO THE INTERNAL**

**REVENUE SERVICE RATE AND OTHER MATTERS RELATING THERETO,"**  
be approved, adopted and published in accordance with NRS 244.100.

**06-64                    ORDINANCE NO. 1283 - BILL NO. 1462 – AMENDING WCC**  
**CHAPTER 15 – AUDIT COMMITTEE**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on December 30, 2005 to consider second reading and adoption of Bill No. 1462. 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.

On motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1283, Bill No. 1462, entitled, "**AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY ALLOWING AN ADDITIONAL MEMBER TO SERVE ON THE AUDIT COMMITTEE AND TO ALLOW THE AUDIT COMMITTEE TO ELECT THE CHAIRMAN AND VICE-CHAIRMAN OF THE COMMITTEE,"** be approved, adopted and published in accordance with NRS 244.100.

**06-65                    ORDINANCE NO. 1284 - BILL NO. 1463 - AMENDING WCC**  
**CHAPTER 35 – DEATH CERTIFICATE FEES**

**5:30 p.m.**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on December 30, 2005 to consider second reading and adoption of Bill No. 1463. 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 commented it was possible that some of the fee could be used for purposes for which the fee was not related.

Vernon McCarty, Coroner, clarified it was requested that language regarding an educational program for delinquent teenagers that was authorized under the State law be removed by the District Attorney's Office. He confirmed the language before the Board had been corrected to delete that provision.

Commissioner Humke stated this was a limited funding source that went directly to assist the Coroner for a positive purpose.

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1284,

Bill No. 1463, entitled, "AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 35 BY ADDING THERETO PROVISIONS CREATING AN ACCOUNT FOR THE SUPPORT OF THE COUNTY CORONER FUNDED BY AN INCREASE OF \$1.00 IN THE FEE CHARGED FOR A CERTIFIED COPY OF A DEATH CERTIFICATE WITH SUCH FUNDS TO BE USED SOLELY BY THE CORONER FOR CERTAIN PURPOSES, AND OTHER MATTERS PROPERLY RELATED THERETO," be approved, adopted and published in accordance with NRS 244.100.

It was further ordered that the Business Impact Statement, which was placed on file with the Clerk, be approved.

**06-66            INTENT TO ISSUE GENERAL OBLIGATION (LIMITED TAX)  
2006 PUBLIC SAFETY BONDS**

**5:30 p.m**        This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on December 16, 2005 to consider issuance of General Obligation (Limited Tax) 2006 Public Safety Bonds, additionally secured by pledged revenues. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak. There being no response, the hearing was closed.

Commissioner Sferrazza commented he attended the Northeast Neighborhood Advisory Board (NAB) meeting on January 9, 2006; and they supported the special use permit to expand the Washoe County Detention Facility, which this bond would be used to support.

Chairman Larkin remarked this was a worthwhile investment for the community as jail expansion was necessary.

**06-67            RESOLUTION – SALE OF GENERAL OBLIGATION (LIMITED  
TAX) PUBLIC SAFETY BONDS – BUILDING PROJECTS**

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Humke, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**RESOLUTION NO. 06-67**

**A RESOLUTION AUTHORIZING THE COUNTY  
FINANCE DIRECTOR TO ARRANGE FOR THE  
SALE OF THE WASHOE COUNTY, NEVADA  
GENERAL OBLIGATION (LIMITED TAX) PUBLIC  
SAFETY BONDS (ADDITIONALLY SECURED BY**

**PLEGGED REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$12,500,000 FOR THE PURPOSE OF FINANCING BUILDING PROJECTS; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.**

**WHEREAS**, the Board of County Commissioners (the "Board") of Washoe County, Nevada, (the "County," and the "State," respectively), proposes to issue up to \$12,500,000 of general obligation bonds of the County in one or more series (the "Bonds") for the purpose of paying all or a portion of the cost of acquiring, constructing, improving and equipping of building projects, including, but not limited to jail facilities, structures, fixtures, furniture and equipment therefore, and all appurtenances and incidentals necessary, useful or desirable for any such facilities as set forth in NRS 244A.019 (the "Project"); and

**WHEREAS**, such Bonds will be additionally secured by a pledge of 15% of certain proceeds of liquor taxes, tobacco taxes, real property transfer taxes, basic governmental services tax and basis and supplemental sales taxes distributed to the County (the "Pledged Revenues"); and

**WHEREAS**, the Board determines that it is necessary and advisable that the County incur a bonded indebtedness pursuant to NRS 244A.011 to 244A.065, inclusive (the "Project Act") and the Local Government Securities Act, NRS 350.500 to 350.720, inclusive (the "Bond Act"), for the purpose of paying all or a portion of the cost of the Project.

