

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MAY 9, 2006

PRESENT:

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

Amy Harvey, County Clerk
John Berkich, Assistant County Manager
Melanie Foster, Legal Counsel

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

06-472 AGENDA

***2:15 p.m.** Commissioner Galloway arrived during the discussion of the agenda.

In response to the call for public comment, Sam Dehne objected to the meeting starting late and to taking agenda items out of sequence.

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the agenda for the April 11, 2006 meeting be approved with the following changes, **Delete:** Item 8B, Draft Strategic Plan for Seniors Living in Washoe County was deferred until the May 23, 2006 meeting; Item 13A, First Reading of an Ordinance approving initial Development Agreement Case No. DA06-001 for the Warm Springs Ranch (Tentative Subdivision Map Case No. TM04-005); and 13B, First Reading of an Ordinance approving initial Development Agreement Case No. DA06-002 for numerous tentative parcel maps previously approved by the Parcel Map Review Committee.

06-473 RECIPIENTS – 2006 WASHOE COUNTY EXCELLENCE IN TEAMWORK AWARD – MANAGEMENT SERVICES

John Berkich, Assistant County Manager, recognized the employees nominated for *Excellence in Teamwork* certificates and Steve Kutz and Harold Stone as recipients of the *2006 Washoe County Excellence in Teamwork Award*. The Board congratulated the nominees and Mr. Kutz and Mr. Stone on their awards.

**PROCLAMATION – MAY 2006 AS OLDER AMERICAN'S
MONTH – SENIOR SERVICES**

Chairman Larkin read and presented the proclamation to Marietta Bobba, Senior Services Director. Ms. Bobba thanked the Commissioners for their support of Senior Services and invited everyone to the May 25th Health Fair at the Senior Center.

In response to the call for public comment, Sam Dehne felt this was a great proclamation and addressed the value of seniors' contributions to the community.

On motion by Chairman Larkin, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following proclamation be adopted and the Chairman be authorized to execute the same:

PROCLAMATION

WHEREAS, Washoe County is home to approximately 49,164 Citizens 60 years or older who live, work, and volunteer in Washoe County; and,

WHEREAS, Older citizens have a wealth of wisdom and experience to offer and share with future generations; and,

WHEREAS, Older Americans have contributed greatly to all aspects of society and deserve to have their rights and privileges protected; and,

WHEREAS, We as individuals and as a community need to take careful reflection on our attitudes toward and treatment of those of us who are elderly; and,

WHEREAS, "Independence + Dignity + Choice = Healthy Aging" the National theme of Older Americans Month, is important for us as a community to help promote and live this theme; and,

WHEREAS, All citizens are urged to pay special tribute to the older population, their families, caregivers, and providers of aging services; and,

WHEREAS, Washoe County is developing a ten-year strategic plan for its senior citizens; and,

WHEREAS, This is the 41st year marking the passage by the United States Congress of the "Older Americans Act" which was created to improve the welfare of our seniors; now, therefore be it

PROCLAIMED, By the Washoe County Board of Commissioners that May 2006 is designated as Older Americans Month.

John Berkich, Assistant County Manager, stated the Open Meeting Law did not require a public body to tolerate comments that were willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational, or amounting to personal attacks. Ms. Singlaub noted Section 8.05 of the Nevada Open Meeting Law manual stated, "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 stated Sam Dehne would win his bid for Commissioner if the votes were honestly counted, but it was a sad fact that the County's computer voting system could not be trusted. He said Mr. Dehne would return clean open government to the County, which the County did not currently have, if he were elected. He said Mr. Dehne's campaign slogan should be "Dumke Humke." Chairman Larkin warned Mr. Felton that he should refrain from attacks on individual Commissioners.

Jeff Church discussed the authority of government bureaucrats to change or waive planning conditions in private without public notice or a public hearing. He felt he was facing this issue with a development of his, and he requested the Commission ask its legal counsel if this was proper. He felt it gave the appearance of impropriety for a government employee to override formal conditions made at an open meeting of the Board of County Commissioners or any other board.

Emilio Parga, The Solace Tree Executive Director, addressed the Board on the services provided to grieving children, teens, and families by The Solace Tree located in Reno, Nevada. He said they were looking for monetary support as well as space. He stated it was a great program that was doing something unique for the community.

Sam Dehne felt there was no way the Ballardini Ranch scheme was a settlement by any definition of the word "settlement." He discussed his offer of land just east of Hidden Valley for far less money than the Ballardini Ranch.

William Brainard favored the settlement because the County was facing upwards of \$24 million in damages in the Ballardini Ranch action, and the Board settled for half that amount. He said the County should never have entered into eminent domain, but the Board did the right thing with the settlement.

Gary Schmidt said the Board caused the problem with the Ballardini Ranch, cost the County \$13 million, and lost the property. He said this was the worst fiasco he had ever seen. He commented on Mr. Felton being chastised for using the term "Dumke Humke." Chairman Larkin said the warning also applied to Mr. Schmidt. Mr. Schmidt stated he coined the phrase "Dump-ke Humke," and he supported it against anyone campaigning for reelection. He said it was historic hyperbole in a campaign to dump the person from the ticket and not reelect them.

Later in the meeting during discussion of the consent agenda, Mr. Dehne objected to the consent agenda because some of the items had a gigantic fiscal impact.

COMMISSIONERS'/MANAGER'S ANNOUNCEMENTS

Chairman Larkin said he sat at the dais with Gerold Dermid Jr., Washoe County Health Educator, at the Adelante Awards on May 5th. He requested a Board presentation on Mr. Dermid's program on tobacco use.

Commissioner Humke requested the Manager examine Jeff Church's issue brought up during public comments. He had e-mail correspondence that would identify the specific issue, which he would forward to the Manager. He also requested a more formal presentation on the Solace Tree because he felt the work being done warranted getting the message out to the citizens about the organization and its services. He commented on the Methamphetamine summit he attended last week and the ties between Methamphetamine use and crime.

Commissioner Galloway reminded everyone about the Mills B. Lane Justice Center grand opening on Friday, May 12th from noon to 3 p.m. He said co-locating the District Attorney's Office and the Municipal Courts in the building provided a greater efficiency to the operation of the Courts. He said the Health Access Washoe County (HAWC) South Dental Clinic was opening on Monday, May 15th, from 3:00 to 6:00 p.m.

Commissioner Weber agreed that there should be a longer presentation on the important services provided by the Solace Tree.

Commissioner Sferrazza agreed with Commissioner Humke on the need to examine Mr. Church's concern. He had forwarded the e-mail he received to the Manager and to Blaine Cartlidge, Deputy District Attorney.

06-476 MINUTES

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the minutes of the regular meeting of March 14, 2006 be approved.

06-477 COMMISSION DISTRICT 3 FUND TRANSFER – WASHOE COUNTY CONNECTIONS NEWSLETTER MAILING COSTS – COMMUNITY RELATIONS

Upon recommendation of Kathy Carter, Community Relations Director, through Katy Singlaub, County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the fund transfer in the amount of \$4,929.26 from District 3 Commission Funds to

the Community Relations budget to reimburse postage expenses for Washoe County Connections District 3 newsletter be approved.

**06-478 RESOLUTION – GRANT TO RESTART INC. – HOMELESS
MANAGEMENT INFORMATION SYSTEM – GRANTS
ADMINISTRATOR**

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

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

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

WHEREAS, ReStart Inc. is a non-profit organization requesting funds to assist with expenses incurred improve the quality of life and provide a substantial benefit for homeless individuals in Washoe County through the operation of a community Homeless Management Information System; and,

WHEREAS, operation of a Homeless Management Information System is required to qualify for Continuum of Care funding which supports housing for the homeless in our community; and

WHEREAS, this year's Continuum of Care resulted in \$1,371,343 in federal grants to provide homeless individuals and families with housing and support services in our community; and

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

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

The Board hereby grants to Restart Inc., a private, nonprofit organization, a grant in the amount of \$12,942 (Community Support).

It was further authorized that the Finance Department make the necessary adjustments.

06-479

**AMENDMENT – COMMUNITY SUPPORT GRANT PROGRAM
CONTRACT – SAFE EMBRACE – GRANTS ADMINISTRATOR**

Upon recommendation of Gabrielle Enfield, Grants Administrator, through John Slaughter, Management Services Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that the amendment to the Community Support Grant Program Contract with Safe Embrace be approved and Chairman Larkin be authorized to execute the same. It was noted the amendment was necessary to meet federal grant guidelines for the portion of the grant that was coming from the City of Reno. It was further noted this grant was a Washoe County Human Services Consortium grant and included funds from the Washoe County General Fund and Emergency Shelter Grant (ESG) funds that were passed through the City of Reno.

06-480

**APPOINTMENT – ORGANIZATIONAL EFFECTIVENESS
COMMITTEE – MANAGEMENT SERVICES**

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Tim Ruffin and William Miller, Jr. be appointed to the Organizational Effectiveness Committee (OEC) as At-Large representatives with terms beginning May 9, 2006 and ending December 31, 2008.

