

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

TUESDAY

2:00 P.M.

JULY 25, 2006

PRESENT:

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

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

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

**06-824      AGENDA**

In response to the call for public comments, Garth Elliott requested being allowed public comment on Item 4, the appearance of Greg Martinelli, Waste Management (WM) General Manager, regarding their services. Sam Dehne discussed public comment on pulled agenda items and appearances, complained about only having two minutes to speak, and complained about the distant video shots of citizens at the podium.

**\*2:06 p.m.**      Commissioner Sferrazza arrived at the meeting.

Chairman Larkin indicated staff recommended pulling Item 12, but public comments would still be taken.

Commissioner Sferrazza moved that the agenda for the July 25, 2006 regular meeting be approved with the following: Item 12, a recommendation to approve the Village Center Park Design and Construction Agreement between Washoe County and Woodland Village North, LLC was being pulled and would be brought back on August 8, 2006. Commissioner Weber seconded the motion, which she requested be amended to accept public comments on Item 4. Commissioner Sferrazza said he had no problem with that amendment.

Commissioner Galloway felt allowing public comment on appearances was not good policy. He felt this should not be done without a vote.

Chairman Larkin indicated Commissioner Sferrazza had moved to amend his motion to allow public comments on Item 4. The motion failed due to lack of a second. Chairman Larkin stated there was a motion by Commissioner Sferrazza and seconded by Commissioner Weber to approve the agenda with the removal of Item 12.

Commissioner Weber moved to amend the motion to allow public comment on Item 4, an appearance by WM. She said the appearance had been a long time coming, and she felt the public would like an opportunity to comment. Commissioner Sferrazza seconded the motion.

Commissioner Galloway said the only way he could see this being an exception was if there was anyone in the audience that had previously submitted phone or written complaints to the County about WM services. He asked if they would hold up their hand and only Mr. Dehne did so. Commissioner Galloway indicated he could not vote in support of allowing public comments on Item 4.

On call for the question the amendment to the motion passed on a 3-2 vote with Chairman Larkin and Commissioner Galloway voting “no.”

In accordance with the Open Meeting Law, on motion by Commissioner Sferrazza, seconded by Commissioner Weber, Chairman Larkin ordered that the agenda for the July 25, 2006 regular meeting be approved with the following change: **Delete:** Item 12, recommendation to approve the Village Center Park Design and Construction Agreement between Washoe County and Woodland Village North, LLC.

**06-825            APPEARANCE – GREG MARTINELLI, WASTE MANAGEMENT, INC.**

Greg Martinelli, Waste Management (WM), Inc. General Manager, said the transfer facilities pricing model was changed to minimum pricing, which created a bit of an uproar. He stated, in working with Commissioner Weber, an oversight was found in the creation of the full and mini loads. He said consideration was not given to people with a full size pickup that only contained a few items, which should be considered a partial load. He indicated a partial load fee was added to the minimum load pricing at the transfer stations effective May 1st, and he believed that satisfied the issues Commissioner Weber was hearing from her constituents.

Mr. Martinelli discussed WM operations. He said WM staff had worked with the County to get out a “did you know” message to the Citizen Advisory Boards. He addressed the rerouting project’s success and indicated the project had become necessary because of the expansion of the area serviced. He said the technical issues with the call center had been solved during its relocation and the 4,300 calls received last week were answered at an average speed of 11 seconds per call. He stated there was no rate increase because of a pricing mechanism in the contract. He said WM was ineligible for the cost of living increase because it had exceeded its rate of return.

Commissioner Weber thanked Mr. Martinelli for appearing today and asked if he had brought any of the “did you know” information sheets for people in the audience. Mr. Martinelli said he had one that copies could be made from. A copy of the information sheet was placed on file with the Clerk.

Mike Genera, WM Community and Municipal Relations, indicated the information was also available on the County’s web site. He discussed some of the tips and that free dumping was available quarterly only at the Lockwood landfill. He stressed WM operated 24 hours a day, seven days a week.

Commissioner Weber thanked WM for going back and looking at the partial load issue. She said it was important because people had indicated they would dump a mattress on Bureau of Land Management (BLM) land instead of paying the fee.

Commissioner Sferrazza discussed the period last winter when there were no pickups, and his concern the contract did not provide for the duty of pick up. He asked for clarification on which Saturday was the free quarterly dump day. Mr. Martinelli stated the terms of the contract with the County allowed residents to dump at the Lockwood landfill certain bulkier items free of charge and anything they wanted during the week in April that corresponded to Earth Day. He indicated free dumping was also available on the first weekend of each quarter on Saturday and Sunday. He stated Mr. Genera followed up on customer complaints.

In response to Commissioner Galloway, Mr. Martinelli said there was a provision in the contract that required WM to supply containers. He indicated it was a 96-gallon cart with a lid that was available for a \$2.25 per month fee.

Commissioner Galloway said people liked using the transfer station especially with gas prices being what they were, and he understood the minimum fee for three cubic yards was either \$16 or \$18 even if it was clean wood and construction debris. He commented the fee was almost double what it used to be. He said he was concerned the first of the quarter system was only at Lockwood. He asked if people could get a break at the transfer station if they only had yard cleanup.

Mr. Martinelli replied minimum pricing was established because pricing used to be done by guessing. He said the yardage pricing had gone from \$5.35 to \$5.75 per yard at the Stead transfer station. He said what happened was pure economics because the outbound tonnage was not matching the inbound.

Commissioner Galloway commented on the variance in prices around the area and asked if anything could be done to make prices a little better for non-putrefying waste or at least have a day at the transfer station.

Chairman Larkin commented on the winter practice of WM establishing an informal transfer station on BLM land in the Warm Springs area. He asked if there was some way to come up with a more usable space and to formalize it in some manner.

Mr. Martinelli said the contract with the County required that sometime during its term a transfer station would be built in the Spanish Springs area. Chairman Larkin stated he was talking about the Warm Springs area. Mr. Martinelli said Spanish Springs was used in the generic sense and it meant the north part of the County. He stated land was being looked for to site a facility.

Chairman Larkin asked if there should be a more formalized agreement with the BLM so a structure could be put up that would at least harden it to contain debris and if there was anything the County could do to make sure the problem was not repeated this winter. Mr. Martinelli replied doing that would create a transfer station, and WM would have to comply with whatever Health Department regulations there were. He said the containers were only used in emergency situations.

