

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MAY 16, 2006

PRESENT:

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

Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel

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

06-512 AGENDA

Katy Singlaub, County Manager, stated Items 8A, B, C, and D, adoption of the tentative and final budgets, were completed at the special meeting held May 15, 2006. She said Item 9H, 2007 State Emergency Response Commission Grant, was being pulled due to accounting issues for that grant.

In response to the call for public comment, Sam Dehne discussed the agenda, the Open Meeting Law, and Items 8A through D being pulled and said the Board should open those items for public comment.

Ms. Singlaub said it was customary to notice the public hearing for the budgets on the statutory date, which was the third Monday in May, and to allow for the possible continuance of those hearings to the next day. She said there was nothing improper in the way those hearings were held and noted the meeting was available on Sierra Nevada Community Access Television.

Commissioners Galloway and Weber believed comments could be taken on Items 8A through D as one item.

***2:12 p.m.** Commissioner Sferrazza arrived.

In accordance with the Open Meeting Law, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the agenda for the May 16, 2006 meeting be approved with the

following changes: **Delete** – Items 8A, B, C, and D, Tentative/Final budgets for Sierra Forest Fire Protection District, South Truckee Meadows General Improvement District, Truckee Meadows Fire Protection District, and Washoe County; and Item 9H, 2007 State Emergency Response Commission Grant. Board members noted that public comment would be taken on the deleted items.

INTRODUCTION OF NEW WASHOE COUNTY EMPLOYEES

Chairman Larkin invited approximately 26 new Washoe County employees to come forward and introduce themselves to the Board. The Board members welcomed the new employees.

06-513 PRESENTATION – EXCELLENCE IN PUBLIC SERVICE CERTIFICATES

Katy Singlaub, County Manager, said in January of 2006, Human Resources launched the Excellence in Public Service program, a series of certificate programs that recognizes the successful completion of essential employee development courses. She indicated there were three programs: Essentials of Personal Effectiveness provides individuals with a foundation for a successful career at Washoe County, Essentials of Support Staff addresses the unique role and contributions of support staff, and Essentials of Management Development offers all levels of management the knowledge and skills needed to create a healthy, productive work environment and to manage performance skillfully. Ms. Singlaub noted one of the Board's strategic priorities was to have the County focus on the development of its workforce. She said Carolyn Smith, Election Board Coordinator, Registrar of Voters, was the first to complete the Essentials of Personal Effectiveness Certificate Program.

Ms. Smith emphasized she started as a temporary employee and, because of the team in the Registrar's office, decided she wanted to stay on with the County. She encouraged other employees to go through this training and thanked the County for the opportunity.

Dan Burk, Registrar of Voters, said Ms. Smith has the job of recruiting over 1,000 people to work the polls this year. He was thankful to have her working for the office.

Ms. Singlaub thanked the Human Resources Department and the department heads, such as Mr. Burk, who encouraged their employees to excel.

In response to the call for public comment, Sam Dehne discussed the training and manual voting.

05-514 PUBLIC COMMENTS

Katy Singlaub, County Manager, read the following statement: “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 read a statement, which was placed on file with the Clerk.

Sam Dehne discussed his candidacy and his name not being listed on the primary ballot.

Gary Schmidt stated he was a candidate for County Commissioner in District 5. He discussed government and the election.

06-515 PUBLIC HEARINGS – TENTATIVE AND FINAL BUDGETS – FISCAL YEAR 2006/07

2:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 5, 2006 for possible continuation of the tentative and final budgets for fiscal year 2006/07 for Sierra Forest Fire Protection District, South Truckee Meadows General Improvement District, Truckee Meadows Fire Protection District, and Washoe County. Proof was made that due and legal Notice had been given. As previously noted by County Manager Katy Singlaub, the budgets were adopted on Monday, May 15, 2006.

Melanie Foster, Legal Counsel, advised the Board they did not have to re-open the hearing from yesterday, but could take public comment.

In response to the call for public comment, Sam Dehne discussed the budgets. He said this seemed to be such a non-item that the *Reno-Gazette Journal* did not report on it. He also discussed County employees.

06-516 MINUTES

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the minutes of the regular meeting of March 21, 2006 be approved.

**06-517 APRIL STATUS REPORT – TRUCKEE RIVER FLOOD
MANAGEMENT PROJECT**

Upon recommendation of Naomi Duerr, Truckee River Flood Management Project Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the April Status Report on the Truckee River Flood Management Project be accepted.

06-518 SEXUAL ASSAULT - MEDICAL CARE - PAYMENT

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Galloway, seconded by Commissioner Weber, 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 and follow-up medical or psychological treatment for 44 sexual assault victims in an amount totaling \$6,522 as set forth in a memorandum from Christina Conti, Program Coordinator, District Attorney's Office, dated April 28, 2006.