06-481

**RESOLUTION – SPONSORSHIP 4TH OF JULY CELEBRATIONS
– RENO CELEBRATES AMERICA – STAR SPANGLED SPARKS
– MANAGEMENT SERVICES**

Upon recommendation of Julie Skow, Administrative Assistant II, through John Slaughter, Management Services Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that a request for sponsorship of the following 4th of July celebrations, Reno Celebrates America (at Rancho San Rafael Regional Park in the amount of \$20,000, Star Spangled Sparks (at the Sparks Marina) Sparks Chamber of Commerce in the amount of \$7,500 for the day's activities, and City of Sparks Parks and Recreation Department in the amount of \$15,000 for costs associated with the production of Star Spangled Sparks be approved. It was further ordered that Chairman Larkin be authorized to execute the contracts upon receipt for these grants and the following resolution necessary for this action be adopted:

RESOLUTION – Authorizing the Grant of Public Money for the 2006 4th of July Celebration in Washoe County.

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

WHEREAS, The Board of Commissioners of Washoe County has determined that a certain amount of money is available in Fiscal Year 2005/2006, to make a grant of money to Reno Celebrates America (at Rancho San Rafael Regional Park) - \$20,000; Star Spangled Sparks (at the Sparks Marina) - Sparks Chamber of Commerce - \$7,500 for day activities; and City of Sparks Parks and Recreation Department - \$15,000 for costs associated with production of Star Spangled Sparks, and that by providing this grant of money a substantial benefit will be provided to the inhabitants of Washoe County; now, therefore, be it

RESOLVED, By the Board of Commissioners of Washoe County that the Board hereby grants to Reno Celebrates America (at Rancho San Rafael Regional Park) - \$20,000; Star Spangled Sparks (at the Sparks Marina) - Sparks Chamber of Commerce - \$7,500 for day activities; and City of Sparks Parks and Recreation Department - \$15,000 for costs associated with production of Star Spangled Sparks, a grant for Fiscal Year 2005/2006 in the amount of \$42,500.

**06-482 RESOLUTION – AMENDMENT TRUCKEE MEADOWS
REGIONAL PLAN – SUN VALLEY AREA PLAN UPDATE –
COMMUNITY DEVELOPMENT**

Upon recommendation of Bill Whitney, Senior Planner, through Adrian Freund, Community Development Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

**RESOLUTION
INITIATING AN AMENDMENT TO THE TRUCKEE MEADOWS REGIONAL
PLAN THAT PROVIDES FOR CONFORMANCE FOR THE
SUN VALLEY AREA PLAN UPDATE**

WHEREAS, The Washoe County Planning Commission has found that the **SUN VALLEY AREA PLAN**, a part of the Washoe County Comprehensive Plan, and the most recent amendment, together with the applicable maps and descriptive matter, provide a long-term general plan for the development of Sun Valley;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Board of County Commissioners of Washoe County, Nevada, may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of **THE SUN VALLEY AREA PLAN** was held on December 13, 2005, by the Board of County Commissioners of Washoe County, Nevada, and at the conclusion of that hearing, the Board of County Commissioners endorsed the amendment to the **SUN VALLEY AREA PLAN**;

WHEREAS, The Board of County Commissioners of Washoe County supported portions of the amended **SUN VALLEY AREA PLAN** that may require amendments to the Truckee Meadows Regional Plan and the Truckee Meadows Regional Plan permits local jurisdictions, including Washoe County, to initiate and pursue Regional Plan amendments; and

WHEREAS, Pursuant to Section 278.0282, the amendment to the **SUN VALLEY AREA PLAN**, must be found to be in conformance with the Truckee Meadows Regional Plan, now, therefore, it is hereby

RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby initiate an amendment to the Truckee Meadows Regional Plan that will provide for the conformance of the amended **SUN VALLEY AREA PLAN**, a plan found by this Board to be of substantial benefit to the residents of Sun Valley, as well as to the region at large.

**06-483 REAPPOINTMENTS/APPOINTMENTS – COLD SPRINGS
CITIZEN ADVISORY BOARD**

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the reappointment of John Burnett and Cherie Pries as At-Large members to the Cold Springs Citizen Advisory Board (CAB) with terms beginning July 1, 2006 and ending June 30, 2008 be approved. It was further ordered that the appointment of Eric Arentz as an At-Large Alternate member to fill an unexpired term on the Cold Springs CAB with a term beginning on May 9, 2006 and ending on June 30, 2008 be approved.

**06-484 VILLAGE CENTER PARK – REVISED MASTER PLAN – COLD
SPRINGS – PARKS**

Upon recommendation of Bill Gardner, Park Planner, through Doug Doolittle, Regional Parks and Open Space Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the revised master plan for the Village Center Park in Cold Springs be approved.

**06-485 ACCEPTANCE OF PROPOSAL – COMMITTEE TO AID ABUSED
WOMEN (CAAW) – TEMPORARY PROTECTION ORDER
PROJECT – RFP NO. 2517-06 – PURCHASING**

This was the time to consider proposals received in response to Request for Proposal (RFP) No. 2517-06 for the Temporary Protection Order Project for the Purchasing Department. The Notice to Proposers for receipt of sealed proposals was published in the *Reno Gazette-Journal* on December 27, 2005. Proof was made that due and legal Notice had been given.

A proposal was received from the Committee to Aid Abused Women (CAAW).

Chairman Larkin disclosed his wife, Sylvia Larkin, sat on the CAAW Board of Directors but received no monetary benefit. Melanie Foster, Legal Counsel, said based on that fact this was not a situation where Chairman Larkin's pecuniary interest or that of his wife would rise to the level where it would require the Chairman to abstain from acting on this item.

Upon recommendation of Charlene Collins, Buyer, through John Balentine, Purchasing and Contracts Administrator, and Mike Capello, Social Services Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that RFP No. 2517-06 submitted by CAAW for the Temporary Protection Order Project, in the annual amount not to exceed \$70,080, be accepted. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement with CAAW for a one year period, commencing approximately July 1, 2006 through June 30, 2007, with two one-year renewal options at the discretion of the County.

06-486 MCM TECHNOLOGY REAL-TIME ASSET MANAGEMENT SOFTWARE UPGRADE – REGIONAL COMMUNICATIONS SYSTEM (WCRCS) – 800 MHZ RE-BANDING – PUBLIC WORKS

Upon recommendation of Craig Harrison, Telecommunications Manager, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the purchase of the MCM Technology Real-Time Asset Management Software upgrade for support of the Washoe County Regional Communications System (WCRCS) and the 800 MHz re-banding mandated by the Federal Communications Commission (FCC) be approved. It was noted sufficient funds in the amount of \$40,375 are available in Public Works (PW920465) for fiscal year 2005/06.

06-487 ACCEPTANCE OF DONATIONS – WASHOE COUNTY REGIONAL ANIMAL SERVICES

John Berkich, Assistant County Manager, explained personal information was included in the list of donations, which was why it was not included with the backup.

Upon recommendation of Jean Ely, General Services Division Director, through Tom Gadd, Public Works Director, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the monetary donations to Washoe County Regional Animal Services in the amount totaling \$6,923 and non-cash donations of items received from citizens throughout the area and the neighboring states of California and Oregon be accepted with the gratitude of the Board. It was further ordered that staff be directed to deposit the cash donations into the Animal Services Fund (500000-484000).

**RESOLUTION – SUPPORT REGIONAL COOPERATION –
COMBAT GRAFFITI VANDALISM – SHERIFF**

Commissioner Weber was concerned that the staff report did not have all of the comments from the recent graffiti summit, and she wanted to make sure all the comments were included. She felt there should be a meeting of all the elected officials from all of the bodies including the legislators.

In response to Chairman Larkin, Commissioner Weber said the City of Sparks had indicated at the graffiti summit that they wanted to participate in the graffiti hotline. John Berkich, Assistant County Manager, stated staff would look into whether the statement in the staff report was incorrect or not. Chairman Larkin said he was not convinced that this agenda item was ready for approval, but the resolution did include the City of Sparks. He said, if the resolution was all-inclusive, then he was okay with the item. Mr. Berkich said the resolution was intended to be inclusive of all the agencies, but staff would double-check that technicality for the Chairman.