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

Section 1. This resolution shall be known and may be cited by the short title "2006 Public Safety Sale Resolution."

Section 2. The County Finance Director or his designee is hereby authorized to arrange for the issuance and sale of the Bonds in a total aggregate principal amount of not more than \$12,500,000, in accordance with the Project Act and the Bond Act.

Section 3. The County Finance Director or his designee is authorized to specify the terms of the Bonds, the methods of their sale, the final principal amount of the Bonds (not in excess of \$12,500,000), the terms of their repayment and security therefor, and other details of the Bonds, and if deemed appropriate by the County Finance Director or his designee, to advertise the Bonds for sale, subject to the ratification by the Board by the adoption of a bond ordinance or ordinances specifying the Bond terms and details and approving their sale (the "Ordinance").

Section 4. The officers of the County are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this resolution, including without limitation, assembling of financial and other information concerning the County, the Project, the Pledged Revenues and the Bonds, and, if deemed appropriate by the Finance Director or his designee, preparing and circulating a preliminary official statement, a notice of bond sale for the Bonds, or both, in the forms specified by the Finance Director, or his designee. The Finance Director or his designee is authorized to deem the official statement or preliminary official statement to be a "final" official statement on behalf of the County for the purposes of Rule 15(c)2-12 of the Securities and Exchange Commission.

Section 5. The Finance Director shall, after arranging for the sale of the Bonds. Shall present the proposed final terms of the Bonds to the Board for its approval by adoption of the Ordinance, which shall not be effective until after the expiration of the 90-day petition period as set forth in NRS 350.020(3).

Section 6. The officers of the Board be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. 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 8. 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 9. This resolution shall become effective and be in force immediately upon its adoption.

**06-68            INTENT TO ISSUE GENERAL OBLIGATION (LIMITED TAX)  
2006 FLOOD CONTROL BONDS**

**5:30 p.m** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on December 16, 2005 to consider issuance of General Obligation (Limited Tax) 2006 Flood Control Bonds, additionally secured by pledged revenues. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak. There being no response, the hearing was closed.

Chairman Larkin commented the bonds would enhance the flood control potential for property acquisition; and it would allow Naomi Duerr, Truckee River Flood Management Project Director, to add flexibility to the flood control issue.

06-69

**RESOLUTION – SALE OF GENERAL OBLIGATION (LIMITED TAX) FLOOD CONTROL BONDS**

Upon recommendation of John Sherman, Finance Director, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**RESOLUTION NO. 06-69**

**A RESOLUTION AUTHORIZING THE COUNTY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE WASHOE COUNTY, NEVADA GENERAL OBLIGATION (LIMITED TAX) FLOOD CONTROL BONDS OR COMMERCIAL PAPER (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$21,000,000 FOR THE PURPOSE OF FINANCING FLOOD CONTROL PROJECTS; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.**

**WHEREAS**, the Board of County Commissioners (the "Board") of Washoe County, Nevada, (the "County," and the "State," respectively), proposes to issue up to \$21,000,000 of general obligation bonds or commercial paper of the County in one or more series (the "Bonds") to acquire, establish, construct and expand projects for the management of flood plains or the prevention of floods as set forth in the plan adopted pursuant to NRS 377B.100 (the "Project"); and

**WHEREAS**, such Bonds will be additionally secured by a pledge of the infrastructure tax imposed pursuant to Chapter 377B on the gross receipts of any retailer from the sale of all tangible personal property sold at retail, or stored, used or otherwise consumed in the County (the "Pledged Revenues"); and

**WHEREAS**, the Board determines that it is necessary and advisable that the County incur a bonded indebtedness pursuant to NRS 244A.011 to 244A.065, inclusive (the "Project Act") and the Local Government Securities Act, NRS 350.500 to 350.720, inclusive (the "Bond Act"), for the purpose of paying all or a portion of the cost of the Project.

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

Section 1. This resolution shall be known and may be cited by the short title "2006 Flood Control Sale Resolution."

Section 2. The County Finance Director or his designee is hereby authorized to arrange for the issuance and sale of the Bonds in a total aggregate principal amount of not more than \$21,000,000, in accordance with the Project Act and the Bond Act.