In response to Commissioner Humke, Mr. Martinelli said WM did not care if someone had too many bags for pick up and put some of those bags with a neighbor's trash. He said generally the guys would pick up eight or nine bags; but, if the bags were heavy, they might not. He discussed the level of service in the cities of Reno and Sparks and that the contract expired in 2019 or 2020.

In response to the call for public comments, Sam Dehne stated every item on the agenda should be subject to a vote. Chairman Larkin said comments should be restricted to those on trash. Mr. Dehne commented on remarks made by Mr. Martinelli and that the franchise agreement was not always a negative thing.

Gary Schmidt stated the Sun Valley General Improvement District (SVGID) provided certificates for the transfer station six times a year. He discussed the Gerlach transfer station charging extra for metal, which still goes to the landfill. He felt there should be a separate dumpster for metal so it could be recycled and locally there should be more coordination in recycling metals.

Garth Elliott discussed the price increases since 2004 for the Nevada Museum of Art's dumpsters. He requested a fee structure for non-profits be worked out during the next contract negotiations.

Mr. Martinelli responded that the SVGID paid for the certificates, which were only good at the Stead facility. He discussed recycling of metals and reminded everyone that this Board established the rates. He thanked the Board for the opportunity to speak today.

Commissioner Weber thanked WM for participating in the various community cleanups.

In response to Commissioner Sferrazza, Mr. Martinelli said hazardous waste was not accepted, but wet paint could be solidified and then disposed of. He said curbside recycling was every other week on regular service days, which depended on the

part of town. He believed the October free dumping dates would be September 30th and October 1st.

**06-826            PUBLIC COMMENTS**

Katy Singlaub, County Manager, stated, “The Chairman and the Board of County Commissioners intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency, and mutual respect between citizens and their government. Our system of democracy respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threat of violence and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess, if needed, to remove any person who is disrupting the meeting. Notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.”

Carol Williams, Mike Motta, John Glatthar, Melanie Goodsell, Chris Haywood, and Dennis Goodsell, stated their opposition regarding cattle trespassing on private property in Palomino Valley. A copy of their comments were placed on file with the Clerk, along with an original petition containing 130 signatures.

**2:45 p.m.**      Commissioner Humke temporarily left the meeting during the above public comments.

Jim Sherck said he owned over 250 acres in Palomino Valley along with surface and underground water rights. He stated he supported the cattle because they helped control the weeds on his property, which lowered the fire danger. He said the cattle owner purchased property last year that contained water rights in the area.

Garth Elliott addressed the Board regarding his concern with graffiti on the freeway sound walls.

Guy Felton said the change in the public comment statement was not open for discussion during a public meeting, which violated the Open Meeting Law. He suggested a remedy. He asked for an apology regarding the loss of the Ballardini Ranch lawsuit and for the action taken against Al Hesson. A copy of his remarks was placed on file with the Clerk.

Katherine Snedigar addressed the Board regarding traffic tickets.

**3:05 p.m.**      Commissioner Humke returned to the meeting.

Sam Dehne suggested campaign billboards were graffiti and addressed his concern with who was counting the votes.

Susan Seidl provided a scenario about growing vegetables that she equated to that of cattle grazing in the Palomino Valley. She said the property rights of the Palomino Valley property owners were being infringed upon.

Juanita Cox addressed the Board regarding her concerns with upcoming lawsuits, cattle grazing on private property, and graffiti.

Gary Schmidt said the issue of cattle grazing would go away because of housing all of the California transplants moving into the area. He discussed grazing rights and what a property owner could do about the cattle.

**3:11 p.m.** Commissioner Sferrazza temporarily left the meeting.

Terry Tiernay discussed past negotiations with the Nevada Department of Agriculture that went nowhere regarding cattle grazing. He urged the Board to read the binder they were given in January that contained additional case law and unsworn statements about trespass and landscape destruction. He addressed the water rights associated with the property purchased by the owner of the cattle.

#### **COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS**

Chairman Larkin requested staff prepare a comprehensive report on cattle grazing within Warm Springs and Palomino Valley, including the policy implications for the entire County, any State ordinances that had been passed, all mediation attempts, and any other facts and figures that might be of interest to the Board. He requested that information be provided to the Commissioners for consideration of a future agenda item if it was the Board's purview to do so. He asked that the District Attorney's and the Sheriff's Offices be involved in that decision.

Commissioner Galloway requested the report also address whether or not the Board could unilaterally declare a livestock control area and what that would mean. He indicated he would like any cooperation required by other agencies spelled out. He said the public comment statement was evolving; but, if the statement was made at the request of the Chairman, it should be noted it was the statement of the Chairman and not of the Board. He stated he was not generally unhappy with the garbage franchise, especially service to homes, but he was glad of the discussion on improving the sites where people could take refuse.

**3:18 p.m.** Commissioner Sferrazza returned to the meeting.

Commissioner Sferrazza said he had stated his position on the Ballardini Ranch and did not see any reason to repeat it at every meeting. He felt it was premature to put the grazing issue on an agenda. He said the Commissioner representing the area was working on the issue, and he should be given the time to complete that work.

Commissioner Weber commented on the regional graffiti summit and on her belief that the Nevada Department of Transportation (NDOT) should have been a participant because the County had no authority over NDOT. She suggested people contact their legislators or NDOT regarding covering up graffiti on the freeways and people report graffiti as soon as possible.

Commissioner Humke requested an agenda item to remove the Reno Fire Department's fee for burn permits from the ordinance. He said the fee was counter productive because it contributed to combustible fuels building up on private property and promoted illegal dumping. He also requested a South Truckee Meadows General Improvement District (STMGID) agenda item on the Environmental Protection Agency (EPA) shut down of Well #9. He discussed complaints fielded by Dan Burk, Registrar of Voters, on why election materials were in both English and Spanish and Mr. Burk's response. Commissioner Humke also discussed the free legal seminar on "Representing Yourself in Family Court" being held in the Law Library on Thursday, July 27th, and the grading permits issued in his District along with the resulting air quality issues caused by blowing dust. He said there would be a Citizen Advisory Board (CAB) Chair meeting tomorrow evening, July 26, 2006. He asked the West Washoe Valley CAB move the meeting from the third Tuesday of the month to another night because of the conflict with the Commission meeting.