Upon recommendation of James Lopey, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same:

RESOLUTION

WHEREAS, Graffiti vandalism is a significant problem nationwide and prevention of graffiti vandalism within the Truckee Meadows Community may hopefully be solved by consolidating strategy efforts between Washoe County and the Cities of Reno and Sparks; and

WHEREAS, Abating graffiti within a reasonable time frame with existing graffiti abatement trucks and personnel seven days a week from Reno, Sparks and Washoe County is desired; and

WHEREAS, Involving the community through Neighborhood Watch and other volunteer groups would assist in reporting graffiti vandalism, in addition to holding meetings to develop strategies to prevent vandalism in their respective neighborhoods; and

WHEREAS, Educating the community about existing graffiti laws and ordinances could assist in the control of graffiti, as would developing one graffiti hotline for citizens to call; and

WHEREAS, Working on a Reward Program by seeking funding sources would include new legislation being drafted; and

WHEREAS, Various agencies could work together to coordinate prosecution efforts with the District Attorney's Office, Juvenile Probation and the Courts, which would include restitution requirements to help fund graffiti abatement; and

WHEREAS, Consolidating Washoe County Sheriffs Office graffiti investigation and intelligence efforts with the Reno Police Department, and liaison efforts with Sparks Police Department, would greatly assist in controlling graffiti, as would the development of a data base of known "Taggers" for use in solving serial vandalism; and

WHEREAS, Continued development of partnerships with private sector paint shops and stores that sell spray paint and commonly used graffiti materials to control the sale of such articles would greatly assist in controlling graffiti; and

WHEREAS, Coordination with the Nevada Department of Transportation for area highway graffiti abatement would enhance our roadways; now, therefore, be it

RESOLVED, That the Washoe County Board of Commissioners hereby affirms its commitment to the eradication of graffiti and continued cooperation with the various entities in the Truckee Meadows area to achieve this goal.

06-489 **INTERSTATE AGREEMENTS FOR CROSS DESIGNATION OF
LAW ENFORCEMENT – PLACER COUNTY, PLUMAS COUNTY,
NEVADA COUNTY – SHERIFF**

Upon recommendation of James Lopey, Assistant Sheriff, through Dennis Balaam, Sheriff, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that the renewal of the Interstate Agreement for Cross Designation of Law Enforcement Officers between Washoe County, Nevada, and Nevada, Placer, and Plumas Counties, California be approved and Chairman Larkin be authorized to execute the same.

06-490 **CORRECTION OF FACTUAL ERRORS - ASSESSOR**

In response to Chairman Larkin, Van Yates, Appraiser III, explained a St. Mary's Health Care Corp. office building was still under construction and the amount of shell finish on one of the floors was overstated. He confirmed it was a factual error because the actual office finish was incorrectly measured.

Upon recommendation of Susan Goodlett, Principal Account Clerk, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors and the Order directing the Treasurer to correct the error be approved and Chairman Larkin be authorized to execute the same.

PROPERTY OWNER	PARCEL/ ID NO.	AMOUNT	ROLL
St. Mary's Health Care Corp.	007-251-31	[-\$10,357.47]	2005 Supplemental Improvements only
MVCC Sierra LLC	040-972-11	[-\$3,781.43]	2005 Secured
MVCC Sierra LLC	040-972-11	[-\$785.54]	2004 Secured Improvements only
MVCC Sierra LLC	040-972-11	[-\$2,700.37]	2004 Secured
MVCC Sierra LLC	040-972-11	[-\$2,368.74]	2003 Secured
Joseph L. & Pauline C. Pace, Trust	514-010-76	[\$2,404.68]	2005 Secured
Joseph L. & Pauline C. Pace, Trust	514-010-76	[\$2,356.65]	2004 Supplemental Improvements only
Alick & Susan Munro	236-090-05	[\$434.20]	2005 Supplemental Improvements only
Golden Palace Restaurant	2/212-284	[\$392.85]	2004 Unsecured
Golden Palace Restaurant	2/212-284	[\$385.81]	2003 Unsecured
Robert B. Rector	510-291-05	[\$745.92]	2005/06 Secured
Erin D. Polukoshko	161-234-08	[\$360.40]	2005 Secured
Leo & Patricia Lynn TR	200-292-10	[\$247.59]	2005 Supplemental Improvements only
Wesley W. Hall ETAL	040-692-13	[\$209.70]	2005 Secured
Darrin S. & Wendy Damonte	016-400-74	[\$202.27]	2004 Secured
Darrin S. & Wendy Damonte	016-400-74	[\$199.24]	2005 Secured
William C. & Anita Herrick ETAL	130-203-19	[\$180.11]	2003 Secured
William C. & Anita Herrick ETAL	130-203-19	[\$164.50]	2004 Secured
William C. & Anita Herrick ETAL	130-203-19	[\$122.42]	2005 Secured
Arthur B. Marr II	087-511-02	[\$158.56]	2004 Secured
Arthur B. Marr II	087-511-02	[\$150.64]	2003/04 Secured
Dan C. & Patricia A. Brochtrup Trust	018-101-10	[\$110.11]	2005 Secured
Timothy Rest	510-264-01	[\$92.36]	2005 Secured
Timothy Rest	510-264-01	[\$99.80]	2004 Secured
Jay Guthrie	007-063-08	[\$75.24]	2005/06 Secured
High Valley Development LLC	082-451-06	[\$41.45]	2005 Secured
High Valley Development LLC	082-451-07	[\$10.88]	2005 Secured
High Valley Development LLC	082-451-05	[\$0.00]	2005 Secured

**FISCAL YEAR 2007-2011 CAPITAL IMPROVEMENTS PLAN –
FUNDING 2006/07 PROJECTS – FINANCE**

Anna Heenan, Senior Fiscal Analyst, presented an overview of the Capital Improvements Program (CIP), a summary of the General Fund Pay-as-You-Go recommendations, the Infrastructure Preservation Capital Improvement Plan, major Multi Year Capital Projects, and the Board Strategic Priorities relationship to the CIP, which was placed on file with the Clerk.

Commissioner Galloway commented the monetary value of a project does not always reflect the project's total value. He said without better parking for the Courts downtown, the costs were being shifted to the general public because of the time spent looking for parking and getting into and out of the Courts. He asked if an affordable solution had been found to putting a temporary parking lot on the Pioneer site.

Tom Gadd, Public Works Director, said it would cost \$1.2 million to comply with all of the redevelopment requirements as of six or seven months ago. Commissioner Galloway said that was not a viable option for something that would later be torn up. He asked if a waiver on all of the landscaping and light requirements had been obtained. Mr. Gadd said a waiver had not been requested because of the cost of paving, and staff saw paving the lot as a temporary fix. Commissioner Galloway asked if the grading that would have to be done for the parking lot would also have to be done if the site were eventually used for Court buildings. He stated the cost might be justified if that would reduce the cost for that grading. Mr. Gadd said it might help. Commissioner Galloway requested Mr. Gadd look into that.

Mr. Gadd said spaces were being rented through the Sierra Street Parking Gallery and at One California with additional spaces available at 220 South Center. He said the spaces were still inadequate for jury and employee parking and did nothing for citizen parking. Commissioner Galloway asked if the possibility of a drive-through had been explored. Mr. Gadd replied it had not because it dealt with Court procedures. Commissioner Galloway felt the Municipal Courts would benefit from a drive-through, but he did not know if the Justice Courts would. He asked staff to ask the City of Reno if it would be interested in cost sharing a drive-through.

In response to Commissioner Weber, Ms. Heenan said the County was required to report all capital projects no matter what the funding was, which was why the Ballardini Ranch was listed as well as the Lemmon Valley Water Importation Project. She explained Attachment B separated projects by funding source, and Sage Hill Drainage, located in the south, was erosion control and drainage for Water Resources.

In response to Commissioner Sferrazza, Ms. Heenan replied that currently only \$100,000 was needed for the design of the Downtown Library project with another \$1.9 million needed for the next fiscal year. She pointed Commissioner Sferrazza to Attachment A, Line Item 17, for the information on the Downtown Library remodel.

In response to Chairman Larkin, Ms. Heenan explained the process of putting projects on the CIP list started in September with the department heads doing a needs assessment and then a County wide needs assessment was done. She discussed the review process and who was involved in that process. Chairman Larkin said it was a comprehensive process with the Commissioners being briefed several times a year. He stated this was the first time the Commissioners had looked at the full list for the upcoming budget year, but they were also looking at the next five years of CIP projects.

In response to Chairman Larkin, Ms. Heenan said the total amount for Year 1 was \$241 million, which was 25 percent of the total capital budget.

Commissioner Humke asked if there was any assistance from the City of Reno to help build the downtown-parking garage. Ms. Heenan said there was not at this point. Mr. Gadd said the Interlocal Agreement for the Mills B. Lane Justice Center required 58 parking spaces for the City of Reno. He stated the City of Reno would contribute the amount to pay for the 58 spaces if surface parking was built and would pay for the maintenance of the 58 spaces if the County built a parking garage. Commissioner Humke believed those spaces were for staff and judge parking and did nothing for the public. He asked if there was an agreement whereby the County would pay for the mitigation if the County caused an impact on parking downtown. Mr. Gadd replied there was no agreement. Commissioner Humke said he was concerned for citizens in his District that had to go downtown to pay a ticket or make a court appearance. Mr. Gadd discussed why putting down gravel on the Pioneer lot would not work. He said the County wanted to get the permanent parking structure built to accommodate staff and patrons of the Courts. Commissioner Humke commented he was glad to see the parking structure on the CIP list.

Commissioner Galloway only saw the amount being contributed this year regarding Pay-as-You-Go. Ms. Heenan replied Attachment A showed it was \$37 million over five years. Commissioner Galloway asked if some revenue was being figured in for the garage. Ms. Heenan said around \$200,000 a year would be freed up for employee and juror parking. Commissioner Galloway reiterated the concern was the public and asked if that was factored in.