Section 3. The County Finance Director or his designee is authorized to specify the terms of the Bonds, the methods of their sale, the final principal amount of the Bonds (not in excess of \$21,000,000), the terms of their repayment and security therefor, and other details of the Bonds, and if deemed appropriate by the County Finance Director or his designee, to advertise the Bonds for sale, or select an underwriter(s) in accordance with the County's debt management policy, subject to the ratification by the Board by the adoption of a bond or commercial paper ordinance or ordinances specifying the Bond terms and details and approving their sale (the "Ordinance").

Section 4. The officers of the County are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this resolution, including without limitation, assembling of financial and other information concerning the County, the Project, the Pledged Revenues and the Bonds, and, if deemed appropriate by the Finance Director or his designee, preparing and circulating a preliminary official statement, a notice of bond sale for the Bonds, or both, in the forms specified by the Finance Director, or his designee. The Finance Director or his designee is authorized to deem the official statement or preliminary official statement to be a "final" official statement on behalf of the County for the purposes of Rule 15(c)2-12 of the Securities and Exchange Commission.

Section 5. The Finance Director shall, after arranging for the sale of the Bonds. Shall present the proposed final terms of the Bonds to the Board for its approval by adoption of the Ordinance, which shall not be effective until after the expiration of the 90-day petition period as set forth in NRS 350.020(3).

Section 6. The officers of the Board be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 7. 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 8. 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 9. This resolution shall become effective and be in force immediately upon its adoption.

06-70

**AMENDMENT – 2004-2025 COMPREHENSIVE REGIONAL  
WATER MANAGEMENT PLAN – WATER RESOURCES**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* and the *Sparks Tribune* on December 9, 2005 to consider adopting an amendment to the 2004-2025 Washoe County Comprehensive Regional Water Management Plan entitled, "Amendment to the Regional Water Management Plan to include the Stead/Lemmon Valley Wastewater Disposal Plan."

The Chairman opened the public hearing by calling on anyone wishing to speak. There being no response, the hearing was closed.

Upon recommendation of Jim Smitherman, Water Resources Program Manager, and Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that an amendment to the 2004-2025 Comprehensive Regional Water Management Plan entitled, "Amendment to the Regional Water Management Plan to include the Stead/Lemmon Valley Wastewater Disposal plan," which was placed on file with the Clerk, be approved and adopted.

06-71

**SPECIAL ASSESSMENT DISTRICT NO. 31 – SPEARHEAD  
WAY/RUNNING BEAR DRIVE – PUBLIC WORKS –  
ENGINEERING**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on December 23 and 30, 2005 and January 6, 2006 to consider all complaints, protests, and objections made in writing or verbally to the assessment roll or to the proposed assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the Special Assessment District No. 31 (Spearhead Way-Running Bear Drive), by any person interested, and by any parties aggrieved by such assessments.

The Chairman opened the public hearing by calling on anyone wishing to speak. There being no response, the hearing was closed.

06-72

**RESOLUTION – SPECIAL ASSESSMENT DISTRICT NO. 31 –  
SPEARHEAD WAY/RUNNING BEAR DRIVE – PUBLIC WORKS  
– ENGINEERING**

Upon recommendation of David Price, Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**RESOLUTION NO. 06-72**  
**(of Washoe County, Nevada)**

**A RESOLUTION CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); CONSIDERING COMPLAINTS, PROTESTS, AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING ON THE ASSESSMENT ROLL AND MAKING DETERMINATIONS THEREON; VALIDATING AND CONFIRMING THE ASSESSMENT ROLL; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.**

**WHEREAS**, the Board of County Commissioners (herein "Board") of the County of Washoe (the "County"), in the State of Nevada, pursuant to an Ordinance, adopted October 28, 2003 (the "District Ordinance"), created Washoe County, Nevada, Special Assessment District No. 31 (Spearhead Way-Running Bear Drive) (the "District") and ordered the acquisition of a street project (the "Project"); and

**WHEREAS**, the Board has heretofore determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District; and

**WHEREAS**, the Board has heretofore determined and does hereby declare that the net cost to the County of all the improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$333,068.24 of which amount \$166,586.60 is to be assessed upon the benefited tracts and parcels of land in the District and \$166,481.64 will be paid from other sources; and