**06-519 INTRASTATE INTERLOCAL CONTRACT – UNIVERSITY OF
NEVADA SCHOOL OF MEDICINE - PSYCHIATRIC
CONSULTATION AND TREATMENT SERVICES – SOCIAL
SERVICES**

Upon recommendation of Michael Capello, Social Services Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the Intrastate Interlocal Agreement between Washoe County and the University of Nevada School of Medicine, concerning the provision of psychiatric consultation and treatment services to the Social Services Department and its clients from January 1, 2006 through December 31, 2007 in an amount not to exceed \$27,000, be ratified and approved and Chairman Larkin be authorized to execute the same. It was further ordered that the Chairman Larkin be authorized to execute a related Business Associate Agreement (Health Insurance Portability and Accountability Act, HIPAA) between Washoe County and the University School of Medicine.

**06-520 FINANCIAL REPORT – GOVERNMENTAL FUNDS – NINE
MONTHS ENDED MARCH 31, 2006 - COMPTROLLER**

Chairman Larkin remarked the Building and Safety Fund net assets were \$773,000 at the April 11, 2006 meeting and now were \$932,000 with the notation that it was unclear whether the net assets would be less than the statutorily allowed limit by the end of the fiscal year. Katy Singlaub, County Manager, explained assets were not \$932,000; but rather a fee reduction had reduced net assets by \$932,000 to date. She noted a plan was in place to appropriately expend funds within statute that was being monitored carefully to bring this into compliance based on estimating how many permits there would be.

Chairman Larkin asked what the penalty would be if funds were not reduced by year-end. John Sherman, Finance Director, stated it would create an audit finding; and a plan of correction would have to be submitted to the State.

Chairman Larkin inquired what procedures were being put into place for next year. Mr. Sherman said staff would continue to monitor this fund closely and lower the fee structure if necessary. He also described a committee, which included the development community, that was working on this issue. Ms. Singlaub stated this was an enterprise fund; and these funds exist to meet the needs of the Building and Safety Department and related services, so expenditures were also a component.

Chairman Larkin asked if the development community had overpaid. Ms. Singlaub said any overpayment had been returned to that community by way of fee reductions.

Commissioner Galloway asked for an opinion on the legality of refunding some fees since not everyone who had paid fees were developers and would not receive the benefit of reduced fees in the future. Mr. Sherman said that possibility would be researched.

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the Financial Report (unaudited) for Washoe County Governmental Funds for the nine months ended March 31, 2006 be accepted.

06-521 REAPPOINTMENT/APPOINTMENT – SOUTHEAST TRUCKEE MEADOWS CITIZEN ADVISORY BOARD

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Neil Upchurch be reappointed as a Hidden Valley Homeowners Association member to the Southeast Truckee Meadows Citizen Advisory Board (CAB) with a term beginning on July 1, 2006 and ending on June 30, 2008; and Peter B. Kaiser be appointed as an At-Large Alternate member to the Southeast Truckee Meadows CAB to fill an unexpired term beginning on May 16, 2006 and ending on June 30, 2007.

06-522 RESOLUTION – SALE OF PROPERTIES SUBJECT TO LIEN – TREASURER

This was the date set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on March 15, 22, 29 and April 5, 2006 to consider the sale of properties subject to the lien of a delinquent special assessment in the following special assessment districts (SAD's): WCAD 21, Cold Springs Sewer; WCAD 23, Arrowcreek Water; WCAD 26, Matterhorn Drive; WCAD 29, Mt. Rose Sewer Phase 1; and WCAD 35, Rhodes Road. Proof was made that due and legal Notice had been given.

Upon recommendation of Linda Jacobs, Deputy Treasurer, through Bill Berrum, Treasurer, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the following Resolution directing the County Treasurer to give notice of the sale of properties subject to the lien of a delinquent special assessment in the following special assessment districts (SAD's): WCAD 21, Cold Springs Sewer; WCAD 23, Arrowcreek Water; WCAD 26, Matterhorn Drive; WCAD 29, Mt. Rose Sewer Phase 1; and WCAD 35, Rhodes Road, be adopted and Chairman Larkin be authorized to execute the same and any other necessary documents:

It was noted the additional description of affected parcels contained in Exhibit A of the Resolution was placed on file with the Clerk.