John Sherman, Finance Director, said the CIP Committee felt this was a high priority project and some of the specifics the Board had discussed today could be put on the list for the project. Commissioner Galloway said at least two Commissioners wanted public parking based on a reasonable fee across from the Courts.

Commissioner Weber said using the Pioneer site for parking had been discussed at the retreat. She stated she had volunteered to be on the committee, but had not been apprised of anything happening. She felt this might have fallen through the cracks.

Chairman Larkin asked if the County was on track with the North Spanish Springs Stormwater Project. Jeanne Ruefer, Water Resources Planning Manager, said the

first reading of a revised ordinance later on the agenda adjusted the fees charged for the project. She said the second reading would be held on June 13th at the public hearing. She explained the Finance Director would allow the project to go out to bid once the amended fees were adopted. The project was scheduled for this fiscal year.

In response to Chairman Larkin, Mr. Gadd stated the \$4 million allocated for Pyramid Highway was a Regional Transportation Commission (RTC) project, which was shown on the County's list because it was the fuel tax piece.

In response to the call for public comment, Gary Schmidt stated the turmoil about downtown parking was because of poor government planning by this Commission, Public Works, and Finance. He stated the County should go ahead with the temporary parking on the Pioneer site because it was small in comparison to the money already wasted on the site. He felt the Mills B. Lane Justice Center could have been built with surplus parking on 9th Street, which also had nearby freeway access. He said he was glad the elections were being held this year because a common sense approach was needed towards capital improvements, which the people have and the elected officials chose to ignore.

Chairman Larkin said that Mr. Schmidt was stretching it.

Commissioner Humke requested staff look into moving the South Valley Parking Lot construction up from year three. Commissioner Sferrazza requested also moving up the Downtown Library remodel if funds became available sooner.

Commissioner Galloway commented, in spite of parking concerns, the Mills B. Lane Justice Center would improve the way the Courts function together. He stated the County needed to finish the job and construct the parking garage.

Upon recommendation of Ms. Heenan, through Mr. Sherman, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the Washoe County Fiscal Year 2007-2011 Capital Improvements Plan be adopted with consideration of the input from the Commissioners. It was further ordered that the funding for fiscal year 2006/07 projects with an estimated cost greater than \$100,000 be approved.

Commissioner Weber requested staff provide her information on the Sun Valley sidewalks because she did not see them on the CIP list.

**06-492 WATER RIGHTS APPLICATIONS PROTEST – DRY VALLEY –
INTERMOUNTAIN PIPELINE, LTD. – WATER RESOURCES**

Steve Bradhurst, Water Resources Director, stated this item was before the Board because of a letter dated April 4, 2006 from Bob Marshall, Intermountain Water Supply, Ltd., which alleged the County's protest of certain Dry Valley water applications were without merit and should be withdrawn. He said the amount requested was

compared to the perennial yield to see if it was more than the sustainable inflow and recharge in processing water applications. He said the County files a protest whenever that is the case, and he pointed out the staff report contained the basis for the County's protest. Mr. Bradhurst discussed how this fit into the Board's Mission Statement and Strategic Priorities. He said the protest allowed the County to have a seat at the table if the State Engineer had a hearing.

Commissioner Humke wondered if there could be something that would rise to the level of a policy because of increasing concerns about water usage, and he suggested finding a better way to deal with protests. He asked if the Regional Water Planning Commission (RWPC) would be the better venue for this issue at least for the first round.

Mr. Bradhurst replied any input, especially from the RWPC, was welcome. He explained the only issue was timing.

Chairman Larkin said it appeared this item was not ready for discussion based on policy and asked if there was another direction the Commission might want to take at this time.

Commissioner Weber felt Mr. Marshall should be granted an opportunity to speak.

Mr. Marshall said his letter requested the Commission direct staff to withdraw the protest. He stated he did not get the staff report until Thursday, May 4th and did not get to look at it until Saturday, which meant there was no time to respond especially since his hydrogeologists were unavailable. He requested his hydrogeologists be allowed to submit a report within the next few weeks to balance the staff report.

Mr. Marshall discussed the history of this project that started in 1993, which County staff had protested every step of the way. He said recent mapping had clearly defined the fault zones as a cross-dry valley, which was where the water was. He confirmed there was only one other water user in the entire basin that had 25 acre-feet. Mr. Marshall said the State Engineer would not reduce his permit under those circumstances because no one was hurt by these applications. He felt it made no sense for Washoe County to waste everyone's time doing this. He stated study after study indicated there was at least the amount of water in the basin that was permitted for. He rebutted staff's studies and commented on their refusal to look at any of the other studies or at the four test wells drilled that indicated there would be between 1,900 and 2,370 acre-feet available a year without any damage to the basin.

In response to Commissioner Galloway, Mr. Marshall said the project was limited to 2,000 acre-feet out of lower Dry Valley. He asserted the County had no standing because it had no water rights that would be adversely affected by the change applications. He said it would be known how much water could be produced before selling out all of the water permitted.

Commissioner Sferrazza was concerned because the County had applications in Dry Valley prior to Mr. Marshall that were abandoned because the County did not believe there was water available. Mr. Marshall stated the reason the State Engineer denied those applications was the County was not pursuing the Silver State project. He said there could not be pending applications without moving forward under water laws. Commissioner Sferrazza asked if Mr. Marshall was suggesting the County gave up valuable water rights in Dry Valley for nothing. Mr. Marshall said the County did the filings but the Silver State project just went away for whatever reason. He said this was long before he did any filings.

Commissioner Humke asked if Mr. Marshall would oppose his suggestion to send this to the RWPC. Mr. Marshall asked if RWPC would instruct staff to withdraw the protest. Commissioner Humke said the RWPC would recommend a position to this Board. He said Mr. Marshall would need to make a technical presentation to counter staff's position and that Board of experts would be a good place to send this because no one on this Board was a hydrologist. Mr. Marshall replied the Commission could do whatever it wanted because he had the permit and was confident the applications would be granted. He wished he had not written the letter, and he would just as soon it did not go there or any other place.

Chairman Larkin stated Commissioner Humke had raised a policy issue, because the current policy might not be adequate to handle situations he foresaw coming before this Board. He said he would be happy to send this issue to the RWPC for due consideration and recommendation from them.

In response to Commissioner Galloway, Mr. Marshall felt he should just go before the State Engineer and felt this was redundant government at its finest. Commissioner Galloway felt it should play out with the State Engineer.

Commissioner Sferrazza said he did not support mining the basin and there was a duty to protect the general public in Long Valley. He asked if this was referred someplace else, would the County still go ahead with the protest. Vahid Behmaram, Water Rights Manager, replied the protest was on file with the State Engineer along with Lassen County's protest. Commissioner Sferrazza asked if this aquifer would affect Long Valley or other areas. Mr. Behmaram confirmed there was one other appropriation for 25 acre-feet in the Nevada part of Dry Valley. He disagreed with the notion that there had to be some other permit holder in the basin to justify the County's protest. Mr. Behmaram said the 3,021 acre-feet represented the acre-feet requested by Mr. Marshall and the 25 acre-feet held by the other permit holder. He said the best estimate from the U.S. Geological Survey was there was between 700 and 1,000 acre-feet available. He stated the estimate was not 40 years old but based on the discharge study that was completed in 2003 and accepted by the RWPC. He said he was not aware of the other permit holder's position on this issue.

After discussion on prohibitions against long-term mining of groundwater basins, Commissioner Galloway clarified there were no other appeals at this time, but the problem was with down the road. He said people could be hurt if the water was sold to build houses and later could not be sustained. He said the public would be hurt because the County would have to tell them to leave their homes or would have to help them out with other water, which would take water away from other people. He said that was the risk. He felt the County should let the protest stand and let the State Engineer decide.

Chairman Larkin agreed the State Engineer should decide this case, but it proved the Board had a policy issue. He said staff should start looking at the process so it benefits everyone involved.

Commissioner Humke felt, after discussion, that these applications should not be sent to the RWPC because it would be changing the rules midstream. He said staff should be directed to come up with a procedure for sending these cases to the RWPC in the future.

Commissioner Galloway said this procedure should be worked out with the RWPC, and he discussed his suggested procedure.

Commissioner Weber felt it would be helpful to have Mr. Marshall have an opportunity to share with the Board his side of the story. Commissioner Galloway said Mr. Marshall had everything the County had in the staff report and, when the staff reported back on what happened, Mr. Marshall should be invited to comment at that time.

Jim McGill, Rancho Haven Property Owners Association President, detailed his concerns with Mr. Marshall's applications.

Upon recommendation of Mr. Behmaram, and Paul Orphan, Engineering Manager, through Mr. Bradhurst, on motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, it was ordered that the County's protest against the Intermountain Pipeline, Ltd. Water Applications 73428, 73429, and 73430 in Dry Valley stand. It was further ordered that staff be directed to report back to the Board on the outcome of the applications and to come back to the Board with a suggested process. It was noted this protest supported the efforts by the Department of Water Resources to comply with Section PSF.1.10 of the Washoe County Comprehensive Plan.