**WHEREAS**, the Board together with the County engineer as the engineer for the County with respect to the District (the "Engineer") made out an assessment roll for the District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known stating that the name is "unknown"; a description of each lot, tract or parcel of land to be assessed; and the amount of the proposed assessment to be levied thereon; and the Engineer has reported the assessment roll to the Board and filed the same with the County Clerk; and

**WHEREAS**, the Board by resolution duly adopted on December 13, 2005, established a date, time and location at which the Board would hear and consider any and all complaints, protests and objections to the assessment roll and to the assessments contained therein; and

**WHEREAS**, the Board has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the County Clerk, and that the Board would hear and consider any and all complaints, protests or objections on Tuesday, January 10, 2006, at 5:30 p.m., at the First Floor Commission Chambers, Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada; and

**WHEREAS**, the Board met at the place and time to hear and consider all complaints, protests and objections made or filed; and

**WHEREAS**, the written and oral protests or objections were noted for the record and a copy of the minutes of the public hearing are attached hereto as Exhibit A; and

**WHEREAS**, all complaints, protests and objections, both written and oral, were heard and considered by the Board on January 10, 2006, and after extensive review and deliberation hereby are found to be without sufficient merit and are hereby overruled; provided, however, that the Board has, nevertheless, concluded that it is necessary and equitable that the assessment roll be corrected and revised as follows:

<u>Parcel Number</u>	<u>Ownership</u>	Revised Amount of <u>Final Assessment</u>
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and

**WHEREAS**, the Board has determined and does hereby again determine, that all of the assessable property in the County which is specially benefited by the improvements acquired in the District, and only the property which is so specially benefited, is included on the assessment roll heretofore filed with the County Clerk on December 13, 2005; and

**WHEREAS**, the Board has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on January 10, 2006, on the assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District which may directly and adversely affect his or her legally protected rights and interests.

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

Section 1. This resolution shall be known as and may be cited by the short title "District No. 31 (Spearhead Way-Running Bear Drive) Assessment Protest Resolution" (the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, are hereby found to be without sufficient merit and are hereby overruled, except as otherwise provided in this resolution.

Section 3. The Board hereby validates and confirms the assessment roll for the District, as made out by the Board, together with the Engineer, and filed in the records of the office of the County Clerk on December 13, 2005, is hereinabove modified, revised, corrected and made de novo.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the County and the officers thereof (not inconsistent with the Provisions of this Resolution) concerning Special Assessment District No. 31 (Spearhead Way-Running Bear Drive), including, but not limited to the acquisition of the Project and the validation and confirmation of the assessment roll and the assessments therein, be, and the same hereby are, ratified, approved and confirmed.

Section 5. The Engineer and officers of the County be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. All resolutions, or parts thereof, in conflict with this Resolution are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any Resolution or part of any Resolution heretofore repealed.

Section 7. If any section, paragraph, clause or 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 provision shall in no way effect any remaining provisions of this Resolution.

Section 8. The Board has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

**06-73            BILL NO. 1464 - SPECIAL ASSESSMENT DISTRICT NO. 31 –  
SPEARHEAD WAY/RUNNING BEAR DRIVE**

Bill No. 1464, entitled, "AN ORDINANCE CONCERNING WASHOE COUNTY, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 31 (SPEARHEAD WAY-RUNNING BEAR DRIVE); ASSESSING THE COST OF STREET IMPROVEMENTS AGAINST THE ASSESSABLE TRACTS OF LAND BENEFITED BY THE IMPROVEMENTS; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE ASSESSMENTS; PROVIDING PENALTY FOR DELINQUENT PAYMENTS; PROVIDING OTHER DETAILS IN CONNECTION THEREWITH," was introduced by Commissioner Sferrazza, the title read to the Board and legal notice for final action of adoption directed.

06-74

**DECLARATION OF STATE OF EMERGENCY – DECEMBER 31,  
2005 FLOOD – EMERGENCY MANAGEMENT**

Aaron Kenneston, Emergency Manager, explained the entities finished the response phase of the emergency and were working on recovery and preliminary damage assessment. He said there were four teams, consisting of local officials and federal and state emergency management agencies, scrutinizing the County for the last four days. He acknowledged staff expected to hear soon whether or not the federal government would declare the flood a disaster. Mr. Kenneston described the actions staff would take if the flood were declared a disaster. He mentioned there was the potential that the Small Business Administration would assist some of the businesses impacted by the flood. He noted staff would return to the Board to close the emergency proclamation and present a detailed after-action review.