RESOLUTION NO. 06-522

A RESOLUTION DIRECTING THE COUNTY TREASURER TO GIVE NOTICE OF THE SALE OF PROPERTIES SUBJECT TO THE LIEN OF A DELINQUENT ASSESSMENT; RATIFYING ALL ACTIONS PREVIOUSLY TAKEN; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the Board of Commissioners (the "Board") of the County of Washoe (the "County"), State of Nevada, pursuant to different ordinances heretofore duly passed and adopted, created County improvement districts as more particularly described at Exhibit A, which was placed on file with the Clerk, here to and incorporated herein (the "Districts"), and ordered the acquisition of improvements within said Districts, and determined to defray a portion of the entire cost and expense of such improvements by special assessments, according to benefits, against the benefited lots, tracts and parcels of land ("properties") in the respective Districts; and

WHEREAS, the Board has by their respective ordinances levied assessments against the properties; and

WHEREAS, the Board has directed and hereby reaffirm their direction to the County Treasurer to collect and enforce the assessments in the Districts in the manner provided by Nevada's Consolidated Local Improvements Law, NRS Chapter 271; and

WHEREAS, the assessment installments on certain properties in the Districts are delinquent, as identified in Exhibit A ("delinquent properties"), and remain delinquent after delivery by certified mail, return receipt requested, of a ten day delinquency notice to each delinquent property owner; and

WHEREAS, the Board desires that the County Treasurer proceed with a notice of the sale of the delinquent properties as provided in NRS 271.545 and sell the delinquent properties pursuant to NRS 271.540 to NRS 271.630.

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

1. The Board hereby exercises its option to cause the whole amount of the unpaid principal of the assessments on the delinquent properties to become due and payable as provided in NRS 271.410.

2. The Board hereby ratifies all action previously taken by the County Treasurer and directs the County Treasurer to give notice of the sale of the delinquent properties and to sell the delinquent properties pursuant to NRS 271.540 to NRS 271.630. **The sale shall take place at 1:00 p.m. on June 20, 2006, in the City Hall Council Chambers, 1 East First Street, Reno, Nevada**, which the Board hereby finds a convenient location within the County.

3. If some irregularity or circumstance arises before the sale of any delinquent property such that in the opinion of the Washoe County Treasurer the public interest would best be served by withdrawing such a delinquent property from sale, the Washoe County Treasurer is hereby expressly authorized to make such a withdrawal. The Treasurer shall report to the Board in writing concerning his decision to make such a withdrawal and shall state the reasons for the decision.

4. The County Treasurer shall give the notice as provided in NRS 271.545, by publication in the *Reno Gazette Journal*, a newspaper of general circulation in the County, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the day of sale. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Such service by publication shall be verified by the affidavit of the publisher and filed with the County Treasurer. The County Treasurer or his designee shall also give written notice of sale by mailing a copy of such notice, by first-class mail, postage prepaid, at least 20 days prior to the day of the sale, to the last known owner or owners of all properties subject to sale or other designated person at his or her last-known address or addresses; and to any person or governmental entity that appeared in the records of the County to have a lien or other interest in the delinquent property. Proof of such mailing shall be made by the affidavit of the County Treasurer or his designee and such proof shall be filed with the County Treasurer. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the County Treasurer until all special assessments and special assessment bonds issued (if such special assessment bonds have been or are hereafter issued) shall have been paid in full, both principal and interest, until any period of redemption has expired or property sold

for an assessment, or until any claim is barred by an appropriate statute of limitations, whichever occurs last.

5. The officers of the County are hereby authorized to take all action necessary to effectuate the provisions of this Resolution.

6. The resolution is effective on passage and approval.

06-523 AWARD OF BID - OUTSOURCING UTILITY BILLING - BID NO. 2529-06 - PURCHASING

This was the time to consider award of the bid for Outsourcing of the Washoe County Utility Billing for the Purchasing Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on March 15, 2006. Proof was made that due and legal Notice had been given.

Bids were received from the following vendors:

Matrix Imaging Solutions, Inc.
AB Data, LTD
Technical Programming Services, Inc.
Print Solutions
InfoSend, Inc.
Automated Computer Methods, Inc.
Standard Register

Chairman Larkin asked why the Board was reviewing a \$35,000 contract. Melanie Foster, Legal Counsel, said the total amount of the contract would exceed the \$50,000 limit with the two automatic renewal options.

Commissioner Sferrazza noted staff was contracting with someone outside of Nevada. He asked if there were any complaints regarding outside billing and the inability to reach someone.

Mike Sullens, Senior Buyer, said utility billing had been outsourced for about 10 years and noted this was a new vendor. He stated remittances were sent to the Treasurer's Office, and he was not aware of any problems. Mr. Sullens said if customers had a problem with their bill, they would call the local utility division. John Sherman, Finance Director, explained bill computations were done in-house; and the vendor only printed and mailed the bill.