In response to Commissioner Galloway, Chairman Larkin said he would have the issue of the Reno Fire Department removing volunteer equipment from use brought before the upcoming Fire Advisory Board meeting. Chairman Larkin requested staff address in a memo whether or not the Truckee Meadows Fire Protection District still owned the equipment and stations, which would mean nothing should be disposed of without the Board's consent. He felt the Board should also have an option to fund repairs on any equipment it wished. He discussed the federal government requiring sound walls be built on freeways and the problems the sound walls created.

**06-827**            **MINUTES**

On motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the minutes of the regular meeting of June 13, 2006 be approved.

**06-828**            **CANCEL – REGULARLY SCHEDULED AUGUST 15, 2006 MEETING**

On motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the regularly scheduled meeting of August 15, 2006, be cancelled pursuant to Washoe County Code 5.017(4), and the Clerk be directed to post notice of cancellation.

**06-829            SEXUAL ASSAULT MEDICAL CARE PAYMENT**

Pursuant to NRS 217.280 to 217.350, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that payments with funds from the District Attorney's account designated Sexual Assault Victims Expenses be authorized for initial emergency medical care for 38 sexual assault victims in the amount totaling \$6,739.11 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 July 25, 2006.

**06-830            PROFESSIONAL SERVICES AGREEMENTS – BRISTLECONE  
FAMILY RESOURCES/STEP 2 – FAMILY DRUG COURT –  
SECOND JUDICIAL DISTRICT COURT**

Chairman Larkin asked for an explanation on how this contract differed from the over \$500,000 contract issued last week. Katy Singlaub, County Manager, replied this contract was for the Family Drug Court and the previous contract was for the Adult Drug Court.

In response to Commissioner Weber, Joey Orduna, Family Court Administrator, indicated the same two contractors were chosen through the Request for Proposal process.

Upon recommendation of Shelia Leslie, Second Judicial District Court Specialty Courts Coordinator, through Ron Longtin, District Court Administrator, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the Professional Service Agreements between Washoe County, through the District Court, and Bristlecone Family Resources for a term of twelve months retroactive to July 1, 2006 in the amount of \$60,000, and Step 2 for a term of twelve months retroactive to July 1, 2006 in the amount of \$60,000 for Family Drug Court be approved. It was further ordered that the Chairman be authorized to execute the agreements for the same.

**06-831            ACCEPTANCE OF CASH DONATIONS – SENIOR SERVICES**

Upon recommendation of Marietta Bobba, Senior Services Director, through John Berkich, Assistant County Manager, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the following supplemental cash donations in the amount of \$220 for the fourth quarter of fiscal year 2005/06 be accepted with the gratitude of the Board:

<b>Donor (Purpose/Program)</b>	<b>Cash Value</b>
Anonymous Donations (Mental Health Program)	\$20.00
Anonymous Donations (Senior Law Project)	\$150.00
Cypress Court (Older American's Month Programming)	\$50.00
Total Cash Donations	\$220.00

It was further ordered that the Finance Department be directed to make the following budget adjustments:

<b>Account</b>	<b>Description</b>	<b>Amount of Increase</b>
<b>Revenues:</b>		
20074-484000	Mental Health Donations	\$20.00
20067-484000	Legal Donations	\$150.00
20281-484000	Older American's Month Donations	\$50.00
	Total	\$220.00
<b>Expenditures:</b>		
20074-710500	Mental Health Donations	\$20.00
20067-710500	Legal Donations	\$150.00
20281-710500	Older American's Month Donations	\$50.00
	Total	\$220.00

**06-832      APPOINTMENT – ALTERNATE REPRESENTATIVE – JOINT OPERATING COMMITTEE – WASHOE COUNTY REGIONAL COMMUNICATIONS SYSTEM – MANAGER**

On motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that Tom Gadd, Public Works Director, be appointed as the Washoe County alternate representative to the Joint Operating Committee (JOC) of the Washoe County Regional Communications System (WCRCS) to replace Michelle Poché.

**06-833      APPOINTMENT – NORTH VALLEYS CITIZEN ADVISORY BOARD – COMMUNITY DEVELOPMENT**

On motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that Jack Selin be appointed to the North Valleys Citizen Advisory Board as an At-Large member with a term beginning July 25, 2006 and ending June 30, 2008.

**06-834      APPOINTMENT – SUN VALLEY CITIZEN ADVISORY BOARD – COMMUNITY DEVELOPMENT**

In response to the call for public comment, Gary Schmidt believed the two suggested Sun Valley Citizen Advisory Board (CAB) members should be elected and not appointed by the Commissioners. He felt an election would force potential members to walk their neighborhoods and to communicate with their neighbors to obtain a better idea of the neighborhood's concerns and problems.

Commissioner Weber corrected Mr. Schmidt's comment that Jack Selin was suggested for appointment to the Sun Valley CAB. She said he was suggested for appointment to the North Valleys CAB.

Commissioner Sferrazza said he supported the appointment of Leo Horishny to the CAB. He said he had been informed that the people living in his District in Sun Valley were not eligible to be on the CAB. He understood his portion of Sun Valley was unincorporated, which was the requirement for membership.

On motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that Leo Horishny be appointed to the Sun Valley Citizen Advisory Board as an At-Large member with a term beginning July 25, 2006 and ending June 30, 2008.

**06-835**            **COOPERATIVE AGREEMENT – STATE OF NEVADA – PUBLIC SAFETY/BOARD OF REGENTS NEVADA SYSTEM OF HIGHER EDUCATION – JOINT CRIMINAL INTERDICTION – SHERIFF**

Upon recommendation of Marshall Emerson, Commander, through Dennis Balaam, Sheriff, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the Cooperative Agreement between Washoe County (Sheriff's Office), the State of Nevada through its Department of Public Safety (DPS) and the Board of Regents of the Nevada System of Higher Education (University Police Services), to establish efficient, cooperative law enforcement operations through joint criminal interdiction activities be approved. It was further ordered that Chairman Larkin be authorized to execute the same.