Commissioner Galloway remarked the local governments and departments were much more on top of this event than the 1997 flood event. He commended them for their efforts and noted the response time helped to lessen the damage that was done.

Commissioner Humke commented the Emergency Operation Center (EOC) needed to precede other building aspects of the flood control measures to allow the three main entities in the County to coordinate their efforts. He added the entities were able to identify at an early stage that this flood event was much different than the 1997 flood event.

Chairman Larkin said the Community Emergency Response Teams (CERT) were fully operational within a short time. He stated everyone in the community reacted promptly when it was identified that the County was entering a critical flood stage. He confirmed that was the way the Incident Command System was designed to operate.

Gary Schmidt, Washoe County resident, remarked there was no response to the flooding in the Andrew Lane area. He stated no one came until January 5, 2006 to survey the damage. He said it was critical that the time be cited on the declaration.

Upon recommendation of Mr. Kenneston, through John Berkich, Acting County Manager, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the Declaration of a State of Emergency made by Acting County Manager John Berkich on December 31, 2005 be ratified.

06-75

**2007 SESSION OF THE NEVADA LEGISLATURE UPDATE –  
LEGISLATIVE AFFAIRS**

Michelle Poché, Assistant County Manager, updated the Board on the SCR 26 sub-committee, which focused on water resources in Washoe County. She said a workshop was held on the subject in December 2005; and the Board gave direction to

staff to follow up with the committee to seek a more forgiving schedule, considering the committee's aggressive timeline regarding matters related to this subject. She confirmed staff communicated that to members of the committee, and they clarified their intention was to continue to move forward with an ambitious timeline. Ms. Poché noted the committee hoped to receive updates from the local entities with respect to proposals for solutions. She said the Water Resources Department staff, the Truckee Meadows Water Authority (TMWA) staff, and local General Improvement Districts (GID's) met on several occasions to discuss this matter. She verified the Water Resources Department staff had taken no position based on the direction from the Board. She said the TMWA staff would be presenting a menu of options to their board this week to receive feedback to bring forward to the committee on January 19, 2006.

In response to Commissioner Galloway, Ms. Poché confirmed the Sun Valley General Improvement District (SVGID) and the South Truckee Meadows General Improvement District (STMGID) had representatives at staff level meetings who stated they were in support of a consensus model in the creation of a new entity. She clarified the purpose of the entity would be to acquire water rights and make them available. Ms. Poché said the entity would not run the utility operations of the other entities, and she added they cited the Southern Nevada model as their frame of reference.

Commissioner Sferrazza said he would only support the one entity being Washoe County.

Commissioner Weber asked staff to prepare a presentation for the January 17, 2006 meeting to allow the Board to vote on the matter.

Commissioner Humke commented to govern under consensus would mean that the eight water entities must be in agreement. He said the entity would serve as an umbrella agency to acquire and manage the water resource and water rights. He stated it would not serve as a master purveyor system. He encouraged the Commission to hold off on fully adopting the Southern Nevada Water Authority model because there could be other options.

Chairman Larkin said Assembly Member Heidi Gansert informed him that the committee was focusing on the following four issues: the acquisition of water, oversight, conservation programs, and mega structures. He noted Senator Mark Amodei, Chairman of the committee, took the item of the consolidation of local purveyors off the table. Chairman Larkin requested staff return with a report at the January 17, 2006 meeting focused on those four areas to allow the Board to move to a resolution or give direction before the committee meets on January 19, 2006.

Commissioner Galloway commented what was drafted by staff should contain the options for those key elements. Ms. Poché suggested staff incorporate the issues the Board raised and a summary of SVGID, STMGID, and TMWA's positions. Chairman Larkin requested a summary of the TMWA audit and information that would be relevant to the discussion.

Commissioner Humke stated there were different ways to focus on the concept of oversight, and two alternatives could be Public Utilities Commission (PUC) or consumer advocate oversight. He said he would favor the concept of one purveyor dispensing water services. He remarked the Board should encourage the State of Nevada to give this entity the benefit of the Nevada Attorney General's consumer advocate and consider regulation by the PUC.

Commissioner Galloway voiced concerns about PUC oversight.

Commissioner Sferrazza asked that the TMWA audit be provided to the Commissioners.

Commissioner Galloway commented on additional legislative issues to consider. He asked staff to report on the law regarding organized groups addressing the Regional Planning Commission. He said, if the state law was gray or negative on that point, the Board could seek latitude on that subject. Commissioner Galloway stated the other issue involved getting a building permit and having to annex if the applicant was adding more than 10 percent to their building.