Upon recommendation of Mr. Sullens, through John Balentine, Purchasing and Contracts Administrator, Steve Bradhurst, Water Resources Director, and Matt Beckstedt, IT Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that Bid No. 2529-06 for Outsourcing of the Washoe County Utility Billing for the Purchasing

Department be awarded to the lowest responsive bidder, Matrix Imaging Solutions, Inc., in the amount of \$35,000. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an 18 month agreement with Matrix Imaging Solutions, Inc, with the County retaining two one year renewal options.

06-524 AGREEMENT FOR SERVICES – STATE OF NEVADA – SENIOR SERVICES

In response to the call for public comment, Sam Dehne stated he was in favor of this item, but thought it was a small item to come before the Board.

Melanie Foster, Legal Counsel, explained Purchasing was not authorized to execute this type of agreement. She said it was an agreement with another governmental agency under Chapter 277, which required Board approval.

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried, it was ordered that the fiscal year 2006/07 agreement between Washoe County and the State of Nevada Division of Welfare and Support Services to reimburse the Senior Services Department for assisting seniors with completing Energy Assistance Program applications be approved and Chairman Larkin be authorized to execute the same.

06-525 DONATIONS – NEVADA HUMANE SOCIETY – 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 Weber, which motion duly carried, Chairman Larkin ordered that the property donations to Washoe County Regional Animal Services consisting of kennel materials, fixtures, and equipment with a combined value of \$339,600.43 contributed by the Nevada Humane Society be accepted with the gratitude of the Board.

06-526 60-MONTH LEASE – MERCY SPRINGS 152 PARTNERS, LLC – RENEWAL AND EXPANSION OF NORTH VALLEYS LIBRARY LEASE SPACE – 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 Weber, which motion duly carried, it was ordered that a sixty (60) month Lease Agreement between Washoe County and Mercy Springs 152 Partners, LLC, concerning providing a renewal and expansion of the North Valleys Library lease space for the period from July 1, 2006 to June 30, 2011 with an annual lease cost of \$153,408, be approved and Chairman Larkin be authorized to execute the same.

COMPATIBILITY AND ADJACENCY STANDARDS – WASHOE COUNTY DEVELOPMENT CODE – COMMUNITY DEVELOPMENT

Katy Singlaub, County Manager, noted this issue had been previously discussed and deferred from the meetings of August 23, 2005 and February 27, 2006.

Sharon Kvas, Planning Manager, said by Code the length and width of lots did not necessarily have to match in Horizon Hills. She said staff believed the best way to deal with adjacency was through the Area Plan Amendment process starting with the Citizen Advisory Boards because there was no one solution that would address all of the different planning areas and issues in Washoe County. Ms. Kvas remarked within the year staff would begin adding modifiers to the Development Code that would codify what was in the different area plans. She noted anything in the area plans that was more restrictive than the Development Code would become law.

In response to Commissioner Galloway, Melanie Foster, Legal Counsel, said the area plans could establish standards that were more restrictive than the Code. She said, under the Settlement Agreement, the Code provisions in place were the least restrictive standards that could be imposed.

In response to Commissioner Galloway, Commissioner Sferrazza said he was proposing the wording, “the minimum lot sizes of the immediately adjacent developed subdivision shall be maintained at the edge of the proposed subdivision”. He would delete the words “identified in the land use designation”. He said the land use designation could be very different than the actual lot sizes of a development.

Adrian Freund, Community Development Director, said that not all communities wanted a single standard for matching. He said the Development Code would be re-written to match the area plans as they were adopted.

Commissioner Galloway discussed adjacency and buffers clarifying that lot sizes would be matched only with physically adjacent existing lots. Mr. Freund said the importance of the depth requirement was that, regardless of lot size, the requirement ensured the actual structure of the house would be as far away from an existing house as possible. He noted this could have a negative effect of preventing some property owners from building out to their entitlement.

Chairman Larkin said this affected a very limited amount of land ownership. Ms. Kvas said this would be in effect wherever a vacant property abuts an existing development. She said if the area plans were more restrictive, they would override the Code.

In response to Chairman Larkin, Mr. Freund said where an amendment affected all areas, a meeting of the joint Citizen Advisory Boards would be called.

Commissioner Galloway noted this was really just a clean up of the language and said a person could apply for a variance.

In response to Chairman Larkin, Commissioner Sferrazza said the language to delete would be “identified in the land use designation”. Commissioner Sferrazza further stated the number one complaint in these land use cases is that someone is building something incompatible with the existing neighbors, and this could eliminate the friction between existing and new development.