**06-836**            **PROFESSIONAL SERVICES AGREEMENT – PATRICK D. DOLAN – PERSONNEL/LABOR ISSUES – SHERIFF**

Upon recommendation of Michael Haley, Undersheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the Professional Services Agreement between Washoe County (Sheriff's Office) and Patrick D. Dolan in the amount of \$78,000 from July 1, 2006 through June 30, 2007, concerning personnel/labor issues as specified in the agreement, be approved. It was further ordered that Chairman Larkin be authorized to execute the same.

**06-837**            **COOPERATIVE AGREEMENT – CITY OF RENO – POLICE DEPARTMENT'S GRAFFITI TRUCK – JUVENILE SERVICES**

Upon recommendation of Elizabeth Florez, Program Manager, through Mike Pomi, Juvenile Services Director, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the Interlocal Agreement between Washoe County (Juvenile Services Department) and the City of Reno (Police Department), concerning use of the Police Department's graffiti truck in the community services programs to help remove graffiti in Washoe County, be approved. It was further ordered that Chairman Larkin be authorized to execute the same.

**06-838            ACCEPTANCE OF DONATION – JUVENILE SERVICES**

Upon recommendation of Jerry Lazzari, Juvenile Services McGee Center Program Manager, through Michael Pomi, Juvenile Services Director, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the donation of a Panasonic HD big screen television valued at \$1,599 from the Grand Lodge of Nevada, Independent Order of Odd Fellows, to the McGee Center be accepted with the gratitude of the Board.

**06-839            ACCEPTANCE OF CASH DONATIONS – JUVENILE SERVICES**

Upon recommendation of Jerry Lazzari, Juvenile Services McGee Center Program Manager, through Michael Pomi, Juvenile Services Director, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the cash donation from the United Way to the McGee Center in the amount of \$130 be accepted with the gratitude of the Board. It was further ordered that the Finance Department be directed to make the following budget adjustments:

<b>Cost Object/Account</b>	<b>Description</b>	<b>Amount of Increase</b>
20008-484000	McGee Center Donations	\$130.00
20008-710300	McGee Center Operating Supplies	\$130.00

**06-840            ADJUSTMENTS – 1996 SERVICE TERRITORY BOUNDARIES – 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 Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the adjustments to the 1996 service territory boundaries between Washoe County and Truckee Meadows Water Authority for two parcels located in the Lemmon Valley area, as illustrated on maps placed on file with the Clerk, be approved.

**06-841            SECOND AMENDMENT – SEWER INTERCEPTOR EXTENSION AGREEMENT – ST. JAMES’S VILLAGE, WORLD PROPERTIES, INC. – UPDATE PLEASANT VALLEY INTERCEPTOR PROJECT**

In response to Commissioner Humke, Steve Bradhurst, Water Resources Director, said the Simmons family had rejected the offer. He said it would probably be back before the Board in September.

Mr. Bradhurst referenced Attachment 5 as attached to the staff report dated June 30th. He stated staff had to operate under the conditions in the Special Use Permit for the alignment. He said discussions with the Simmons were about whether or not they wanted to pave the road because of the manholes. He indicated the letter provided the solution of not paving the road, thereby burying the manholes and keeping

the property as it was. He said a nearby marker would indicate the location of the manhole in case it ever had to be dug up.

Mr. Bradhurst asked Chairman Larkin about his concerns regarding policy issues. Chairman Larkin replied Commissioner Humke read the eight items into the record to request resolution on them, not to condition the issuance of the special use permit; and, before any final determination was made on those eight items, he would have expected them to be brought back to the Board. He queried what the 365-day extension was about. He asked if St. James's Village was going to step up to the plate and assist in this as they had indicated they would do last September. He said he had seen none of that in the last year. He stated the Simmons were frustrated, and he was getting frustrated.

Mr. Bradhurst explained the item before the Board was a status report. He said staff had met with the Simmons a number of times. He said, if they rejected the County's offer, the Board would come into play when staff came back before the Board for right-of-entry. He said it was staff's responsibility to acquire the easement, and the Board could do whatever it wanted in terms of mitigation; but it would have to involve the developer. He said there had been a lot of communication between staff, the Simmons, and St. James's Village to try and address the issues.

Chairman Larkin reiterated he was disappointed with St. James's Village because he did not want to see this go to condemnation. He said St James's Village had to come to the table in earnest.

Commissioner Galloway said a lot of people wanted the County to get this done. He said there was one party holding up an entire sewer, and he felt Chairman Larkin was unduly concerned with details. He explained that right-of-entry meant if everything could not be settled ahead of time, entry is obtained, the project is completed, and everything is settled later. He cautioned any further delay would jeopardize Regional Plan considerations. He said he would favor having the right-of-entry coming before the Board; and, if the County had been unfair to the Simmons, it could be settled later. He stated this development had to go forward to be fair to the developer and to the public who had agreed to approve the development. He said something very unacceptable could end up going in if this was delayed any longer. He discussed the initiative that would radically change the ability to get right-of-entry or to do any kind of condemnation for the most necessary public works projects. He said that bill would create terrible problems for the Regional Transportation Commission, the Nevada Department of Transportation, and the County if this project was not done before the bill passed.

Mr. Bradhurst explained 72 easements needed to be acquired from 25 property owners for Phases 1 and 2, which was a significant effort. He said staff's focus was to acquire the 72 easements. He indicated some property owners liked the alignment and wanted to be hooked up right away, while some wanted the alignment moved. He stated some property owners did not like the appraisals and were doing their own. He said the reason for the extension request was because the original timeframe was not realistic.

In response to Commissioner Humke, Mr. Bradhurst replied staff hoped that by October-November they would come before the Board to ask for the right-of-entry for a number of properties. He said two appraisers were working with property specialists to complete the appraisals.

Commissioner Galloway expressed he was glad the Simmons were not being singled out. He urged to Board to consider going after the right-of-entry if there were still properties at an impasse within 60-90 days so the project could get done. He said discussions on the fairness of the compensation could be continued.

Commissioner Sferrazza indicated he would not go forward with any condemnation because of his experience with the Ballardini Ranch. He felt he could not count on the Board following through.

Upon recommendation of Thomas Kelly, Senior Engineer, and Paul Orphan, Engineering Manager, through Mr. Bradhurst, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the Second Amendment to the Sewer Interceptor Extension Agreement between Washoe County and St. James's Village, World Properties, Inc., be approved and the Chairman be authorized to execute the same. It was further ordered that the status report for the Pleasant Valley Interceptor Project be accepted.