4:30 p.m. The Board convened as the Truckee Meadows Fire Protection District, Board of Fire Commissioners during which Commissioner Humke temporarily left the meeting.

4:48 p.m. The Board reconvened as the Board of County Commissioners with Commissioner Humke still absent.

06-493

**AWARD OF BID – STRUCTURAL FIRE ENGINE AND
ADDITIONAL EQUIPMENT PURCHASE – BID NO. 2532-06 –
GERLACH VOLUNTEER FIRE DEPARTMENT**

This was the time to consider award of the bid for Bid No. 2532-06 for the purchase of a structural fire engine for the Gerlach Volunteer Fire Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on March 20, 2006. Proof was made that due and legal Notice had been given.

Marty Scheuerman, Reno Fire Division Chief, commented there was a specific amount of money available because of the Block Grant, and he thanked Curtis Johnson, Reno Fire Battalion Chief and Pierce Manufacturing for coming up with a really good price.

Upon recommendation Paul Hefner, Fire Services Coordinator, and Chief Johnson, through John Slaughter, Management Services Director, on motion by Commissioner Sferrazza, seconded by Commissioner Weber, which motion duly carried with Commissioner Humke absent, Chairman Larkin ordered that Bid No. 2532-06 for the purchase of a structural fire engine and additional equipment for the Gerlach Volunteer Fire Department be awarded to Pierce Manufacturing in the total amount of \$235,000, utilizing the Community Development Block Grant and funds from the Washoe County Fire Suppression fund.

06-494

**AWARD OF BID – INCLINE VILLAGE FAIRWAY PHASE III –
COUNTRY CLUB WATER QUALITY IMPROVEMENT
PROJECT – PWP-WA-2006-133 – PUBLIC WORKS**

This was the time to consider award of the bid for Bid No. PWP-WA-2006-133 the Incline Village Fairway Phase III – Country Club Water Quality Improvement Project for the Public Works Department.

Bids were received from the following vendors:

Cruz Excavating, Inc.
Sierra Nevada Construction, Inc.

Commissioner Galloway noted that all funds were from the U.S. Forest Service and the Nevada Tahoe Bond Act.

Upon recommendation of Kimble Corbridge, Licensed Engineer, through Tom Gadd, Public Works Director, on motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Humke absent, it was ordered that the bid for Bid No. PWP-WA-2006-133 for project construction for the Incline Village Fairway Phase III – Country Club Water Quality Improvement Project for the Public Works Department be awarded to the lowest responsive, responsible bidder,

Cruz Excavating, Inc., in the amount of \$1,163,048.75. It was further ordered that Chairman Larkin be authorized to execute the contract upon presentation.

**06-495 APPOINTMENT – NON-VOTING MEMBER REPRESENTING
BOARD OF COUNTY COMMISSIONERS TO DEFERRED
COMPENSATION COMMITTEE – HUMAN RESOURCES**

Commissioner Sferrazza believed the last time there was no opposition to having a non-voting member.

Joanne Ray, Human Resources Director, stated she brought forward a resolution to allow the Board to take action should the Board wish to appoint a non-voting member to the Deferred Compensation Committee in March 2006. She said past actions had been not to appoint a Commissioner to the Deferred Compensation Committee. She stated the staff report provided the reasoning for that.

Commissioner Sferrazza explained his concern and said there were already conflicts on that Board.

Ms. Ray clarified the change in the resolution was to have a retired member on the Board, which was the desire of the largest unit in the County. She said the member that was serving in that capacity had a tremendous wealth of information that he brought forward to the Committee.

Commissioner Sferrazza said this fund was paying for that travel and for that wealth of knowledge. He said there were role changes that benefited those people as well, which was not pointed out when it was brought to this Commission.

Ms. Ray stated she wanted it perfectly clear for the record the Committee members were not benefiting.

Chairman Larkin asked Ms. Foster if the discussion was straying from the agenda item. Melanie Foster, Legal Counsel, replied the rationale behind the recommendations were relevant; however, a broader agenda item would be needed if the Board wanted to discuss the perfect makeup of the Committee. She said what was being discussed today was the appointment of a non-voting member to represent this Board.

Commissioner Sferrazza asked if the fund did pay for travel and education. Ms. Ray said the Deferred Compensation fund did not.

Chairman Larkin said he failed to see the nexus in respect to the appointment of a non-voting member. He said the non-voting member status was whether the Board was going to appoint one regardless of who pays for what. Ms. Foster agreed the discussion was broader than what was agendized today.

Commissioner Sferrazza said he wanted that information in order to vote. Chairman Larkin said he was seeking Counsel's advice based on the scope of the agenda item and the advice came back that the Board was tipping over the line with this line of questioning. He said he interrupted the discussion because it was becoming a debate. He asked if there was a desire to re-agenda this for further discussion.

Commissioner Galloway said he did not want to continue the item, and he was prepared to vote.

On motion by Commissioner Galloway, seconded by Commissioner Weber, which motion duly carried with Commissioner Humke absent and Commissioner Sferrazza voting "no," Chairman Larkin ordered that the Board did not want to appoint a non-voting member representing the Board of County Commissioners on the Deferred Compensation Committee.

Commissioner Sferrazza stated he voted against the motion because he believed there was no real oversight and there was a comfortable relationship between The Hartford and the existing Board. He was concerned that might be working to the detriment of the employees participating in the Deferred Compensation Plan.

5:05 p.m. The Board recessed.

5:45 p.m. The Board reconvened with all members present.

06-496 **SUSPEND RULE NO. 8 – BOARD RULES AND PROCEDURES -
MOTION TO RECONSIDER PEMBROKE APPEAL CASE**

Commissioner Humke read a statement regarding his position on the Pembroke project, which was placed on file with the Clerk. He requested the minutes of today's meeting show that, based on information received following the April 11, 2006 meeting, he would have voted against this project.

Chairman Larkin asked for public comment.

Gary Duhan, Pembroke Ventures, believed a motion for suspension of the rules or reconsideration would be inappropriate because the Board rendered a well-considered and well-supported decision on April 11, 2006. He stated the developer worked with staff to mitigate all of the impacts and to meet the findings. Mr. Duhan explained applicable law did not support reconsideration at this time. He commented the notice for this item was done inappropriately by stating it would be the suspension of Rule No. 8. Mr. Duhan remarked it should actually be an application of Rule No. 8 to suspend Rule No. 7 and requested a denial of the motion.

Wesley Carmean, neighborhood resident, discussed traffic issues and submitted a letter, which was placed on file with the Clerk. He said residents did not want this project in their neighborhood.

Stewart Moss, neighborhood resident, said the project was poorly designed based on his experience.

Neil Upchurch, neighborhood resident, stated no one was in favor of the project except the applicant. He expressed his concerns with flood mitigation and noted the Planning Commission denied this project.

Franco Crivelli, Flood Community Coalition member, stated the project parcel was in a critical flood zone. He said the applicant did not show how they would mitigate flooding, and approving the project would endanger the safety and welfare of the nearby residents.

Dave Jackson, neighborhood resident, submitted letters from two residents who had to leave, which were placed on file with the Clerk. He advised an injunction would be filed if this project were approved.

Jim Wodke, neighborhood resident, discussed his concerns with a drive through lane and traffic issues.

Terri Thomas, East Side Subdivision Number Two Homeowners Association, read a statement into the record, which was placed on file with the Clerk.

Gary Schmidt stated this was a flagrant abuse of the Board's discretion. He said the Board ignored the Planning Commission, Citizen Advisory Boards, and the public.

In response to Chairman Larkin, Melanie Foster, Legal Counsel, stated Rule No. 8 pertained to requests for reconsideration. She said the request either needed to be made during the same meeting, at the next meeting, or within 25 days of the action. Ms. Foster stated if the Board decided to suspend the rules, they would then decide whether to reconsider the issue or not.

Commissioner Galloway understood Mr. Duhan to say that when a special use permit was granted, there had to be a time limit for any reconsideration. Ms. Foster said when there was a request for reconsideration, there was usually a change in the conditions and/or new evidence presented.

Commissioner Galloway asked if the Board could discuss letters received containing new information. Ms. Foster replied that was not acceptable under the Open Meeting Law. Commissioner Galloway mentioned the alleged driveway violation and said staff indicated there was no violation of Code.

Adrian Freund, Community Development Director, explained Medium Density Suburban (MDS) allowed for a neighborhood commercial center when a special use permit was obtained.

Commissioner Galloway asked if flood mitigation would be required if a residence were built on the property in question. Mr. Freund said the dwelling would have to be elevated a sufficient distance above the flood elevation to meet County requirements.

In response to Commissioner Sferrazza, Mr. Duhan explained Rule No. 8 allowed for the suspension of other rules and Rule No. 7 contained the 25-day timeframe. Ms. Foster concurred.