Commissioner Weber commented on the issue of unfunded mandates. Commissioner Sferrazza clarified that issue would be for a constitutional amendment and would require signatures from people throughout the state. He said many signatures would be required, and volunteers would be necessary to support that effort.

**06-76            BOARD AND COMMITTEE ASSIGNMENTS AND APPOINTMENTS**

Chairman Larkin asked that all Commissioners be listed as alternates on all boards and commissions where possible.

In response to Commissioners' questions, Melanie Foster, Legal Counsel, clarified the interlocal agreement that created the Health District did not allow alternates to the District Health Board. Chairman Larkin said that rule needed to be changed. Ms. Foster confirmed Commissioner Humke had the language; however, none of the entities wanted to go to the trouble of amending the agreement. Commissioner Galloway suggested the agreement be opened up for the limited purpose of considering whether to have alternates on the District Health Board.

After discussion the following Commissioner appointments to Boards and Committees were made:

**Jim Galloway**

Criminal Justice Advisory Committee – 1st Alternate  
Debt Management Commission - Primary  
Joint Fire Advisory Board – Alternate

Nevada Association of Counties – Board of Directors - Alternate  
Nevada Tahoe Regional Planning Agency - Primary (NTRPA)\*  
Open Space & Regional Park Commission – Liaison  
Oversight Advisory Board - Alternate  
Regional Planning Governing Board – Primary  
Regional Transportation Commission – 2nd Alternate  
Reno-Sparks Convention and Visitors Authority – Second Alternate  
Senior Services Advisory Board - Alternate  
Tahoe Regional Planning Agency - Primary (TRPA)\*  
Truckee Meadows Water Authority Board – Alternate  
Washoe County Human Services Consortium Triumvirate - Primary  
Truckee River Flood Project Coordinating Committee – 2nd Alternate  
\*Nevada members of TRPA sit on NTRPA

### **David Humke**

Criminal Justice Advisory Committee - Primary  
District Board of Health - Primary  
Joint Fire Advisory Board – Alternate  
Legislative Liaison - Primary  
Nevada Association of Counties – Board of Directors - Alternate  
Nevada Commission for the Reconstruction of the V&T Railway -  
Alternate  
Oversight Advisory Board - Alternate  
Regional Planning Governing Board - Alternate  
Regional Transportation Commission – Primary  
Reno-Sparks Convention and Visitors Authority - Primary  
Truckee Meadows Water Authority Board – Alternate  
Truckee River Flood Project Coordinating Committee – Primary  
Washoe County Human Services Consortium Triumvirate – 1st Alternate  
Washoe County School District Oversight Panel on School Facilities -  
Primary

### **Bob Larkin – Chairman**

EDAWN Target2010 Steering Committee –  
(County Manager Katy Singlaub – Alternate)  
Investment Committee – Chairman must serve  
Joint Fire Advisory Board - Primary  
Nevada Association of Counties – Board of Directors - Alternate  
Organizational Effectiveness Committee – Chairman serves  
Oversight Advisory Board - Alternate  
Regional Planning Governing Board - Primary  
Regional Transportation Commission - Primary  
Reno-Sparks Convention and Visitors Authority – 3rd Alternate  
Truckee Meadows Water Authority Board – Alternate

Truckee River Flood Project Coordinating Committee – Primary

**Pete Sferrazza**

Criminal Justice Advisory Committee – 2nd Alternate  
Internal Audit Committee - Primary  
Investment Committee  
Joint Fire Advisory Board – Primary  
National Association of Counties – Board of Directors – Primary  
Nevada Association of Counties – Board of Directors – County Representative  
NevadaWorks – 1st Alternate  
Oversight Advisory Board - Primary  
Regional Planning Governing Board – Alternate  
Reno-Sparks Convention and Visitors Authority - Primary  
Senior Services Advisory Board - Primary  
Truckee Meadows Water Authority Board - Primary  
Truckee River Flood Project Coordinating Committee – 1st Alternate  
Washoe County Human Services Consortium Triumvirate – 2nd Alternate