**06-842            BUDGET AMENDMENT – FY 2006/07 – EPIDEMIOLOGY SURVEILLANCE GRANT PROGRAM – HEALTH**

Upon recommendation of Patsy Buxton, District Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the following amendment to the District Health Department Fiscal Year 2006/07 Epidemiology Surveillance Grant Program budget funded by a Notice of Subgrant Award from the Nevada State Health Division be approved and the following account transactions be authorized:

<b>Account</b>	<b>Description</b>	<b>Amount of Increase/(Decrease)</b>
<b>2002-IN-10533-431100</b>	<b>Federal Revenue</b>	<b>(\$11,544.99)</b>
2002-IN-10533-701110	Base Salaries	(16,890.49)
2002-IN-10533-701412	Salary Adjustment	(232.50)
2002-IN-10533-705210	Retirement	(3,336.00)
2002-IN-10533-705230	Medicare	(244.00)
2002-IN-10533-710350	Office Supplies	270.00
2002-IN-10533-710355	Books/Subscriptions	900.00
2002-IN-10533-710500	Other Expense	500.00
2002-IN-10533-710509	Seminars & Meetings	800.00
2002-IN-10533-710512	Auto Expense	126.00
2002-IN-10533-710529	Dues	700.00

<b>Account</b>	<b>Description</b>	<b>Amount of Increase/(Decrease)</b>
2002-IN-10533-711210	Travel	4,832.00
2002-IN-10533-711504	Equipment < \$10,000	1,030.00
	<b>Total Expenditures</b>	<b>(11,544.99)</b>

**06-843            BUDGET AMENDMENT – FY 2006/07 – SEXUALLY TRANSMITTED DISEASE GRANT PROGRAM – HEALTH**

Upon recommendation of Patsy Buxton, District Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the following amendment to the District Health Department Fiscal Year 2006/07 Sexually Transmitted Disease Grant Program budget funded by a Notice of Subgrant Award from the Nevada State Health Division be approved and the following account transactions be authorized:

<b>Account</b>	<b>Description</b>	<b>Amount of Increase/(Decrease)</b>
<b>2002-IO-10014-431100</b>	<b>Federal Revenue</b>	<b>\$19,396</b>
2002-IO-10014-701110	Salaries	16,931
2002-IO-10014-705210	Retirement	3,344
2002-IO-10014-705230	Medicare	246
2002-IO-10014-710721	Outpatient	(\$1,125)
	<b>Total Expenditures</b>	<b>\$19,396</b>

**06-844            PURCHASE REQUISITION NO. 3000005730 – FY 2006/07 PHARMACEUTICAL PRODUCTS – HEALTH**

Upon recommendation of Patsy Buxton, District Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the fiscal year 2006/07 Purchase Requisition No. 3000005730 issued to Cardinal Health Contract No. MMS24001 in the approximate amount of \$89,950 for pharmaceutical products in support of medical clinic operations on behalf of the Community and Clinical Health Services Division of the District Health Department be approved.

**06-845            PURCHASE REQUISITION NO. 3000005732 – FY 2006/07 MEDICAL SUPPLY PRODUCTS – HEALTH**

Upon recommendation of Patsy Buxton, District Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the fiscal year 2006/07 Purchase Requisition No. 3000005732 issued to McKesson General Medical Corp Contract No. M-487(5) in the amount of \$68,700 for medical supply products in support of medical clinic operations on behalf of the Community and Clinical Health Services Division of the District Health Department be approved.

**06-846**

**PURCHASE REQUISITION NO. 3000005709 – FY 2006/07**  
**LABORATORY TESTING – HEALTH**

Upon recommendation of Patsy Buxton, District Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Weber, seconded by Chairman Larkin, which motion duly carried, it was ordered that the fiscal year 2006/07 Purchase Requisition No. 3000005709 issued to the Board of Regents, University of Nevada, Reno (UNR) School of Medicine, in the approximate amount of \$95,200 for laboratory testing in support of medical clinic operations on behalf of the Community and Clinical Health Services Division of the District Health Department be approved.

**06-847**

**COURT-RELATED SECURITY MEASURES – PUBLIC WORKS**

Tom Gadd, Public Works Director, conducted a PowerPoint presentation on court-related security measures, which was placed on file with the Clerk. He indicated 350 S. Center St. had to be considered during any discussion of Court security because many of the same clients see social workers or public defenders. He said the move of the Public Defender's Office to One California Street also had to be considered.

Mr. Gadd emphasized the employees' cardkey was an identification system as well as an access key that could restrict access to certain areas. He emphasized access to the database was extremely limited. He said the system had already been installed at Parr Boulevard and parts of the Courts' campus. He discussed the panic alarm system, which restricted access to the North Tower from the common lobby area, and other changes. Mr. Gadd detailed recent security changes for the various courts and social services and the additional facilities projects in progress.

Mr. Gadd said the Courts' Campus Security Operations Working Group that was formed after Judge Chuck Weller was shot had identified 33 issues that needed to be addressed. He indicated 13 of them had been addressed as part of the Naber report and the eight identified as high priority out of the remaining issues were being worked on first. He said the group consisted of all of the stakeholders that were affected by the courts and court-related facilities, and he discussed what was being worked on.

Mr. Gadd said court security was an ongoing process, and the security level corresponded with the age of the facility. He discussed the problems associated with some of the older facilities. He stated the stakeholders were committed to creating a safe environment in all of the court-related facilities.

In response to the call for public comments, Susan Seidl stated all of the money in the world could be thrown at court security without making judges safe. She said what was happening in the courtrooms was more of an issue than security because people were being pushed over the edge. Gary Schmidt felt a plan was needed to move the Courts to Ninth and Wells or Parr Boulevard as the public requested. He discussed why that was not done and why it should be. Juanita Cox commented on the

improvements in the screening process at 75 Court Street and the lack of visual directions on how to exit One South Sierra.

Commissioner Sferrazza agreed there was a real problem with judges' security outside the courthouse. He said better counseling should be provided to redirect any anger that could occur during the judicial process.

Commissioner Galloway agreed with the previous comments, but he felt there was an obligation to make the courts as safe as possible. He said he would like to see a plan addressing a maximum first response time for an incident in any portion of the buildings. He requested it be determined where people should be stationed so there would not be dead zones.