Commissioner Humke said he would support this with the understanding that the more restrictive area plans would override the Development Code.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the following resolution initiating an amendment to Washoe County Development Code relating to Article 434, Regional Development Standards Within Cooperative Planning Areas and All of Washoe County, specifically with respect to parcel size matching in 110.434.25.1v, with the proposed amendment to delete the language “identified in the land use designation” and to define adjacency to mean physically adjacent be adopted and that Chairman Larkin be authorized to execute the same:

RESOLUTION INITIATING AN AMENDMENT TO THE WASHOE COUNTY DEVELOPMENT CODE, RELATING TO ARTICLE 434, REGIONAL DEVELOPMENT STANDARDS WITHIN COOPERATIVE PLANNING AREAS AND ALL OF WASHOE COUNTY

WHEREAS, concerns were expressed by Horizon Hills residents at the appeal hearing of an infill subdivision within the North Valleys; and

WHEREAS, the Board of County Commission conducted a workshop to review the adjacency standards in situations where a new subdivision is proposed adjacent to an existing subdivision; and

WHEREAS, the Board of County Commission provided direction to staff for consideration in the procedures required in the Development Code; and

WHEREAS, there is no one person, group or entity who might appropriately file a WASHOE COUNTY DEVELOPMENT CODE amendment application on this subject;

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Board of County Commissioners does hereby initiate amendments to Article 434, Regional Development Standards Within Cooperative Planning Areas and All of Washoe County, of the Washoe County Development Code without prejudice to the final disposition of the proposed amendment.

**ADOPTION OF COMMUNITY COALITION'S LIVING RIVER
PLAN – TRUCKEE RIVER MANAGEMENT PROJECT**

Naomi Duerr, Truckee River Flood Management Project Director, said the Living River Plan was endorsed and adopted by the Flood Project Coordinating Committee. She reviewed the history of past floods and projects that have been accomplished since the 1950's to alleviate flooding. Ms. Duerr noted this area was viewed as a hot spot for climate change, stating that a change of just a couple of degrees would cause even more frequent flooding than what the area had experienced in the past.

3:20 p.m. Chairman Larkin temporarily left the meeting.

Ms. Duerr said the Army Corps of Engineers (Corps) suggested implementing set back levees and floodwalls as Alternative One. She said Alternative Two had the concept of ringing the University of Nevada, Reno (UNR) main station farm with a levee and using the entire farm as a storage detention pond. Ms. Duerr stated the problem with each of these plans was that the community opposed them because they involved tall walls, were very unattractive, viewed the river as a nuisance rather than as an amenity, and would fill up all the open space with storage ponds. She said a third option was developed by the Community Coalition. Ms. Duerr explained the basic concept was to allow natural flooding, keep the levees low, use areas to allow the flood to expand, and to put in structural solutions only modestly. She noted, in order to implement this plan, the community got together and formed the Community Coalition. The Coalition held over 500 meetings and came up with a multi-objective project with flood protection at the center and acknowledging that economic vitality, river restoration, water quality, floodplain management are all tied together. Ms. Duerr said the Coalition's goal was to lower floodwaters with terracing, and to maximize river restoration.

3:25 p.m. Chairman Larkin returned.

Ms. Duerr then reviewed the various flooding problems that have historically occurred, such as the Virginia Street Bridge and the floodwalls in downtown Reno, all along the river and pointed out elements of the plan proposed to alleviate flooding by increasing capacity in the river and various storage areas. She said the proposed project would cause additional flooding downstream, but there are some mitigation features in the Rainbow Bend area to avoid this. Ms. Duerr also discussed restoration efforts for downstream.

Commissioner Galloway asked if the natural flooding areas with no levee would still be developable on one-for-one or if those were the properties that were being purchased. Ms. Duerr said staff was focusing on buying lands needed to construct something, such as where a berm would be needed. She said they were not buying lands in areas such as where Lennar was developing. Ms. Duerr noted that project had to mitigate flooding.

Commissioner Galloway discussed one-for-one and said a result was that streets became flood storage areas, which people should be warned about.

Commissioner Sferrazza mentioned the Centex homes area asking about their proposed elevated roadway that would protect those homes but then flood behind it. He asked if Centex would be paying for that elevated road or if they would pay for any downstream improvements that would have to be made as a result of water being detained behind that elevated roadway. Ms. Duerr said Centex had created one-for-one through their design and noted they could not design a plan that would flood others.

Paul Urban, Truckee River Management Project Manager, said the purpose of the detention pond was not just for the protection of that particular development; but it fit into the whole project to minimize the amount of water that gets into the UNR farms area in order to lower water levels in Hidden Valley and Rosewood Lakes, etc. He noted there was a dam in the Narrows area where water would be impounded higher than normal. Mr. Urban said the Centex development would build their houses high enough to deal with existing conditions, but the detention pond would raise the water levels. He said the extension of South Meadows Parkway would have to be built, and building it up a little higher would allow it to act as a levee that would then protect the Centex development from the flood project's additional water.