**Bonnie Weber – Vice Chairman**

Joint Fire Advisory Board – Alternate  
Nevada Association of Counties – Board of Directors/Executive Board - County Representative  
Nevada Commission for the Reconstruction of V&T Railway – Primary - County Representative  
NevadaWorks – Primary  
Oversight Advisory Board - Primary  
Regional Planning Governing Board – Primary  
Regional Transportation Commission – 1st Alternate  
Reno-Sparks Convention and Visitors Authority – 1st Alternate  
Truckee Meadows Water Authority Board – Alternate  
Truckee River Flood Project Coordinating Committee – 3rd Alternate  
Washoe County School District Oversight Panel on School Facilities - Primary

**06-77**

**2006 COUNTY COMMISSION RULES AND PROCEDURES**

Commissioner Sferrazza moved to adopt the Rules and Procedures for the Washoe County Board of Commissioners pertaining to the 2006 Washoe County Board of Commissioners. Commissioner Galloway seconded the motion.

Chairman Larkin commented the Board set a self-evaluation in 2005, and he asked if the Board desired to develop a form to move that process along.

Commissioner Galloway suggested a facilitator draft an outline of how that could be completed and present it at the April workshop or retreat.

Gary Schmidt, Washoe County resident, discussed pulling items from agendas and the length of service for the second panel of the Board of Equalization.

Commissioner Sferrazza stated the Manager had to be able to pull items after the agenda was published. He pointed out that did not preclude someone from being able to comment on the item. Commissioner Humke remarked situations occurred that made it necessary to pull items.

On call for the question, the motion passed on a 5-0 vote.

### **REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS**

Commissioner Sferrazza reported he would be attending the meetings of the Truckee Meadows Water Authority (TMWA) Board and the Neighborhood Advisory Board (NAB) of Rancho San Rafael on January 12, 2006. He said the Reno-Sparks Convention and Visitors Authority (RSCVA) was moving forward with the selection of a Chief Executive Officer (CEO), and the field had been narrowed down to six people. He stated additional interviews would occur on January 31, and February 1, 2006.

Commissioner Galloway asked staff to look into the notices he continued to receive from the Joint Coordinating Committee concerning the water treatment plant. He confirmed he had not served on the committee for a long time. He mentioned it could be another area in which a Commissioner could be assigned.

Commissioner Weber requested the Truckee Meadows Law Enforcement Chaplaincy make a presentation to the Board. She attended the North Valleys Citizen Advisory Board (CAB) meeting on January 9, 2006. She announced "Coffee with your Commissioner" would be held on the third Saturday of the month at the North Valleys Regional Sports Complex at 10:00 a.m. Commissioner Weber reported Bob Webb, Community Development Planning Manager, and a Code Enforcement Officer would be in attendance at the January 21, 2006 meeting. She commented on a group of people from the North Valleys who were working to get a regional community center in their area. She informed the public there would be a meeting on this topic at the Fellowship Community Church in Lemmon Valley on January 18, 2006 at 9:00 a.m.

Chairman Larkin commented on his attendance at a V&T Railway event, the ReTrac grand opening, and the retirement party for Karen Mullen, Regional Parks and Open Space Director. He talked about his tour of the Courthouse and a meeting with the Assistant Secretary for the Army, who was in the area to view the flood control project. Commissioner Larkin said there would be a Joint Fire Advisory Committee meeting at Station 11 on January 23, 2006.

Commissioner Humke noted he was aware of the revenue for the V&T project, and he stated they may approach the County, the Cities, and the RSCVA for funding. He pointed out it was a fine project that would broaden the base of the tourist industry. Commissioner Humke remarked he visited the Emergency Operations Center (EOC) on December 31, 2005. He said tours of the Mills Lane Justice Center occurred every Tuesday, and he was looking forward to taking a tour. He noted his attendance at the meeting with the Assistant Secretary to the Army.

Commissioner Weber asked Management staff to look at the role Commissioners could play during emergencies in the County. She talked about touring her area during the flood event and visiting with constituents and neighbors.

Commissioner Sferrazza announced he would be touring the Courthouse on January 18, 2006, and he invited others join him. He stated the Downtown Library would be celebrating their new seven-day a week schedule, the walk-up window, and other library services on January 21, 2006 at 11:30 a.m. He thanked the Commissioners and the Library Director for their support and work on this project.

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There being no further business to come before the Board, the meeting adjourned at 10:18 p.m.

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**ROBERT M. LARKIN**, Chairman  
Washoe County Commission

**ATTEST:**

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

*Minutes Prepared by  
Jan Frazzetta, Deputy County Clerk  
Lori Rowe, Deputy County Clerk*