Mike Haley, Undersheriff, said Commissioner Galloway's point was well taken and there were plans in place for Memos of Understanding (MOU) between all of the people occupying the buildings that represented the downtown campus. He said one MOU would provide for daily operations and another would provide for a response to critical incidents. He stated the MOU would provide agreement that the Sheriff's Office would have command over incidents and that personnel of the different entities would fall under that command. He said there was a plan that indicated where everyone would go.

Richard Gammick, District Attorney, related the events that occurred on the day of the shooting. He felt the response to the shooting went down extremely well considering there was no definitive answer on where the shooter was located. He said even more emphasis had been put into evacuation and containment plans since then.

Chairman Larkin said Mr. Gadd had provided a good overview of the security measures the County was actively involved in regarding internal and external threats to the court system as well as to other buildings. He asked if there were any further authorizations the Commission would need to make to any of these buildings to reach some kind of satisfaction with citizens, employees, and other elected officials.

Mr. Gadd replied Board authorizations would be more fiscal in nature, and there were a number of initiatives already planned, many of which were funded; but only so many could be executed during a given time. Chairman Larkin asked if it could be anticipated that future budget proposals would contain larger dollar amounts for certain types of security. Mr. Gadd indicated he was not sure the amounts would be higher because a significant amount of money had already been spent. He said many items coming before the Board in the next month or so had been budgeted for last year, while the award of the contract would not occur until next year. He reiterated the stakeholders, through the Courts' Campus Security Operations Working Group, were working the operational pieces; and the bricks and mortar piece was also in progress. He said Senator Harry Reid had been given an estimate of over \$300,000 for things to be done in the courts here, and he had introduced legislation that would funnel money towards the courts.

Commissioner Humke commented he appreciated that the issues identified in the Naber Study and by the Courts' Campus Security Operations Working Group were being addressed and plans were in place to protect staff, witnesses, and the general public. He commented on Social Services and the Public Defenders needing protection, often from their own clients.

Amy Harvey, County Clerk, asked that staff be directed to discuss any changes with the Clerk's Office and the Law Library.

Mr. Gammick said the protection of judges and the courts and the integrity of the system were absolutely paramount. He said many other things have to be considered when security was discussed, such as the other people located downtown including the Clerk's, Sheriff's and the District Attorney's Offices.

Mr. Gammick indicated the District Attorney's Office had been working on trying to come to a compromise on some areas with respect to security for the last six months. He stated a proposed Order from the Courts was almost hammered out. He indicated the latest copy of that Order proposed that the lobby, along with its entrance and exit, be included in the Courts' definition of a court facility. He said Judges had commented they would remove the employee turnstiles and replace them with magnetometers if they took control of that area. He stated they also wanted no guns in the building. He said that was not the current practice, and the Order would interfere with the operation of the District Attorney's Office. Mr. Gammick said the Board had the authority to manage the County's property under NRS 244.270, which was the common area in the court buildings.

Mr. Gammick said NRS 244.265 authorized the Board to issue orders on the operation and control of County buildings. He said everyone was still talking, but he was asking the Board to authorize the Chairman to sign an order that would give the security responsibility and power to the Sheriff's Office for all of the common areas. He said the courtrooms, or any area that was the exclusive providence of the Courts, or the District Attorney's working areas were not included. He stated such an order would allow the Sheriff's Office to start making decisions in those areas pertaining to security and in responding to emergency situations. He stated it would be up to the Board to decide if it also applied to 350 S. Center and One California. He indicated, if the Board so authorized the Chair, a draft order would be prepared and presented to the Chair to sign on the Board's behalf.

Chairman Larkin asked if an order would in any way compromise the existing security measures put into, or about to be put into, place. Mr. Gammick replied he envisioned all of the issues staying with the working group to try to put them into action but giving the Sheriff's Office the authority to break any impasse and make decisions on which way things would be done. He believed it would actually help speed things along. He said this was the advice the attorneys on the civil side were providing, but he did not know how the Courts would react.

Commissioner Galloway said it bothered him that it was getting down to orders. He said the County was in the process of doing something, and he wondered if the Courts could give the County the chance to finish the job before issuing an order or before the County issued its own order. He asked if there was any chance the situation could be calmed. He stated the expert on security was the Sheriff.

Mr. Gammick said that request would have to be directed to the Courts, primarily Chief Judge Jerry Polaha. Commissioner Galloway asked that his comment be relayed to see if getting to this stage could be avoided.

Ms. Singlaub stated there was no implication that anyone had failed. She felt confident that was not the message the Judges were sending. She said the issue of the Court Order came up the same week as the incident in the courthouse. She stated there was a difference in philosophy between the Judges and the District Attorney's Office as to what surveillance might be conducted on employees and where that occurred. She indicated conversations were ongoing with the District and the Municipal Courts. Mr. Gammick said it also included the Family Court and the Sparks Justice Court. He reiterated the discussions had come a long way in the last six months and breaking the impasse was still being worked on. He said, if the impasse could not be broken, it would be headed towards the Supreme Court, which would involve a lot of time and effort.

Chairman Larkin said he understood the proposal enabled the Sheriff to exercise his elected duties to perform security on all portions of the County financed-managed buildings within the Courts' complex. Mr. Gammick said that was correct. He said the language was not clear in statute, and he was asking the Chair to sign an order that would give the Sheriff the responsibility and authority to enforce all security matters in the Courts' complex area, 350 S. Center, and One California if the Board wished to include all of the buildings Mr. Gadd mentioned. Chairman Larkin said the goal was the safety of everyone that entered the buildings. He said it appeared logical that had to be housed within the executive branch of an elected official.

Mr. Gammick emphasized an order would not include or usurp any authority that belonged to the Courts, the District Attorney, or other departments. He said it only included common areas, such as the entrances, exits, hallways, restrooms, and the general areas outside the buildings. He said an order would not interfere with any of the Sheriff's statutory duties such as those by the Sheriff to have bailiffs in the courtrooms.

Chairman Larkin recapped the situation and asked if Mr. Gammick, as the Board's attorney, was advising the Board to take action. Mr. Gammick replied it was a legal action based on all of the research conducted. He reiterated that under statute the Board had the authority to manage County property, but it was at the Board's discretion to do it or not.

Commissioner Sferrazza said he did not see an order on the agenda. He felt the Court should be involved in this discussion before the Board votes on it because it

was inappropriate to take action in a fight between the District Attorney and the Courts without hearing both sides.