Ms. Duerr said the flooding that occurred where Centex was building was from the Steamboat Creek, and the developer would be making improvements to Steamboat Creek. She said Centex was reworking the drainage of their project to ensure the water stayed in the creek.

In response to Commissioner Humke, Ms. Duerr said federal funding to the Corps was back on track. Commissioner Humke mentioned the lost time in 2003 and asked if the County caused any of that delay. Mr. Urban said it did not.

In response to Commissioner Galloway, Ms. Duerr said as Sparks moved forward with the Mill Street extension, they would follow the one-for-one. She said she advised the City of Sparks that, in her opinion, they would need to build some type of elevated road; and the pilings and support system for that road would have to be out of the floodplain so it would not impede the flood.

In response to Chairman Larkin, Ms. Duerr said an official transmittal to the Corps would be delivered on Friday when the Corps arrives. She said more elaborate explanations of the project to better define each of the sub-projects were being worked on.

Commissioner Humke asked, with regard to the Mill Street extension, how the flood project staff worked with other entities on transportation issues, noting that transportation often collides with other projects. Ms. Duerr said they were not a formal regulatory body, nor do they have a commenting role on projects. She noted many people have forwarded their projects to ask how they would affect the flood project. She

said by adopting this plan, the Board was giving the plan much greater weight because it was declaring the County's intent to build the project. Ms. Duerr said it could gain more weight by being adopted by the other jurisdictions.

Commissioner Humke said if this was approved by the entities, those entities could not claim lack of knowledge of some of the aspects of the plan. Ms. Duerr did not know whether this should be a formal approval process, but said she would send the other entities a letter informing them of the formal adoption of the plan. She wanted further advice from planning staff, as well as the Cities' planning staffs, if there were other things that could be done to advocate or inform others of the plan.

In response to the call for public comment, Gary Schmidt said a plan for a variety of elevations in the University Farms area would give livestock greater opportunity to escape floodwaters. He also said the Flood Committee should spend more time looking at the consequences and/or the potential of economic opportunities in regard to flood control planning.

Upon recommendation of Ms. Duerr and Mr. Urban on motion by Commissioner Humke, seconded by Chairman Larkin, which motion duly carried, it was ordered that the action of the Flood Project Coordinating Committee to adopt the Community Coalition's Living River Plan as the Locally Preferred Plan be endorsed; that staff be directed to incorporate the description of the Living River Plan elements into a document to present to the Army Corps of Engineers as the Locally Preferred Plan with the recommendation that the Corps strongly consider incorporating these project elements into their NED (National Economic Development) Plan; and that the Corps provide full federal funding and participation in implementing the Flood Project.

06-529 APPOINTMENTS - ANIMAL CONTROL BOARD MEMBER--
ANIMAL SERVICES

Chairman Larkin asked if this was one individual appointment or for the entire Board. Katy Singlaub, County Manager, said they were selective appointments and asked for clarification of how many positions needed an appointment. Tom Gadd, Public Works Director, replied staff was asking the Board to appoint two members, one from District 3 and one from a humane organization.

Commissioner Sferrazza moved to appoint Linda Church representing District 3 and Elaine Carrick representing a humane organization. Commissioner Galloway seconded the motion.

Commissioner Humke suggested Phyllis Brock for the humane organization. Commissioner Galloway said he could personally attest to Elaine Carrick's qualifications and would not like to change the motion.

Commissioner Weber noted one applicant was from Spanish Springs and wondered if any one from that area had ever served on this Board. A discussion then ensued regarding continuing the appointment of the humane organization representative.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Elaine Carrick be appointed as the member representative of an organization for the prevention of cruelty to animals and Linda Church be appointed as the Member Representative from County Commission District 3 on the Washoe County Animal Control Board. It was noted that both appointments were for four-year terms.

**06-530 INTERLOCAL AGREEMENT – CITIES OF RENO/SPARKS/THE
REGIONAL TRANSPORTATION COMMISSION – FUEL TAX
REVENUE - SLURRY SEAL MAINTENANCE - PUBLIC WORKS**

Katy Singlaub, County Manager, said when the Board had a joint retreat with the Councils from the Cities of Reno and Sparks last October, one item for discussion was the potential pooling of some fuel tax revenues to assist the Cities in their road maintenance efforts. She said staff had been working on this for some time. Ms. Singlaub said what was before the Board was a consensus of staff from the Cities and County.