Chairman Larkin asked if the item was properly noticed. Ms. Foster replied given that the applicant was present, they could not claim they were unaware or unprepared. Chairman Larkin clarified the Board was actually considering suspension of Rule No. 7.

Commissioner Sferrazza was concerned with the driveway provisions and asked Legal Counsel and Mr. Duhan for more information. Mr. Duhan did not want to waive his right to object to taking testimony in detail. He said based upon what he heard from the audience, the distance being discussed was between the right-in only access on McCarran and the intersection of Pembroke and McCarran, which was not applicable to a right-in only intersection. Mr. Duhan noted the Nevada Department of Transportation approval was a condition of the project; and the Regional Transportation Committee approved it, as did County staff.

In response to Commissioner Sferrazza, Mr. Jackson stated Sandra Monsalvé, Community Development Planner, indicated this was a City of Reno road, and he discussed the required measurements.

Commissioner Sferrazza asked Ms. Foster for clarification of the issue. Ms. Foster said she would need to research the issue before commenting.

Commissioner Galloway read his notes regarding the staff response to this issue, which were placed on file with the Clerk.

Commissioner Humke moved to suspend Rule No. 8 of the Rules and Procedures for the Board and requested a common-sense application of the rules to use Rule No. 8 to get to Rule No. 7 to request consideration at a future date of the approval of Appeal Case No AX06-002.

Commissioner Sferrazza said this was the wrong rule and felt there was a problem with noticing. He stated he would support a motion to defer the matter to be properly agendized and noticed, but not support a suspension of Rule No. 8.

The motion failed due to the lack of a second.

06-497

**ORDINANCE NO. 1297 - BILL NO. 1476 – ADOPTING WCC
SUPPLEMENT NO. 9**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on April 28, 2006 to consider the second reading and adoption of Bill No. 1476. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance.

In response to the call for public comment, Gary Schmidt commented he had a problem with a process where ordinances were accumulated over a period of time before updating the Code. Juanita Cox said she was confused over what was to be accomplished.

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

In response to Chairman Larkin, Melanie Foster, Legal Counsel, explained the ordinances were not part of the County Code in terms of numbering and being contained within the volumes until the Board formally acted to codify the Ordinances pursuant to Chapter 244.

Commissioner Galloway said this dated back to when the Board published everything in a book. He clarified when an ordinance was adopted, although not formally published, it became part of the Code. Ms. Foster stated an ordinance was not codified until it was enacted and noted information was available on the Internet through meeting backup material.

On motion by Commissioner Galloway, seconded by Chairman Larkin, which motion duly carried, Chairman Larkin ordered that Ordinance No. 1297, Bill No. 1476, entitled, "AN ORDINANCE ADOPTING SUPPLEMENT NUMBER 9 TO THE WASHOE COUNTY CODE AND ALL CLERICAL AND TECHNICAL CORRECTIONS MADE THEREIN," be approved, adopted and published in accordance with NRS 244.100.

06-498

**COMPREHENSIVE PLAN AMENDMENT CASE NO. CP05-013 –
NORTH VALLEYS AREA PLAN – COMMUNITY
DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* and mailed to affected property owners on April 28, 2006 to consider Comprehensive Plan Amendment Case No. CP05-013 (North Valleys Area Plan Update) to determine if the Washoe County Planning Commission recommendation for approval of Comprehensive Plan Amendment Case Number CP05-013 should be upheld or reversed, if the proposed update/amendment is an appropriate change to the North

Valleys Area Plan, and consistent with the goals, policies and standards of the elements of the Washoe County Comprehensive Plan; if any modifications, revisions, additions, or deletions are necessary in response to the proposed amendment to the North Valleys Area Plan. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against Comprehensive Plan Amendment Case No. CP05-013.

Eric Young, Planner, said the proposed draft was third in a series of area plan updates and was the continuation of the character planning initiative directed by the Board. He said staff believed this plan was the most responsive and well developed of the area plan updates. He discussed the process that led to the Plan and the Plan itself. He said there was extensive discussion by the Planning Commission on whether this met the Regional Plan for conformance and the potential need for a Regional Plan amendment. He felt there was a need to hold further discussions with the Regional Planning Agency.

In response to the call for public comment, Mary Harcinske stated a lot of work went into the Plan and hoped any future amendments would preserve its integrity. She said there was concern on how the Plan would be implemented.

Melissa Lindell, North Valleys Investment Group, applauded County staff for their hard work. She said there was a lot of compromise resulting in a great plan, which had been unanimously approved by the Planning Commission.

David Gaskill asked for further consideration, stating many questions, such as water and traffic issues, had not been answered.

Pat McAlinden, North Valleys Citizen Advisory Board (CAB), stated they had approved the plan. She thanked the Planning Commission staff for their response to the concerns of the citizens and CAB members. Ms. McAlinden noted there were still concerns regarding disposal of the Bureau of Land Management (BLM) land, clustering and transfer of density, the basin's sustainable yield, and new development as it pertained to water usage and infrastructure. She remarked the CAB members supported concurrency.

Liz Howe said she and others had worked on the Plan and were pleased that Mr. Young incorporated many of their ideas including a section for each of the communities.

Jeannie Fow said overall the Area Plan was a result of what the community requested. She hoped that the Cold Spring neighbors that fell under the current Area Plan would continue to be included until their plan was updated. Ms. Fow said goal 14 still stated that mining would be compatible, and several CAB members had stated that it was not.

Gary Schmidt remarked planning was a continual process and supported the resolution.

Skip Polak, Reno Stead Airport Manager, said they were pleased to be part of the process. He discussed emergency and community responses.

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

Commissioner Weber discussed the North Valleys rural lifestyle, said this was the culmination of many years of work, and thanked staff.

In response to Commissioner Sferrazza, Ms. McAlinden discussed the errors in the Area Plan proposal. She said at a recent Planning Commission meeting, Mr. Young mentioned that residents had asked landscaping to be allowed. Ms. McAlinden commented she was only aware of discussions requiring xeriscaping.

Commissioner Galloway asked if there was a list of errors with which Mr. Young agreed. Mr. Young said currently xeriscaping was required in subdivisions. He said the community requested developers offer at least two different xeriscape options, but landscaping would be allowed. Mr. Young explained there was a requirement in the Plan that within the next 18 months staff would come back to the Planning Commission with a report on its implementation. He said this would allow adjustments to be made accordingly.

Commissioner Galloway said there seemed to be some agreement on the separation rule. Mr. Young said the policy stated all dwellings adjacent to existing developments must match the adjacent building type. He advised a development was considered adjacent if a road or a minimum 30-foot landscape buffer did not separate it.

In response to Chairman Larkin, Mr. Young replied the Annexation Settlement Agreement stated the County could go up to five units per acre for single family detached in any area. He said currently there was no such thing as Medium Density Suburban-four units per acre, and this Area Plan would create it. He said it would then be placed in the Development Code Modifiers. He said this was consistent with the Annexation Settlement Agreement.

In response to Commissioner Sferrazza, Mike Harper, Planning Manager, said edge matching seemed to delve into limiting what a land use designation would permit. He said they could be stepping into contract zoning, and that was not permissible use under Nevada Revised Statutes.

Commissioner Sferrazza stated the current Code provided for a range. Mr. Harper said that was true in the City of Reno; however, the Master Plan and the Zoning Plan were exactly the same in Washoe County. Mr. Harper discussed the policy regarding ranges.

In response to Commissioner Sferrazza, Mr. Young said the Board could deny a tentative map application if it felt perimeter parcel matching was the only way to achieve the Plan's goals and the applicant had not provided for it.

Commissioner Galloway said there was legitimate concern about edge matching. He said if the Development Code were not strong enough regarding edge matching, the place to address that would be in the Development Code not an Area Plan. Mr. Young said the Area Plan was trying to establish the goals and the policies that were the County's policy. He stated after it was adopted, the next step of implementation would be to bring back a series of Development Code amendments.

Commissioner Sferrazza requested a written response to the issues addressed by Ms. McAlinden.

Based on the following findings, on motion by Commissioner Weber, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that Comprehensive Plan Amendment Case Number CP05-013 be approved. It was further ordered that Chairman Larkin be authorized to sign the resolution for the updated North Valleys Area Plan after a determination of conformance with the Regional Plan by the Truckee Meadows Regional Planning Agency:

FINDINGS:

1. The proposed amendment to the North Valleys Area Plan is in substantial compliance with the policies and action programs of the Comprehensive Plan.
2. The proposed amendment to the North Valleys Area Plan will provide for land uses compatible with existing and planned adjacent land uses, and will not adversely impact the public health, safety, or welfare.
3. The proposed amendment to the North Valleys Area Plan responds to changed conditions that have occurred since the Board of County Commissioners adopted the plan, and the requested amendment represents a more desirable utilization of land.
4. The proposed amendment to the North Valleys Area Plan will promote the desired pattern for orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
5. The proposed amendment to the North Valleys Area Plan does not exceed the three permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
6. That the Planning Commission has reviewed the required regional findings in Article 822 for conformance with the Regional Plan, including Section 822.25, findings for Regional Form and Pattern; Section 822.35, findings for Concurrency, Timing and

Phasing of Infrastructure; Section 822.40, findings for Public Service Levels and Fiscal Effect; and

7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
8. That the Washoe County Board of County Commissioners gave reasoned consideration to the information transmitted from the Washoe County Planning Commission and to the information received during the public hearing.