Melanie Foster, Legal Counsel, requested that any motion be couched as direction to staff. She stated, if the Board wished to proceed with an order of this type, they should direct staff to prepare an order for their consideration. She asked if the Board's desire was to do something else, that should also be given as direction.

Commissioner Galloway said the Board could definitely direct staff to prepare an order, but having the Chairman execute it would be an action. He said he did not want to put it in jeopardy because there was no agenda item authorizing the Chairman to execute an order. He felt the extra time might lead to a resolution.

Ms. Foster said direction could be given today asking the Sheriff's Office to take control of the security in the common areas of County buildings. She said she could then prepare an agenda item to memorialize that direction in an order for the Board.

Undersheriff Haley commented he concurred with the actions being proposed. He said the Sheriff's Office was prepared to proceed with staffing for the egresses downtown. He said the additional complexes represented by Mr. Gadd and the District Attorney would require discussion regarding the Sheriff's ability to provide staff.

Mr. Gadd explained all of the facilities except for 75 Court Street and One South Sierra were under contract security and the Sparks Justice Court was contractual under Public Works. He stated Public Works would be glad to give that to the Sheriff's Office. He did not believe the Wadsworth Justice Court had anything, and the Constable handled the Incline Village Justice Court.

Commissioner Galloway felt both comments suggested that today's action should be focused on the downtown complex and staff could be directed to prepare an order for possible separate action later to memorialize this direction. He said the agenda item could also provide the ability to add to the first direction by adding additional buildings.

Mr. Gammick stated the Courts' Order usurped the Board's authority, which was the reason he brought it to the Board's attention. He said it did affect his operation, which was why he had a personal stake in it.

In response to Commissioner Galloway, Mr. Gammick stated the Courts' Order affected 75 Court Street and both towers of One South Sierra. Commissioner Galloway said he was supportive of a motion for the Sheriff to assert his authority in the downtown Courts' complex. Mr. Gammick stated one version of the Order would also affect the Sparks Justice Court. Commissioner Galloway stated maybe the Board should not restrict the direction. He said perhaps the Sheriff could begin to assert his authority; and, if he were staff limited, he would come back to the Board to correct that problem.

Commissioner Humke commented that some of the buildings had contract security rather than sworn peace officer security, which was a problem. He felt the Board was on very firm ground dealing with the constitutionally authorized elected Sheriff and the same for the District Attorney. He stated the concept was strained when dealing with contract security that does not have peace officer powers. He said the Board could request the judiciary forestall from executing an order. Commissioner Humke stated there was a very solid plan put in place by Mr. Gadd and the Courts' Campus Security Operations Working Group; and time was needed to ask the Sheriff to put the plan in place, which would be followed by a memorialized order by the Board of County Commissioners to comply with the Open Meeting Law.

Commissioner Sferrazza said his concern with this debate was who would be able to bring guns in the courthouse, and he would like to hear from the Judges before voting. Mr. Gammick said the issue was larger than just guns, and he was proposing this action so the Commission does not get into a squabble on sub-issues. He said a lot of sub-issues would come with the Courts' Order if they tried to take over the entry/exit in the lobby.

Chairman Larkin asked if this proposed action would in any way prohibit the lawful execution of a Judge's Order within his own chambers. Mr. Gammick said it would not.

Commissioner Sferrazza asked who would be allowed to take guns into the Courthouse under the Order. Mr. Gammick expected the Sheriff would follow the law. He said there were provisions in NRS 202.3673 that specifically delineated who was allowed to carry guns legally and who was not. He said it also delineated what would be done with other weapons.

In response to Ms. Singlaub, Mr. Gammick said Ms. Singlaub had just reminded him the gun issue had been resolved.

On motion by Commissioner Humke, seconded by Chairman Larkin, which motion duly carried with Commissioner Sferrazza voting "no," Chairman Larkin ordered that the Washoe County Sheriff and the Courts' Campus Security Operations Working Group be directed to carry out the functions as described by the District Attorney, Dick Gammick, this afternoon. It was further ordered that the District Attorney be directed to memorialize this item into a motion with a writing resulting in an Order by the Chair of the Board of County Commissioners at a subsequent meeting. It was noted the direction included working with all of the stakeholders, asking the judiciary to delay implementation of their Order, and the Sheriff exercising his full lawful authority over all County owned common areas in implementing the plan.

**5:30 p.m.** The Board took a brief recess.

**6:00 p.m.** The Board reconvened.

06-848

**RESOLUTION - GENERAL OBLIGATION (LIMITED TAX)  
SEWER BONDS - SPANISH SPRINGS - WATER RESOURCES**

**5:30 p.m.** This was the time set in a Notice of Public Hearing published in the *Reno Gazette Journal* on June 23, 2006 to conduct a public hearing on the intent of the Board of County Commissioners of Washoe County, Nevada, to issue General Obligation (Limited Tax) Sewer Bonds (additionally secured by pledged revenues) to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) sewer bonds, in one series or more, in the aggregate principal amount of not exceeding \$4,600,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of sewer projects, including, but not limited to, facilities pertaining to a County sewerage system, including drainage and flood control projects as provided in NRS 244A.0505.

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

Upon recommendation of Jerry McKnight, Finance and Customer Services Division Manager, through John Sherman, Finance Director, and Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**RESOLUTION NO. 06-848**

**A RESOLUTION AUTHORIZING THE COUNTY FINANCE DIRECTOR TO ARRANGE FOR THE SALE OF THE WASHOE COUNTY, NEVADA GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,600,000 FOR THE PURPOSE OF FINANCING SEWER PROJECTS IN SPANISH SPRINGS; 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 \$4,600,000 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 sewer projects for the County's sewer system, including facilities pertaining to the County sewerage system and drainage and flood control projects as provided in NRS 244A.0505 (the "Project"); and

**WHEREAS**, such Bonds will be additionally secured by a pledge of a portion of the revenue received by the County from the County's water and sanitary sewer system (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 Sewer Bond 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 \$4,600,000, 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 \$4,600,000), the terms of their repayment and security therefore, 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 applicable, placement of the Bonds with the State of Nevada Revolving Loan Fund, other appropriate State program or, 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)212 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.