Chairman Larkin referenced a letter from the City of Sparks dated May 8, 2006 that indicated the Cities of Reno and Sparks would like the County Commission to consider a proposal to allocate the growth portion of the local Tier 2 Fuel Tax Distribution to a fund that would be used on a needs basis for roadways, preventative maintenance, and slurry seal throughout the Truckee Meadows, which would be allocated by the Regional Transportation Commission (RTC) on a quantitative, greatest needs first, method. He asked if the staff report and recommendation complied with that request. Tom Gadd, Public Works Director, said it did.

Chairman Larkin said Public Works was suggesting an Interlocal Agreement rather than an annual appropriation. Mr. Gadd explained staff felt an agreement that specified all the details would be better than just giving the money to the RTC. Chairman Larkin said use of the RTC as the facilitator enhanced the process. Mr. Gadd agreed.

Commissioner Galloway asked for the Chairman's opinion stating Washoe County would be losing control and would receive only a partial benefit for unincorporated areas from the slurry seal money. He noted the Cities of Sparks and Reno would not be giving up their indexed contribution. Mr. Gadd said that was not correct. He said all three entities would be placing their money into the pool. Commissioner Galloway apologized for his misunderstanding and expressed his pleasure that everyone would be contributing. He asked Chairman Larkin if he thought this would end the rankling before the Legislature. Chairman Larkin said he thought this would help to

significantly eliminate some of that issue and thanked the three entities for their cooperation in this project.

Ms. Singlaub reported she met with Shaun Carey, Sparks City Manager, who assured her they were pleased with this solution and outcome.

Commissioner Humke said based on the information presented today he could support this. He said there was another policy consideration, which was that this put RTC into the position of being more of a municipal government. He expressed concern with that stating RTC was an agency that sometimes failed to slow down and listen to the elected Commissioners.

Commissioner Galloway asked for clarification on a timeframe for renewal and suggested a three-year renewal. Mr. Gadd said it would be a renewable contract but no time frame had been negotiated. Chairman Larkin said an initial review at three years with a total contract life of five years with an option to renew for an additional two years should be considered.

Upon recommendation of Roger Van Alyne, Public Works Deputy Director, through Mr. Gadd, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Larkin ordered that staff be directed to negotiate an interlocal agreement with the Cities of Reno and Sparks and the RTC, that places Washoe County's index portion of the fuel tax revenue, approximately \$413,026, into the RTC's slurry seal maintenance program.

06-531 PRESENTATION – DRAFT STRATEGIC PLAN FOR SENIORS – SENIOR SERVICES

Kelly Marschall, Social Entrepreneurs, Inc., reviewed a PowerPoint presentation of the Draft Strategic Plan for Seniors Living in Washoe County. She stated the purpose of the plan was to devise a strategy to better meet the needs of a growing senior population. Ms. Marschall commented considerable research was done on demographics and emerging trends for seniors in Washoe County coupled with community outreach to engage seniors, their caregivers, and service providers for feedback.

In response to Chairman Larkin, Marietta Bobba, Senior Services Director, said this presentation would be offered to other entities.

Commissioner Galloway said it was a good plan, but it contained more items than government could provide. He said they should enlist additional help wherever possible.

Ms. Bobba said the survey did not reach a large enough sample size due to the initial timeframe involved and requested funds extend the survey to more people. She said staff would like the funds to reach 1,000 people.

Upon recommendation of Ms. Bobba, through John Berkich, Assistant County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the Draft Strategic Plan for Seniors Living in Washoe County, which would be updated as more data was collected and analyzed at an approximate cost of \$6,000, be accepted. It was further ordered that the Senior Services Department be authorized to implement the steps outlined in the plan along with other senior service agencies in the community.

06-532 LEGISLATIVE ISSUES – LEGISLATIVE AFFAIRS

Katy Singlaub, County Manager, said staff would like to bring some points to reaffirm the Board's position in light of the need to make a presentation to the full SCR 26 Subcommittee at the next meeting.

Chairman Larkin made a presentation based on the May 4, 2006 joint purveyor's meeting. He presented a reaffirmation diagram, a technical committee update, and the outline of the Interlocal Agreement adopted at the May 4th meeting, which was being transmitted to Senator Mark Amodei. He said staff of the SCR 26 Subcommittee sent out a letter dated April 26, 2006 that indicated the Subcommittee was interested in the acquisition and management of existing and future water resources in the Truckee Meadows in a conjunctive use context as well as technical services to include water planning, engineering, and service area designations. Chairman Larkin stated this was very distressing; and it was conveyed to Senator Amodei that local discussions were aimed at management, acquisition and conservation of future resources, not existing. The SCR 26 Subcommittee responded it was planning a work session on June 20, 2006 to consider any and all resources. He remarked the opportunity was offered for the four purveyors to come forward with any additional comments and/or statements. Chairman Larkin said there would be a full committee hearing on May 24, 2006. He asked Commissioner Humke, as liaison to the Legislature, to attend that meeting to present any and all comments to the full committee. Chairman Larkin commented it would be his advice to continue with what was agreed to at the last joint purveyors meeting based on discussions with the other entities.