**06-499 SPECIAL USE PERMIT REVOCATION CASE NO. SW01-021 –
DESERT DAWGS PAINTBALL – COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing mailed to affected property owners on April 28, 2006 to consider the recommendation of the Washoe County Planning Commission to take action to revoke Special Use Permit Case Number SW01-021 (Desert Dawgs Paintball) for cause, specifically non-compliance with one or more conditions of approval, in accordance with Section 110.810.70(b)2 of the Washoe County Code; and, if revoked, give the applicant 30 days from the date of County Commissioners' action to remove all materials from the subject site, APN 089-030-08, or the County will proceed with Code Enforcement action pursuant to Article 910 of the Washoe County Development Code. The project is located on the north side of the unpaved extension of Deodar Way, approximately one-quarter mile east of Matterhorn Boulevard. The ±40-acre parcel is designated Medium Density Suburban (MDS) in the North Valleys Area Plan, and is situated in a portion of Section 14, T21N, R19E, MDM, Washoe County Nevada. The property is located in the North Valleys Citizen Advisory Board boundary and within Washoe County Commission District No. 5. Proof was made that due and legal Notice had been given to the applicant.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against the Special Use Permit Case No. SW01-021.

Roger Pelham, Planner, reviewed the history of the special use permit granted to Desert Dawgs Paintball. He stated the applicant had failed to respond to phone calls and written contact since January 2006. Mr. Pelham commented the applicant had been sent all of the staff reports and the public notice for hearing. He also noted that most of the materials had been removed from the property indicating Desert Dawgs Paintball was no longer operating. He stated the reason for going forward with the revocation was that the special use permit remained valid on the parcel so any other operator could purchase the right to operate under it. Mr. Pelham acknowledged the recommendation of the Planning Commission was to revoke the special use permit for non-compliance of one or more conditions of approval and the applicant be given 30 days from the date of action to remove all remaining materials from the site.

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

Commissioner Weber agreed it was time to revoke this permit.

Upon recommendation of Mr. Pelham, through Adrian Freund, Community Development Director, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the Special Use Permit Case Number SW01-021 for Desert Dawgs Paintball be revoked in accordance with Section 110.810.70(b)2 of the Washoe County Code, having made the finding that the applicant has not complied with one or more conditions of approval. It was further ordered that the applicant be given 30 days to remove all materials from the subject site or the County would proceed with Code Enforcement action pursuant to Article 910 of the Development Code.

06-500 ACCEPTANCE OF DEVELOPER-BUILT WATER, SEWER AND RECLAIMED FACILITIES – WATER RESOURCES

Upon recommendation of Jerry McKnight, Finance and Operations Manager, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the following developer-built water, sewer and reclaimed facilities dedicated to Washoe County be accepted:

	Water Facilities	DWR No.	Value
1.	Arrow Creek Unit 27	1000477	\$ 503,386
2.	Pebble Creek Unit 4	1000233	294,150
3.	Summit Sierra	1000135	629,975
4.	6478 Hidden Highland Water Main	1000708	20,630
5.	Valley Building Supply	1000573	1,270
6.	Pacific Cheese	1000409	6,860
7.	Lemmon Valley Shopping A	1000285	1,270
8.	Villagio South	1000414	58,623
9.	Villagio North	1000416	68,553
10.	Technology Way	1000584	56,085
11.	Curtis/Montreux	1000647	25,405
12.	Eagle Canyon #4 Phase 1	1000543	537,343
13.	Pyramid Building	1000674	1,270
14.	Damonte Parkway Office	66437034	134,645
15.	Jesse Hall Elementary	1000631	382,103
16.	Icon Court (Spanish Springs Business Center)	1000503	18,258
17.	Villagio South Bldg #3	1000759	1,554
WATER TOTAL			\$2,741,380

	Sewer Facilities	DWR No.	Value
1.	Fallen Leaf Condos	1000463	\$ 56,783
2.	Pebble Creek Unit #4	1000233	218,049
3.	Arrow Creek Unit #27	1000477	411,587
4.	Canyon Hills IV	1000640	84,633
5.	Canyon Hills III	1000581	121,383
6.	Spanish Springs Business Center III	1000465	188,152
7.	Bordertown	1000321	18,811
8.	West Calle De La Plata III	1000575	39,273
9.	3990 E Hidden Valley	1000760	1,110
10.	17870 W Aspen Circle	1000687	12,593
11.	Eagle Canyon #4 Phase 1	1000543	134,290
12.	Icon Court (Spanish Springs Business Center)	1000503	20,430
SEWER TOTAL			\$1,307,094

	Reclaimed Water Facilities	DWR No.	Value
1.	Summit Sierra	1000135	\$ 108,006
2.	Technology Way LLC	1000584	1,271
3.	Villagio South	1000414	1,271
4.	Pacific Cheese	1000409	1,271
5.	Summit Sierra	1000592	83,414
6.	Fallen Leaf Condos	1000458	1,271
7.	Spanish Springs Business Center III	1000465	152,739
8.	Arrow Creek Unit 27	1000477	3,812
RECLAIMED TOTAL			\$ 353,055
TOTAL VALUE			\$4,401,529

06-501 BILL NO. 1478 - PROVISION OF STORMWATER DRAINAGE AND FLOOD CONTROL SERVICES - WATER RESOURCES

Bill No. 1478, entitled, "AN ORDINANCE AMENDING FACILITY CONNECTION, USER/DEBT SERVICE, AND OPERATION AND MAINTENANCE CHARGES FOR PROVISION OF STORMWATER DRAINAGE AND FLOOD CONTROL SERVICE BY WASHOE COUNTY WITHIN THE UNINCORPORATED AREA OF NORTH SPANISH SPRINGS; REQUIRING THE DEPARTMENT OF WATER RESOURCES TO SUBMIT BILLINGS TO ALL USERS; REQUIRING PAYMENT THEREOF; AND PROVIDING PROCEDURES FOR ITS ENFORCEMENT. THIS ORDINANCE REPEALS ORDINANCE NO. 1197," was introduced by Commissioner Humke, the title read to the Board and legal notice for final action of adoption directed.

06-502 MASTER FEE SCHEDULE – COMMUNITY DEVELOPMENT

Sharon Kvas, Planning Manager, gave an overview of the Master Fee Schedule and changes, which reflected the salary changes of planners, engineers, and so

on. She stated the Consumer Price Index (CPI) for the past five years had been 9.6 percent while salaries had increased up to 11 percent with Engineering going up 27 percent. She stated this schedule did not include changes by the District Health Department that set its own fees. Ms. Kvas noted elimination of the fee to appeal Administrative/Code Enforcement Decisions was being suggested, along with adding a research fee after the first half hour, a cooperative planning fee, a fee for modification of landscaping and parking standards, a fee for noticing, additional or re-noticing at applicant request, a sign inspection fee, and a neighborhood notice fee for comprehensive plan amendments. She said the Development Services Advisory Committee (DSAC) supported the changes. Ms. Kvas remarked the County's fees were considerably lower than the Cities of Reno and Sparks.

Commissioner Galloway asked if a project included a hillside, common open space, and an Environmental Impact Study (EIS), would the fee be doubled and then doubled again. Ms. Kvas explained how the fee structure worked in that case. Commissioner Galloway noted he did not favor waiving any appeal fees.

Commissioner Sferrazza asked about appeals, because he was concerned the fee discouraged citizens from participating in the process. He was also concerned with the fee for Special Use Permit – Minor being excessive depending on the definition of minor. Ms. Kvas replied “minor” would be a project such as a detached accessory dwelling, or a childcare facility, while “major” would involve the Health Department. A discussion ensued on appeals and Special Use Permit – Minor.

Commissioner Weber said the increase in the signage inspection fee seemed to be adding fees just to add them. Ms. Kvas said a new sign ordinance would be brought before the Board in the summer to allow people to put up temporary signs for events, and she explained the permitting and verification process. She added this summer the Building Department would no longer review anything having to do with the size of a sign, only the structural element. Ms. Kvas said that would shift the sign size review to the Planning Department, and this was why staff was suggesting the fee.

Commissioner Weber did not favor the signage fee. She felt there was a problem with people leaving garage sale signs up and would like to see those people fined. Ms. Kvas replied she would convey those concerns to Bob Webb, Planning Manager, to incorporate into the nuisance order.

Ms. Kvas explained when the CAB's were established; the County Manager felt the need for developers to have input. She explained why the DSAC was established.