**06-849            AMENDMENTS - PANDEMIC INFLUENZA GRANT PROGRAM - HEALTH**

Upon recommendation of Patsy Buxton, Health Analyst, through Eileen Coulombe, Administrative Health Services Officer, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the amendments to the Pandemic Influenza Grant Program (internal order # TBD) fiscal year 2006/07 budget in support of contractual wages, professional services, operating, registration and capital equipment, funded by a Notice of Subgrant Award from the Nevada State Health Division, totaling an increase of \$174,892 in both revenue and expenses, be approved. It was further ordered that the Finance Department be directed to make the following budget adjustments:

<b>ACCOUNT NUMBER</b>	<b>DESCRIPTION</b>	<b>AMOUNT OF INCREASE</b>
<b>2002-IO-TBD-431100</b>	<b>Federal Revenue</b>	<b>\$174,892</b>
2002-IO-TBD-701150	Contractual Wages	20,000
-710100	Professional Services	71,392
-710500	Other Expense	30,000
-710509	Seminars & Meetings	5,000
-710577	Uniforms & Special Clothing	2,500
-781004	Equipment > \$10,000	46,000
	<b>Total Expenditures</b>	<b>\$174,892</b>

**06-850            LEGISLATIVE ISSUES - LEGISLATIVE AFFAIRS**

John Slaughter, Management Services Director, updated the Board on the bill draft requests (BDR's) as listed in the staff memorandum dated July 24, 2006. Mr. Slaughter suggested forwarding No. 5, Public Works Bidding, and No. 6, Fee for Small

Estate Administration, to the Nevada Association of Counties (NACO). He said there were approximately 249 BDR's on the Legislative website that staff was reviewing, and he explained the schedule to be finalized for the BDR's.

Commissioner Humke asked if the Board should begin approving various BDR's or wait until the list was completed. Mr. Slaughter suggested waiting since other departments were discussing BDR's, and there may be a need to prioritize the list.

In response to the call for public comment, Gary Schmidt requested a BDR to change the property tax cap from three percent to two percent.

On motion by Commission Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that Nos. 5 and 6 from the BDR list be forwarded to NACO and NACO be requested to process and sponsor them as BDR's.

**06-851            PROFESSIONAL SERVICES CONTRACT - WORLEY PARSONS  
KOMEX INC. - CENTRAL TRUCKEE MEADOWS  
REMEDIAION DISTRICT PROGRAM - WATER RESOURCES**

Commissioner Galloway stated he would reluctantly support the motion because the amount of money necessary for professional services boggled him.

Katy Singlaub, County Manager, noted the amount was less than the 2003 contract.

Upon recommendation of Chris Benedict, Remediation District Program Manager, and Jeanne Ruefer, Water Resources Planning Division Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, it was ordered that the contract with Worley Parsons Komex, Inc., concerning professional services in support of the Central Truckee Meadows Remediation District Program in the amount of \$210,650, be approved and Chairman Larkin be authorized to execute the same.

**06-852            AWARD OF BID - HORIZON HILLS WATER STORAGE TANK  
NO. 2 - PWP-WA-2006-252 - WATER RESOURCES**

This was the time to consider award of the bid for constructing the Horizon Hills Water Storage Tank No. 2 for the Water Resources Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on June 21, 22, 28, 29, and July 5, 8, 2006. Proof was made that due and legal Notice had been given.

Katy Singlaub, County Manager, stated the Engineer's estimate on the project was \$1,420,275; and this provided a significant expansion for water resources in the Lemmon Valley Service area.

In response to Commissioner Galloway, Ms. Singlaub replied when projects came in significantly over budget, the Engineer's estimate may or may not be what was budgeted. She said, rather than reject all bids, the State Public Works Board attempts to negotiate with the lowest bidder to aim to have the project completed.

Paul Orphan, Engineering Manager, said the Engineer's estimate did not necessarily correlate to the appropriation or the budgeted amount.

Bids were received from the following vendors:

T.W. Construction Co., Inc.  
A & K Earth Movers, Inc.  
Rapid Construction, Inc.

Upon recommendation of Alan Jones, Licensed Engineer, and Mr. Orphan, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Weber, seconded by Commissioner Galloway, which motion duly carried, it was ordered that Bid No. PWP-WA-2006-252 for constructing the Horizon Hills Water Storage Tank No. 2 for the Water Resources Department be awarded to T.W. Construction Co., Inc. in the amount of \$1,466,358. It was further ordered that Chairman Larkin be authorized to execute the contract documents upon their receipt and the Engineering Manager be authorized to issue the Notice to Proceed.

**06-853            REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS**

Commissioner Galloway explained since he would be unable to attend the Tahoe Regional Planning Agency (TRPA) meeting on July 26, 2006, Richard Harris, Advisory Commission member, would represent the Board.

Commissioner Weber thanked Tom Gadd, Public Works Director, and the Public Works Department for conducting maintenance in Gerlach after residents had voiced concerns. She said early voting would begin on July 29th, and she was pleased to see all the available locations.

Commissioner Humke read an e-mail explaining the fee structure for Waste Management, which was placed on file with the Clerk. He said the Board of Health and the Reno-Sparks Convention and Visitors Authority (RSCVA) would meet on July 27th, and the Regional Transportation Commission (RTC) would meet on July 28th. He explained the RTC had directed their staff to carry out community education for the public and Citizen Advisory Board's (CAB) concerning a ballot question dealing with eminent domain.

Chairman Larkin announced the Regional Planning Governing Board (RPGB) would meet on July 27th, and the Joint Fire Advisory Board would meet on July 31st.

Commissioner Sferrazza indicated he would be unable to attend the Joint Fire Advisory Board or the Truckee Meadows Water Authority (TMWA) meeting and asked if another Commissioner could attend. He said there would be a Grants Committee meeting on August 2nd. Commissioner Sferrazza explained this committee made the recommendations for budgeted monies concerning grants in the County. He announced the Board was invited to the dedication of the Reno-Sparks Indian Colony Health Center groundbreaking. Commissioner Sferrazza noted he would be attending the National Association of Counties (NACo) and would not be in attendance for the August 8th Commission meeting.

\* \* \* \* \*

There being no further business to come before the Board, the meeting adjourned at 6:47 p.m.

---

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

**ATTEST:**

---

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

*Minutes Prepared by  
Jan Frazzetta and Stacy Gonzales  
Deputy County Clerks*