Commissioner Galloway indicated all the entities voted on new and uncommitted water resources. He inquired if they could go further and say they did not want any body created that had the right to do a de facto taking of water people were already using. Commissioner Galloway said that would be a violation of the Fifth Amendment of the U.S. Constitution. He asked if a lobbyist would be needed. Ms. Singlaub said they already had a lobbyist.

Chairman Larkin said Commissioner Humke needed to be armed with what this Board wished to see happen. He noted Senator Bernice Mathews did not think the Washoe County purveyors had made much progress.

Commissioner Humke suggested citizens contact their Washoe County representatives, who served on this interim committee, to let them know this was a local

issue. He said it appeared that Legislators were moving dangerously close to getting into Executive Branch type functions.

06-533 REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS

Chairman Larkin attended the Mills B. Lane Justice Center grand opening and presented District Attorney Dick Gammick with an award.

Commissioner Galloway said the Tahoe Regional Planning Agency would be having a two-day meeting dealing with the Shore Zone Ordinance.

Commissioner Sferrazza attended the Western Regional National Association of Counties meeting in Sacramento.

Commissioner Humke attended the South Truckee Meadows General Improvement District (STMGID) Local Managing Board (LMB) meeting on May 15, 2006 and three sites were identified for Well No. 12. He asked Public Works to cooperate with this Board to sink another well. Commissioner Humke said there was also an issue with the approval of completing the current year budget for STMGID because they needed to redo the revenue side of their budget to account for additional expenses. He said it appeared the LMB had become insistent on controlling costs and Water Resources staff said they could only control costs so much.

COMMUNICATIONS AND REPORTS

The following communications and reports were received, duly noted, and ordered placed on file with the Clerk:

COMMUNICATIONS:

- 06-534** A. Revision of the District Board of Health Regulations Governing Solid Waste Management, District Health Department, The revision was approved March 23, 2006 by the Washoe County District Board of Health.

- 06-535** B. Notice of Intent to Annex Land into the City of Sparks dated April 12, 2006 to annex 4.22 acres of land, generally located east of Wingfield Springs Road, north of Wingfield Springs, southwest of Cimarron and east of Baldwin Way, Washoe County, into the City of Sparks, and a copy of Bill No. 2501 introducing the proposed Ordinance. The public hearing on Bill No. 2501 was scheduled for the Council meeting held on April 24, 2006. (Copy of Documents sent to Community Development on April 13, 2006.)

06-536 C. Nevada Department of Transportation - Letter to PAR Electrical Contractors, Inc. returning their bid bond for Contract No. 3244, Project No. NH-0031(070), Multiple Dynamic Message Signs along I-80 and I-580/US 395, Washoe County.

06-537 D. Nevada Department of Transportation - Letter to Granite Construction Company returning their bid bond for Contract No. 3306, Project Nos. SPF-028-1(014), SPF-028-1(019) and SPSR-0431(011), on SR 28, Tahoe Boulevard, from Ponderosa Ranch Road to the NV/CA State Line and on SR 431, Mount Rose Highway, from Tahoe Boulevard (SR28) to the Mount Rose Summit, Washoe County.

06-538 **REPORT – MONTHLY (MARCH 2006)**

A. County Clerk

06-539 **REPORTS – QUARTERLY (MARCH 2006)**

- A. County Clerk
- B. Office of the Constable Incline Village/Crystal Bay Township
- C. Justice’s Court – City of Sparks
- D. Justice’s Court – Incline Village/Crystal Bay Township

06-540 **REPORTS – QUARTERLY - (MARCH 2006)**

A. Gerlach General Improvement District – Economic Survey

REPORTS – BUDGET – 2006/07

06-541 A. City of Reno – Tentative

06-542 B. City of Reno – Redevelopment Agency – Tentative

06-543 C. Gerlach General Improvement District – Tentative

06-544 D. Palomino General Improvement District – Tentative

06-545 E. Reno-Sparks Convention and Visitors Authority – Tentative

06-546 F. Sun Valley General Improvement District – Tentative

06-547 G. Verdi Television District – Final

06-548 H. Washoe County School District – Tentative

06-549 I. Carson-Truckee Water Conservancy District – Tentative

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5:13 p.m. There being no further business to come before the Board, the meeting adjourned.

ROBERT M. LARKIN, Chairman
Washoe County Commission

ATTEST:

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

*Minutes Prepared by
Jill Shelton
Deputy County Clerk*