Commissioner Humke wanted to establish that the Health Department had a separate body of fees. In response to Commissioner Humke, Ms. Kvas said fees were collected for the District Health Department and then distributed through SAP. Commissioner Humke asked why there was a Tahoe fee. Ms. Kvas explained the Water Resources Department collected a fee for reviewing applications. She said the Incline

Village General Improvement District (IVGID) did not, making their fees less. Commissioner Humke asked about signs property owners erected on their own property. Ms. Kvas said free speech could not be limited by Supreme Court decision. She said they could only restrict a sign according to the land use. She said when the new sign ordinance came through; the Commission would see it was more permissive. It was noted that language reading “should the new sign ordinance be adopted” should be added.

In response to Chairman Larkin, Ms. Kvas said there was nothing overly burdensome in the fee schedule for a business owner. She noted the review did not include small business owners unless consultants were counted.

Commissioner Galloway did not want garage sale signs singled out, because he thought this issue could be handled with the sign ordinance. He was not against the sign permit fee if some exceptions were made. Commissioner Galloway thought it was fine to charge a fee if there was 100 percent compliance. He suggested that under signage fee it state “fee schedule per sign ordinance” and place the fee in that ordinance.

Commissioner Weber did not agree with any fee. She said people had the right to put banners up in their yards announcing whatever they wished. Ms. Kvas said staff was talking about temporary banners for entities like the Lyons Club. She suggested bringing this fee back as part of the sign ordinance.

Commissioner Galloway made a motion to authorize signing of the resolution. Commissioner Sferrazza seconded the motion. Chairman Larkin then called for public comment.

In response to the call for public comment, Gary Schmidt said public comment should be made prior to a motion and a second. Juanita Cox said she was offended by having a motion made prior to public comment and discussed fees, with which she disagreed.

Upon recommendation of Ms. Kvas, through Adrian Freund, Community Development Director, on motion by Commissioner Galloway, seconded by Commissioner Sferrazza, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Larkin be authorized to execute the same. It was further ordered that no signage fee would be included at this time but a reference to a new sign ordinance would be included:

RESOLUTION

WHEREAS, Section 110.906.05 of the Washoe County Code provides for the adoption by Resolution of a Master Fee Schedule setting forth the fees for processing applications under the Development Code; and

WHEREAS, It was the direction of the Washoe County Commission as stated in its Resolution adopted on June 19, 2001, that should, prior to the fifth year after the adoption of the Resolution, Chapter 110 of the Washoe County Code (Development Code) be amended in such a way as to affect the fees as enumerated in the Master Fee Schedule, or should it be determined that changes in administrative processes merit a re-examination of the Schedule such amendments shall commence and be returned to the County Commission for further consideration and adoption; and

WHEREAS, Staff conducted an extensive review of the existing Master Fee Schedule, compared the Consumer Price Index (CPI) increases for the past five years with actual wage and overhead for reviewing staff, reviewed the City of Sparks and City of Reno newly adopted fee schedules, requested time logs to be kept from staff of each reviewing agency recording the amount of time to process each application including applications and requests that are not covered by the Master Fee Schedule and staff has determined that changed circumstances merit a re-examination of the Schedule; and

WHEREAS, The annual CPI adjustments have not accurately covered the cost of service; now, therefore, be it

RESOLVED, That the Master Fee Schedule for processing applications pursuant to Chapter 110 of the Washoe County Code (Development Code) is hereby amended by adopting the new Master Fee Schedule, which is placed on file with the Clerk hereto as Attachment A; now, therefore, be it further

RESOLVED, That the Master Fee Schedule shall be reviewed no later than five (5) years from the date of adoption of this Resolution to determine if the annual CPI adjustments have accurately covered the cost of service; now, therefore, be it further

RESOLVED, That the Master Fee Schedule shall have the individual fees, except for the District Health Department fees, adjusted automatically each year by the percentage increase or decrease of the Consumer Price Index (CPI) Western Region, as annually published; the fee adjustment to be rounded to the nearest dollar, unless action by the Washoe County Commission is taken to change the individual fee; now therefore, be it further

RESOLVED, That should, prior to the fifth year after the adoption of the Resolution, it be determined that changes merit a re-examination of the Schedule, the Master Fee Schedule shall be returned to the County Commission for further consideration and adoption.

06-503 BILL NO. 1479 – ISSUANCE OF PARK BONDS – FINANCE

Commissioner Weber did not support funding of the Park Bonds. She asked if the debt could be paid off earlier. John Sherman, Finance Director, said the Bonds would be issued up to \$35 million.

Commissioner Galloway said if they borrowed more money than needed, the County could use the rest against principle. He thought it would be imprudent not to issue the full amount. Mr. Sherman said authorization based on these acts would last for three years.

Chairman Larkin said the introduction and first reading of the Ordinance meant the County could bond up to \$35 million, but it did not mean it would bond to that amount. He said the County was no longer in a condemnation or an eminent domain situation but was acquiring property for open space.

Commissioner Sferrazza said he supported Commissioner Galloway's position to acquire whatever land the County could. He did not support the \$13.5 million and; therefore, could not support this item when it came to vote.

Bill No. 1479, entitled, "AN ORDINANCE AUTHORIZING THE ISSUANCE BY THE COUNTY OF ITS NEGOTIABLE "WASHOE COUNTY, NEVADA, GENERAL OBLIGATION (LIMITED TAX) PARK BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2006," IN THE MAXIMUM PRINCIPAL AMOUNT OF \$35,175,000 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, IMPROVING AND EQUIPPING PARK PROJECTS WITHIN THE COUNTY, INCLUDING ACQUISITION OF BALLARDINI RANCH; PROVIDING THE FORM, TERMS AND CONDITIONS OF THE BONDS AND OTHER DETAILS IN CONNECTION THEREWITH," was introduced by Commissioner Galloway, the title read to the Board and legal notice for final action of adoption directed.

06-504 DISCUSSION - SWEARING IN POLICY - VARIOUS BOARDS AND COMMISSIONS

Commissioner Sferrazza stated he would like everyone testifying before a Board or Commission to be treated equally with everyone being sworn in, and it should be across the board for those entities requiring it.

Commissioner Galloway agreed everyone should be sworn. He noted that certain people who would be testifying consistently before a body could be sworn in for the season or at most for a year.

Commissioner Weber disagreed asking if the Board or Commission members would be sworn in. Commissioner Galloway said this would only be for people giving testimony.

Chairman Larkin asked about the tradition and practice of swearing in people and why some boards and commissions did so. He said this might not be right for action at this point stating he did not have sufficient information. Melanie Foster, Legal Counsel, said there were certain entities that required sworn testimony. Chairman Larkin said the Board was being asked to standardize a policy that could have ramifications and

wanted more information. Ms. Foster said this could be brought back with a staff report providing more detail.

Commissioner Sferrazza said swearing someone in required the person who testified to tell the truth. If that person committed perjury, sanctions could be taken. Commissioner Humke agreed a staff report was needed.

Commissioner Galloway said he was not advocating swearing in anyone before this Board. He said they needed to differentiate between bodies and would welcome a staff report.

In response to the call for public comment, Gary Schmidt stated he favored of all parties being sworn in for all public hearings. He noted all attorneys were sworn in that testified before the Board of Equalization. Mr. Schmidt submitted the Rules, Policies and Procedures of the Board of Adjustment (BOA), which was placed on file with the Clerk. Juanita Cox said citizens were sworn in at a recent BOA meeting, but staff was not. She stated everyone should be sworn in.

On motion by Commissioner Sferrazza, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that this matter be referred back to staff to develop a summary of which Boards and Commissions required people to be sworn in and brought back to the Board for discussion at the first meeting in June.

06-505 LEGISLATIVE ISSUES - SCR 26 SUBCOMMITTEE ACTIVITIES
- LEGISLATIVE AFFAIRS

Commissioner Humke said a draft of an Interlocal Agreement had begun at the recent meeting of the water purveyors Technical Advisory Committee (TAC). He believed the TAC came up with a faulty model. He said seven entities would participate under a general Southern Nevada Water Authority type plan; however, he recommended adding Washoe County Water Resources and South Truckee Meadows Water Reclamation Facility. Commissioner Humke remarked this was important to do in the beginning. He also suggested removing representation from the Cities of Reno and Sparks.

Commissioner Sferrazza did not think that would be approved. He said Reno and Sparks had already given up representation from Truckee Meadows Water Authority. Commissioner Weber and Chairman Larkin agreed.

Commissioner Galloway did not favor what had been agreed to at that meeting; it was simply a compromise. He said there could be a time when someone else who voted on the agreement wanted to make a change in the body that could be to their detriment. He thought staff should look at Commissioner Humke's suggestion and refine it because, if there were to be any changes, it would best be done now.

Commissioner Humke said the time for changes was during the negotiation process. He noted there needed to be fairness; either includes all the purveyors of water or all of the entities.

06-506 REPORTS/UPDATES FROM COUNTY COMMISSION MEMBERS

Commissioner Sferrazza said the Reno-Sparks Convention and Visitors Authority Finance Committee would meet May 10, 2006 to discuss a request to release funds the County currently held to purchase the Liberty Belle property. He said if the Commissioners had any comments on this, he would take them to the meeting.

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9:15 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
Jan Frazzetta and Jill Shelton
Deputy County Clerks*